

Supporting Statement for Paperwork Reduction Act Submission
Drug Questionnaire
DEA Form 341
OMB Approval Number 1117-0043

Part A. Justification

1. Necessity of Information:

The Drug Enforcement Administration (DEA) is a federal law enforcement agency. Its mission is to enforce the controlled substances laws and regulations of the United States. Its principal responsibilities include investigation and prosecution of major violators of controlled substances laws. (See www.DEA.gov for additional information)

Because of the nature of DEA's mission, and its status as a law enforcement agency, past use of illegal drugs by DEA employees presents special concerns. In July 2003 the Acting Administrator enunciated a policy regarding qualifications for employment with DEA.

Effective at that time, all vacancy announcements for positions at DEA contain the following statement:

“Applicants who are found, through investigation or personal admission, to have experimented with or used narcotics or dangerous drugs, except those medically prescribed, will not be considered for employment with the Drug Enforcement Administration (DEA). Exceptions to this policy may be made for applicants who admit to limited youthful and experimental use of marijuana. Such applicants may be considered for employment if there is no evidence of regular, confirmed usage and the full-field background investigation and results of the other steps in the process are otherwise favorable.”

Additionally, all vacancy announcements state that compliance with this policy is an “essential requirement” of positions at DEA and that all applicants will be required to provide information concerning their personal history, if any, of illegal drug use.

2. Needs and Uses:

It is DEA's position that the Drug Questionnaire (DEA Form 341) is essential to implement the DEA's Policy concerning employment qualifications. By far the most cost-effective means to discover an individual's history of illegal drug use is through direct questions. It is critical to determine a history of illegal drug use because it is impossible for DEA to make an informed decision about an individual's qualifications for employment, in accordance with its publicly enunciated Policy, without knowing full facts.

The data obtained through the Drug Questionnaire allows DEA managers to use their resources of time and money to focus on candidates who are qualified for DEA employment. Since July 2003, when DEA's policy regarding drug use as a potential disqualification for DEA employment was implemented, a Drug Questionnaire has been used to obtain personal histories of illegal drug use from applicants.

3. Use of Technology:

The DEA Form 341 is designed to be easily understood and filled out by all applicants. The form is available on-line. It asks only whether the applicant has personally used illegal drugs, and lists illegal drugs by name. Approximately 49% of submissions are sent to DEA electronically.

4. Efforts to Identify Duplication:

The DEA Form 341 is the only form that asks simple questions about illegal drug use at the inception of the application process, and asks the same questions of all applicants. Other forms (e.g., SF-86) may ask questions about drug use during certain periods of time, may ask more complex questions, or may ask questions of only certain personnel.

5. Methods to Minimize Burden on Small Businesses:

This collection does not have a significant economic impact upon small entities within the meaning and intent of the Regulatory Flexibility Act, 5 U.S.C. 601-612.

6. Consequences of Less Frequent Collection:

Does not apply to this collection. The DEA Form 341 is filled out only once, at the time of initial application for DEA employment.

7. Special Circumstances Influencing Collection:

See section 1 and 2 above regarding DEA's enunciated policy on past drug use as a disqualification for employment with DEA. The only way that DEA's policy can be effective is for DEA to implement a screening process for applicants to determine whether each applicant is qualified for DEA employment. The DEA Form 341 is a fast, inexpensive, easily understood instrument for fulfilling DEA's policy.

8. Reasons for Inconsistencies with 5 CFR 1320.6:

There are no inconsistencies with the Paperwork Reduction Act. DEA did not receive any comments concerning this collection.

9. Payment or Gift to Claimants:

There are no such gifts or payments to respondents.

10. Assurance of Confidentiality:

As set forth in the Form's Privacy Act Notice, the data collected will be maintained in a DEA System of Records. As such, use and disclosure of information contained therein will be strictly controlled and will be confined to those who have a need for the information in conjunction with DEA responsibilities.

11. Justification for Sensitive Questions:

The data to be collected is necessary for the implementation of DEA's policy regarding qualifications for employment. Only questions relating to personal use (not use by others and not other drug-related activity) are asked. All applicants are advised, in advance, of the requirement to disclose their past history, if any, of illegal drug use. No one is surprised by being presented with the Form.

12. Estimate of Hour Burden:

An estimated 31,800 applicants will complete this form at a burden of 5 minutes per respondent.

DEA Form 341:

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|----------------------------|-------------|
| Number of Respondents: | 31,800 |
| Frequency of Response: | As Needed |
| Average time per response: | 5 minutes |
| Total annual responses: | 31,800 |
| Total annual burden: | 2,650 hours |

13. Estimate of Cost Burden:

Total Capital and Start Up Cost to Respondents: Zero. Respondents can use existing software and internet connections or, if that is unavailable, can fill out paper forms.

Total operation and maintenance and purchase of services requirement: Zero. DEA can use existing software and internet connections.

14. Estimated Annualized Costs to Federal Government:

Estimated annual cost to Federal government: \$5,000

Cost of printing and maintaining form: \$5,000

Cost of personnel and support staff or other expenses that would not have been incurred with this collection of information: Zero

15. Reasons for Change in Burden:

The population responding to this collection has been adjusted to reflect more applicants applying for employment with DEA.

16. Plans for Publication:

There are no plans to publish the information collected.

17. Expiration Date Approval:

DEA requests permission not to display the expiration date as it would be a burden for the agency to reprint forms when only the expiration date has changed.

18. Exceptions to the Certification Statement:

There are no exceptions to the certification statement.

Part B. Statistical Methods

The Drug Enforcement Administration does not employ statistical methods in this information collection.