

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

Voluntary Magazine Questionnaire for Agencies/Entities Who Store Explosive Materials

OMB 1140-0092

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 criminal or terrorist use of explosives. This is accomplished in part by reducing the hazard to persons and property, arising from the misuse and unsafe or insecure storage of explosive materials. ATF has no statutory means to collect information about the quantity, location of, or the type and amount of explosives that are being stored in public explosives storage facilities, including those used by State and local law enforcement and public educational institutions. Under 18 U.S.C. § 845(a), State and local government entities are exempt from license and 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 used by State and local law enforcement. ATF does not have the authority to conduct administrative inspections of public magazines storing explosives. Federal explosives laws currently 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.

Recent thefts of explosive materials, such as that which occurred 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 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 local emergencies, such as hurricanes, 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 may be completed electronically and emailed or faxed to ATF for processing.

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 the Organized Crime Control Act of 1970. A limited number of State and local agencies have requested a voluntary inspection of their facilities by ATF. 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 there is minimal to no burden on small business owners, who have a small amount of explosives on hand, and choose to respond to this information collection.

6. Consequences of Not Conducting or Less Frequent Collection

Failure to collect 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 used by State and local law enforcement and public educational institutions. Lack of this information would also hamper ATF's response to local emergencies such as natural disasters or terrorist attacks.

7. Special Circumstances

There are no special circumstances associated with this collection. This information will be collected in a manner consistent with the guidelines in 5 CFR §1320.6.

8. Public Comments and Consultations

No comments were received during either the 60-day or 30-day Federal Register Notice period.

9. Provision of Payment or Gifts to Respondents

No payment or gift is associated with this collection.

10. Assurance of Confidentiality

Confidentiality is not assured. However, compiled responses will be kept on ATF premises and will only be accessible by ATF personnel. The collected information will

be classified as law enforcement sensitive and restricted, or 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 is 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 approximately 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

There is no cost associated with this IC, since respondents will receive the questionnaire electronically and submit their response by email or fax.

14. Cost to the Federal Government

There are no Federal Government costs associated with this IC, since ATF personnel maintains all collected data 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.

B. Statistical Methods.

None.