

Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Information Collection Request

List of Responsible Persons
OBM Number 1140-0074

A. Justification

1. Necessity of Information Collection

ATF is charged with the responsibility for enforcing Title XI of the Organized Crime Control Act of 1970 (the Act) and the implementing regulations contained at 27 CFR, Part 555. Subtitle C of Public Law No. 107-296, the Safe Explosives Act, enacted November 25, 2003, amended the Act to require that certain persons file an application for an explosives license or permit with ATF, to include specific information on responsible persons and persons authorized to handle explosives in the course of their duties. Further, 18 U.S.C. Section 843(h) requires the Secretary to conduct background checks on the persons whose descriptions are forwarded to ATF as required by this Chapter. This will help ensure compliance with the provisions of 18 U.S.C Section 842(i), which prohibits certain persons from possessing explosive materials.

This collection is in accordance with the above provisions of law and is necessary in order to ensure that persons newly hired by or otherwise added to explosives operations are not prohibited under 18 U.S.C. Section 842(i) from possessing explosive materials. The regulations at 27 CFR, Section 555.57 require that all persons holding ATF explosives licenses or permits as of May 23, 2003 must report descriptive information on their responsible persons and possessors of explosives to ATF. Subsequent changes to their list of persons must also be reported. Further, Section 555.57 requires that copies of the above reports be retained in the licensees' or permittees' required records for the period specified in 27 CFR, Section 555.121.

2. Needs and Uses

ATF will use the information submitted to conduct background checks on employees whose names are submitted as described above, and to keep the licensees' and permittees' information on responsible persons and explosives possessors current.

3. Use of Information Technology

This collection of information is not in any special format nor is it a form. The list that contains information for any change in responsible persons or employees authorized to possess explosive materials can be sent to ATF by fax, mail or email.

4. Efforts to Identify Duplication

ATF uses a uniform subject classification system to identify duplication and to ensure that any similar information already available cannot be used or modified for use for the purpose of this information collection.

5. Minimizing Burden on Small Businesses

This collection will not affect small businesses.

6. Consequences of not conducting or less frequent Collection

The collection must be conducted to ensure that prohibited persons do not have access to explosives. This collection is necessary in order to comply with Federal statute under 18 U.S.C. Section 843(h).

7. Special Circumstances

There are no special circumstances associated with this collection.

8. Public Comments and Consultations

ATF consulted with the explosives industry. A 60-day and 30-day Federal Register notice was published in order to solicit comments from the general public. No

comments were received from the 60-day or 30-day Federal Register notice.

9. Provision of Payments or Gifts to Respondents

No payment or gift is associated with this collection.

10. Assurance of Confidentiality

Respondents' confidentiality is not assured.

11. Justification for Sensitive Questions

No questions of a sensitive nature are asked.

12. Estimate of Respondent's Burden

We estimate that there will be approximately 50,000 respondents associated with this collection. We estimated 2 changes per year per license/permittee. It will take approximately 1 hour per change, twice a year. The number of annual responses is 100,000. The total burden associated with this collection is 100,000.

13. Estimate of Cost of Burden

There is no cost burden to the respondent.

14. Cost to Federal Government

The annual cost to the Federal government is \$120,000.

15. Reason for Change in Burden

There are no program changes or adjustments associated with this collection.

16. Anticipated Publication Plan and Schedule

The results of this collection will not be published.

17. Display of Expiration Date

ATF does not request approval to not display the expiration date of OMB approval for this collection.

18. Exception to the Certification Statement

There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods.

This collection of information employs no statistical methods.