

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

Limited Permittee Transaction Records
OBM Number 1140-0078

A. Justification

1. Necessity of Information Collection

ATF is charged with the responsibility for enforcing Title XI of the Organized Crime Control Act (the Act) of 1970 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 create a limited permit for certain persons wishing to obtain explosives. The regulations at 27 CFR, Section 555.126 require that, prior to distributing explosive materials to a limited permittee, a licensee or permittee must obtain an original ATF F 5400.4. The original of the form must be retained by the distributor as part of his permanent records, and the second copy must be faxed or mailed to ATF. Finally, the transferor must retain the form as specified in the regulations. This information collection ensures that the records are available for tracing explosives when necessary.

2. Needs and Uses

This information collection is a recordkeeping requirement. The collection will be used to ensure that records are available for tracing explosives when necessary, and to ensure that limited permit holders do not receive explosives on more than 6 occasions during the term of their permit.

3. Use of Information Technology

The original documentation is retained by the distributor as a permanent record. The second copy of the documentation can be faxed to ATF.

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 substantially affect small businesses.

6. Consequences of not conducting or less frequent Collection

The consequences of not conducting this information collection would result in persons having access to explosives to use for criminal or terrorist purposes.

7. Special Circumstances

There are no special circumstances with regard to this information collection. The requirements are conducted in a manner consistent with 5 CFR 1320.6.

8. Public Comments and Consultations

ATF consulted with the explosives industry regarding this collection. 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 FR notice.

9. Provision of Payments or Gifts to Repondents

No payment or gift is associated with this collection.

10. Assurance of Confidentiality

Documentation regarding this collection will be kept in a secure location on the licensees premises. 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 a total of 5,000 respondents. The frequency of responses for each respondent will be 300 per year. The total number of responses will be 1,500,000. We estimate that each respondent will spend approximately 5 minutes to receive, file, and forward the appropriate documentation. The total annual burden hours associated with this burden request is 125,000 hours.

13. Estimate of Cost Burden

There is no cost burden to the respondents.

14. Cost of Federal Government

Due to the fact that this is a recordkeeping requirement there is no cost to the Federal government.

15. Reason for Change in Burden

There are no changes for this information 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.