

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

Supporting Statement
OMB No. 1140-0092

Voluntary Magazine Questionnaire for Agencies/Entities Who Store Explosive Materials

A. Justification.

1. Necessity of Information Collection

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is responsible for enforcing Title XI of the Organized Crime Control Act of 1970, as amended by the Safe Explosives Act of 2002 and its implementing regulations contained in 27 CFR Part 555. One of the primary purposes of the Federal explosives laws is to protect against the criminal or terrorist use of explosives. This is accomplished, in part, by reducing the hazard to persons and property arising from the misuse and the unsafe or insecure storage of explosive materials. ATF has no statutory means to collect information on the number, location of, or the type and amount of explosives that are being stored in public explosives storage facilities, including those facilities used by State and local law enforcement and public educational institutions. State and local government entities are exempt under the law from the license or permit requirements, from which ATF obtains its authority to conduct inspections.

2. Needs and Uses

The purpose of the Voluntary Magazine Questionnaire for Agencies/Entities Who Store Explosive Materials is to identify the number and locations of public explosives storage facilities magazines, including those facilities used by State and local law enforcement. ATF does not have the authority to conduct administrative inspections of public magazines storing explosives. The provisions of the Federal explosives laws do not require Government entities to obtain an explosives license or permit, which would grant ATF the authority to inspect their magazines. Therefore, the number and location of these facilities are not fully known to ATF.

Thefts of explosive materials, such as the theft of explosives from law enforcement magazines in San Mateo, California, and other locations have made locating all public explosives magazines and identifying security risks a priority for ATF. Voluntary ATF inspections would ensure that all magazines meet the statutory and regulatory construction requirements for safe storage. If any magazines are at risk for the theft or loss of explosive materials, ATF will create programs to address these risks. This information will also help ATF account for all explosive materials during emergency situations, such as the recent hurricanes in the Gulf, forest fires, or other disasters.

3. Use of Information Technology

The questionnaire will be available on ATF's Internet site, www.atf.gov. The form can be submitted by mail, fax, or e-mail to a specially designated mailbox. ATF expects that half of the responses will be sent by email or fax.

4. Efforts to Identify Duplication

ATF has been specifically instructed by Congress to obtain this information. In addition, ATF is the primary Federal agency responsible for the safe and secure storage of explosive materials, as designated by Organized Crime Control Act of 1970. A limited number of State and local agencies have requested a voluntary inspection of their facilities by ATF, and this information is located at those facilities. There is no other way to obtain this information from agencies who do not request a voluntary inspection. There is no similar information that can be used or modified for the purposes described in item 2. ATF is the only agency conducting this questionnaire.

5. Minimizing Burden on Small Businesses

This questionnaire is voluntary and those small businesses that choose to respond are estimated to have a minimal amount of explosives on hand. Therefore, the burden on those small businesses would be minimal to none.

6. Consequences of Not Conducting or Less Frequent Collection

Not collecting this information would hinder ATF's ability to verify the location and assess the security risks of explosive materials stored in public facilities including those facilities used by State and local law enforcement and public educational institutions. It additionally hampers ATF's response to emergency situations such as natural disasters or terrorist attacks.

7. Special Circumstances

None of the special circumstances apply to this collection. This information will be collected in a manner consistent with the guidelines in 5 CFR 1320.6.

8. Public Comments and Consultations

ATF consulted with the Government Accountability Office and internal collaborations within ATF. A 60-day and 30-day Federal Register Notice was published in order to solicit comments from the public. No comments were received.

9. Provision of Payment Gifts to Respondents

No payment or gift is associated with this collection.

10. Assurance of Confidentiality

Confidentiality is not assured however responses from the respondents will be kept on ATF premises and will only be accessible by ATF personnel. This information will be classified as law enforcement sensitive and restricted, not for public dissemination.

11. Justification for Sensitive Questions

The locations of explosives magazines and the quantities of explosives at each magazine are necessary for public safety and security reasons. This information will be sensitive in nature because it describes the location and amounts of explosive materials present.

12. Estimate of Respondent's Burden

We estimate that there are a total of 1,000 respondents associated with this information collection. Each respondent will respond one time. The total number of responses is 1,000. Each respondent will spend approximately 30 minutes on this questionnaire. The total number of burden hours associated with this information collection is 500.

13. Estimate of Cost Burden

ATF believes any cost will be minimal. The respondent will e-mail, fax, or mail the questionnaire to ATF.

14. Cost to Federal Government

No additional cost will be incurred by the Federal Government. ATF personnel will maintain this information in an internal database.

15. Reason for Change in Burden

There is no change in burden from the previous submission.

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.

18. Exception to the Certification Statement

There are no exceptions to the certification statement.