Supporting Statement for Paperwork Reduction Act Submissions
Collection of Laboratory Analysis Data on Drug Samples Tested by Non-Federal (State and Local Government) Crime Laboratories
OMB Approval #1117-0034

The Drug Enforcement Administration (DEA) seeks approval by the Office of Management and Budget (OMB) for an existing collection of information that was previously approved by OMB – OMB Approval #1117-0034, Collection of Laboratory Analysis Data on Drug Samples Tested by Non-Federal (State and Local Government) Crime Laboratories.

Part A. Justification

1. Necessity of Information:

This collection provides the Drug Enforcement Administration (DEA) with a national database on analyzed drug evidence from non-federal laboratories. Information from this database is combined with other existing databases to develop more accurate, up-to-date information on abused drugs. This database represents a voluntary, cooperative effort on the part of participating laboratories to provide a centralized source of analyzed drug data.

Existing federal drug abuse databases do not provide the type, scope or quality of information necessary to effectively estimate the actual or relative abuse potential of drugs as required under the Controlled Substances Act (21 U.S.C. 811(b)) and international treaties in a timely and efficient manner. For example, much of the trafficking data for federal drug scheduling actions is presently obtained on a case-by-case basis from state and local laboratories. Occasionally scientific personnel from the DEA's Drug and Chemical Evaluation Section, Office of Diversion Control, have visited the laboratories and manually reviewed files to locate the data. The development of the National Forensics Laboratory Information System (NFLIS) greatly enhances the collection of such data. Submission of information for this collection is voluntary. DEA is not mandating this information collection.

2. Needs and Uses:

The National Forensic Laboratory Information System (NFLIS) provides the DEA with a computerized data collection and retrieval system on information associated with analyzed drug evidence which is submitted from non-federal forensic laboratories. This information supplements and complements information obtained from other databases and surveys such as the SAMHSA National Survey on Drug Use and Health (NSDUH) and NIDA's Monitoring the Future Survey. The information from these sources combined with the data from the non-federal laboratories presents a more complete indicator of the extent of and activities associated with the illicit trafficking of a substance. The data is used to provide information in support of drug scheduling actions and enables DEA to better monitor the diversion of legitimately marketed drugs, drug trafficking and abuse.

The data obtained from the system is under the control of DEA. Data is used primarily by DEA, with consideration given to other federal agencies such as ONDCP, and state and local agencies, as agreed with DEA. Participating laboratories, law enforcement agencies and other government agencies are permitted limited access to the database. The level and type of access is controlled by DEA.

3. Use of Information Technology:

NFLIS collects data through the electronic transmittal of reports. State and local forensic laboratories submit reports via e-mail, the file transfer protocol (FTP) site, or the Internet. Electronic reporting minimizes the burden by eliminating the time and expense necessary to print, package and mail hard copy reports or portable drives and allows for more efficient processing of the data reported.

4. Efforts to Identify Duplication:

The DEA has made efforts to identify and prevent duplication of the collection of information. The existing Collection of Laboratory Analysis Data on Drug Samples Tested by Non-Federal (State and Local Government) Crime Laboratories. The collection of this information is unique to the DEA.

5. Impact on Small Businesses or Entities:

This is a routine renewal of existing Collection of Laboratory Analysis Data on Drug Samples Tested by Non-Federal (State and Local Government) Crime Laboratories. The DEA does not anticipate any additional impact on small businesses or other small entities since the initial approval of this form. The collection will not have a significant economic impact on small businesses or other small entities within the meaning and intent of the Regulatory Flexibility Act, 5 U.S.C. 601–612.

6. Consequences of Less Frequent Collection:

Not collecting the information would compromise federal efforts to prevent diversion. The collection of this data will provide valuable information to DEA and other drug regulatory enforcement agencies. Existing federal drug abuse databases do not provide the type, scope or quality of information necessary to effectively estimate the actual or relative abuse potential of drugs as required under the Controlled Substances Act (21 U.S.C. 811(b)) and international treaties in a timely and efficient manner.

