

United States Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Information Collection Request
1140-0055
Identification of Explosive Materials
Supporting Statement

A. Justification

1. ATF is charged with the responsibility for enforcing Title XI of the Organized Crime Control Act of 1970 and the implementing regulations at 27 CFR Part 555. One of the primary purposes of the Act was to reduce the hazards to persons and property arising from misuse of explosives materials.

In an effort to protect the public from misuse of explosive materials, ATF requires that explosives manufacturers mark all explosives manufactured with specific information, such as the name of the manufacturer and the date and shift of manufacture. The regulations at 27 CFR 555.123 require, among other things, that, "...each licensed manufacturer shall not later than the close of the next business day following the date of manufacture or other acquisition of explosive materials, enter the following information in a separate record: (1) Date of manufacture or other acquisition. (2) Manufacturer's marks of identification..."

Additionally, licensees and permittees are generally required to record the manufacturer's marks of identification on all explosives they receive.

These requirements help ensure that explosive materials can be effectively traced for criminal enforcement purposes. That is, the explosives can be tracked through the records kept by licensees and permittees. This process often provides valuable information in explosion and bombing investigations, and is useful for inspection purposes in verifying inventory and proper conduct of business practices.

2. Each licensed manufacturer of explosive materials shall legibly identify by marking all explosive materials he manufacturers for sale or distribution. The marking of explosives is used in the process of tracing recovered explosive materials. Records retained at the premises of an explosives license or permittee are required to reflect the manufacturer's marks of identification. In furtherance of criminal investigations, the ATF Explosives Repository Branch conducts explosives traces by contacting the manufacturer of the materials and "tracing" them through successive dealers.

Additionally, ATF inspectors rely on the manufacturer's markings in the required records to verify inventories and proper conduct of business practices.

3. The collection does not involve the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Respondents are required to record information by the close of the next business day following the manufacture or receipt of explosive materials.

4. ATF is not aware of any similar marking requirements for explosive materials. ATF is the only entity charged with enforcing the implementing regulations for this information collection.

5. The collection of this information does not have any impact on small business.

6. Failure to collect this information would hinder explosive trace efforts for criminal enforcement cases. Additionally, compliance inspection activities, such as inventory verifications for public safety, would be adversely affected.

7. Respondents are required to report information only as often as necessitated by criminal enforcement or regulatory activities. Respondents are required to record information by the close of the next business day following the manufacture or receipt of explosive materials. This is to ensure that records are available for tracing or inspection purposes. Respondents are required to maintain records for 5 years. This is to ensure availability for criminal enforcement (tracing) purposes.

8. ATF employs Industry Analysts whose major responsibility is keeping their fingers on the pulse of the industry. The industry was consulted for this information collection. A 60-day and 30-day notice was published in the Federal Register in order to solicit comments from the public. No comments were received.

9. No payment or gift is associated with this information collection.

10. Confidentiality is not assured. The records that contain the information regarding the markings of explosives are maintained on the premises of an explosive licenses or permittee and are kept in a secured location.

11. No questions of a sensitive nature are asked.

12. There are 1,563 respondents associated with this information collection. Each respondent responds one time. The total number of responses is 1,563. The average amount of time estimated for a respondent to respond is none. Because the manufacturers are required to place markings on explosives, the burden hours are considered usual and customary. 5 CFR 1320.3(b)(2) states there is no burden when the collection of information is considered usual and customary. In order to process the information collection through OMB, the burden associated with this collection is a total of 1 hour.

13. There is no cost to the respondent for this collection of information.

14. There is no cost to the Federal Government.

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

16. The results of this collection will not be published.

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

18. There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods

This collection of information employs no statistical methods.