

DEPARTMENT OF JUSTICE
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES
Supporting Statement
ATF F 5400.14/5400.15, Part 111
Federal Explosives License/Permit (FEL) Renewal Application
OMB 1140-0022

A. Justification:

1. Chapter 40, Title 18 of the United States Code provides that no person may engage in the business of importing, manufacturing or dealing in explosives materials without first obtaining a license to do so. Further, no person may transport or buy explosives materials in interstate commerce without first obtaining a permit to do so. Licenses or permits are issued for a specific period of time and are renewable upon the same conditions as the original license or permit. In order to continue uninterruptedly in these activities, licenses and permits can be renewed by filing a short renewal application. As long as 18 U.S.C. 843(a) requires a person who wishes to engage in the explosives materials business or transport/buy in interstate commerce to pay a fee, to file an application and to obtain a permit before engaging in these activities, this short renewal form is a reasonable alternative to having to complete another application where there have been no substantive changes in the applicant's history.

Change to ATF F 5400.14/5400.15 Part III:

- **C. 2.** – Change the following sentence from: *If you need to ADD EP's, ATF Form 5400.28 Employee Possessor Questionnaire MUST be complete for EACH additional EP.*

Change to: *You must complete ATF Form 5400.28-Employee Possessor Questionnaire, for ALL EP's that are active on your FEL, both CURRENT and NEW EP's.*

2. The information on this form is used by ATF application examiners to identify applicant for a renewed license or permit, the location where the activity will be conducted, the specific activity to be conducted and to determine the applicant's continued eligibility to receive a renewed license or permit. Renewal applications are now computer generated and mailed to the applicant with enough lead time to allow for timely processing and return to the applicant of a valid license or permit. The renewal application is used by the public to retain a license or permit. The renewal application is used by ATF to determine that the applicant remains eligible to retain the license or permit.

3. The Federal Explosives Licensing Center's goal is to migrate all applicable forms to the ATF e-Forms environment when funding is approved for future e-Forms initiatives.

This venue will allow applicants to complete forms online and submit remittance electronically through the ATF's agreement with Pay.Gov.

4. 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. This information collection requirement has no impact on small businesses.
6. Without the information supplied by the applicant on the renewal form, ATF could possibly issue a license or permit to a person prohibited by law from receiving the license or permit.
7. Respondents complete this information only as often as necessary to comply with the statute. This information collection is conducted in a manner consistent with 5 CFR 1320.6.
8. ATF consulted with the explosives industry during the creation of this form. Grouping of similar items was used in the redesign of the form to increase clarity. Questions and information boxes were highlighted to improve readability. A 60-day and 30-day Federal Register Notice was published in order to solicit comments from the general public. No comments were received.
9. No payment or gift is offered to the respondents.
10. In accordance with System of Records Notice (SORN) Justice/ATF-008 Regulatory Enforcement Record System FR Vol. 68 No. 16 Page 3558 dated January 24, 2003. Records are stored in file folders in file cabinets and in electronic media. Direct access is restricted to personnel in the Department of Justice in the performance of their duty. Records are transmitted to routine users on a need to know basis and others upon verification of the substance and propriety of the request. Records are stored in file cabinets in rooms locked during non-duty hours. The records stored in electronic media are password protected.
11. Questions of a sensitive nature are asked to ensure that explosives are not sold or received by certain persons.
12. The estimated number of respondents 2,500. The frequency of response is once. The total number of responses is 2,500. The average estimated time for filling out the information is 20 minutes per application. The total annual burden associated with this collection is 825 hours. These estimates are based on the number of applications received in 2014. There is no change in burden hours from the previous submission.
13. Postage ($.49 \times 2,500 = \$1,225$) is the only cost to the respondent. The increase in cost from previous collections is due to the increase in the U.S. Postal Rate.

14. Estimates of annual cost to the Federal Government are as follows:

Printing	\$ 2,300
Distribution	\$430
Clerical Costs	\$2,300
Other Salary	\$1,800
(Review supervisory, etc.)	
Total	<u>\$6,830</u>

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 for OMB approval of the information for this collection.
18. There are no exceptions to the certification statement.
- B. This collection of information does not employ statistical methods.