7. Special Circumstances Influencing Collection:

Some respondents report monthly, others quarterly. Respondents decide how frequently they will submit these voluntary reports. Less frequent reporting would reduce DEA's ability to monitor actual and relative abuse potential of drugs. Other special circumstances in item 7 of the supporting statement are not applicable to this information collection.

8. Consultation with persons outside the Agency:

Public comment was solicited in the 60-day Federal Register Notice of Information Collection, 80 FR 73834, published November 25, 2015 and the 30-day Federal Register Notice of Information Collection, 81 FR 4930, published January 28, 2016. The DEA did not receive any comments concerning this collection.

9. Payment or Gift to Claimants:

This collection of information does not propose to provide any payment or gift to respondents.

10. Assurance of Confidentiality:

Information requested in this collection may be considered confidential business information if marked as such in accordance with 28 CFR 16.8(c) and Exemption 4 of the Freedom of Information Act (FOIA). Submitters who are required to furnish commercial or financial information to the government are protected from the competitive disadvantages that could result from disclosure of such information. The information is protected by the DEA through secure storage, limited access, and federal regulatory and DEA procedures. In the event a FOIA request is made to obtain information that has been designated as confidential business information per 28 CFR 16.8(c) and Exemption 4 of FOIA, the DEA will give written notice to the submitter to allow an opportunity to object within a reasonable time prior to any disclosure by the DEA.

11. Justification for Sensitive Questions:

This collection of information does not ask any questions of a sensitive nature, however, the information is law enforcement sensitive.

12. Estimate of Hour Burden:

Total number of respondents: 140
Frequency of response: Monthly (134 Respondents) and Quarterly (6 Respondents)
Total annual responses: 1632 Monthly (134 x 12) + Quarterly (6 x 4)
Average time per response: 0.13 hours (8 minutes)
Total annual hour burden: 218 hours

Average Burden:	Per Collection:	0.13 hours (8 minutes)
	Per Respondent:	1.6 hours

Labor burden estimates are based on the population of the regulated industry participating in these business activities. The DEA utilizes the wage rate for occupation code, 19-4092 "Forensic Science Technicians" (http://www.bls.gov/soc/2010/soc_alph.htm) as an estimate for persons who will submit responses. The median hourly wage for that occupation according to the Bureau of Labor Statistics' (BLS) 2014 National

Occupational Employment and Wage Estimates (http://www.bls.gov/oes/current/oes_nat.htm) is $26.61. Based on the BLS report, "Employer Costs for Employee Compensation – March 2015," (http://www.bls.gov/news.release/pdf/ecec.pdf) an additional 56.25% load (for "State and local government") is added to the wage rate to account for benefits. Thus, the labor cost of this information collection is $9,047 annually.

13. Estimate of Cost Burden:

The estimated annual cost burden is zero. Respondents are estimated to not incur any a) additional start-up cost or capital expenditure, or b) additional operation and maintenance costs or purchase services as a result of this information collection.

14. Estimated Annualized Cost to the Federal Government:

Project Manager:

1 GS-14 Chemist (50% of work year): $95,027

Statistician:

1 GS-13 Statistician (25% of work year): $40,208

Oversight of Contract Responsibilities:

1 GS-14 Contracting Officer (10% of work year): $19,005

Contracted Support: $1,400,000

Total cost to government: $1,554,241

All costs to the Federal Government for these activities are recovered from registrants through registration fees, as required by the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act of 1993. Government salaries above include a load of 56.25% for benefits.

15. Reasons for Change in Burden:

The burden is unchanged.

The annual cost figure was excluded in the 2013 Approved Burden. The difference accounts for inclusion of the requested 2016 annual cost of $9,047.

	2013 Approved Burden	2016 Requested Burden	Difference
Annual responses	1,632	1,632	-
Annual hour burden	218	218	-
Annual cost ($)	-	9,047	9,047

16. Plans for Publication:

The DEA will not publish the results of the information collected.

17. Expiration Date Approval:

The DEA does not object to OMB displaying the expiration date.

18. Exceptions to the Certification Statement:

The DEA is not seeking an exception to the certification statement “Certification for Paperwork Reduction Act Submissions” for this collection of information.

Part B. Statistical Methods

The DEA does not employ statistical methods in this information collection.