

Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Information Collection Request
1140-XXXX

Licensing Questionnaire - ATF Form 8620.44

SUPPORTING STATEMENT

A. JUSTIFICATION

1. Necessity of Information Collection

Pursuant to the Memorandum of Understanding (MOU) between the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and the Office of Personnel Management (OPM), dated March 3, 2000, ATF is authorized to conduct personnel security and suitability background investigations and periodic reinvestigations. Investigations are conducted on applicants and employees in competitive service positions, as well as candidates, contractors, task force officers (TFOs), or volunteers/interns in ATF service provider positions. All personnel security investigations are conducted in accordance with the Intelligence Reform and Terrorism Prevention Act of 2004, 5 CFR § 736, and Executive Orders 13467 and 13764.

ATF recruits individuals for placement into full-time equivalent Federal positions and solicits individuals through the Federal acquisition process to fill non-ATF personnel (contractors, TFOs, and volunteers/interns) positions. Candidates who are tentatively selected for positions must meet Federal, Department of Justice (DOJ), and ATF basic qualifications requirements, before they may be granted access to ATF information, information technology (IT) systems, and/or unescorted access to ATF facilities. Individuals will not be granted access if they fail to comply with these requirements, and receive an unfavorable adjudication of their background investigation, and/or polygraph examination (special agent applicants only).

2. Needs and Uses

The Licensing Questionnaire - ATF Form 8620.44 will be used to collect personally identifiable information (PII), to begin the eligibility determination process for granting a candidate (respondent) access to ATF information, IT systems, and/or unescorted access to ATF facilities. This collection includes information relating to financial interest in the alcohol, tobacco, firearms, and explosives industries. In accordance with 5 CFR § 3801.107, Additional Rules for Bureau of Alcohol, Tobacco, Firearms and Explosives Employees, an ATF employee, spouse, or minor child, is prohibited from having any direct or indirect financial interest in the alcohol, tobacco, firearms, or explosives industries.

ATF's Personnel Security Division (PSD) staff will review the respondent's completed ATF Form 8620.44. Based on this analysis, a determination will be made whether the respondent or his/her spouse or minor child, holds financial interest in a regulated industry. If financial interest is held, ATF may request that the respondent relinquish the Federal Firearms License or Federal Explosives License or permit (if applicable), and/or direct divestiture of the financial interest, unless a written waiver is granted from ATF's Designated Ethics Official.

3. Use of Information Technology

ATF makes every effort to take advantage of electronic collection and dissemination capabilities available. The fillable ATF Form 8620.44 (with electronic signature capability) will be available on the ATF portal for download and distribution by ATF sponsors (i.e., human resources specialists and contracting officer's representatives (CORs)), to respondents. The form will be emailed to respondents along with submission instructions for returning the completed package to ATF for processing. Respondents may electronically complete the form, print, and mail it to a specific address provided by ATF. Respondents will also have the option of electronically submitting an encrypted or password protected completed form by email. Individuals with disabilities will also be able to access and complete this form. ATF will try to implement an electronic form submission process, which would reduce the public cost burden for mailing completed forms.

4. Efforts to Identify Duplication

ATF uses a uniform subject classification system for forms 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. Minimizing Burden on Small Businesses

This collection of information has no impact on small businesses. The information sought is in response to ATF's evaluation of the respondent's eligibility for employment. The purpose of creating a record is to gather required information to start the respondent's Federal personnel security process.

6. Consequences of Not Conducting or Less Frequent Collection

ATF must ensure that all employees and non-ATF personnel have the highest degree of integrity and character, while maintaining the safety and security of ATF information, IT systems, and facilities. ATF would be unable to ensure the safety and security of its resources without this information collection. A candidate's onboarding for employment would also be delayed without this information collection.

7. Special Circumstances

This information collection requirement is consistent with the intent of Executive Order 13764 and the MOU authorizing ATF to conduct personnel security and suitability background investigations and periodic reinvestigations. The information sought is allows ATF to determine if a candidate for employment has any financial interest in the alcohol, tobacco, firearms, and explosives industries. No other circumstance would cause this to be conducted in any other manner such as:

- Requiring respondents to report information to ATF more often than quarterly;
- Requiring respondents to prepare a written response in fewer than 30 days after receipt of the questionnaire;
- Requiring respondents to submit more than one original copy of any document;
- Requiring respondents to retain any records;
- Requiring the use of any statistical data;
- Requiring any pledge of confidentiality; or
- Requiring respondents to submit any proprietary or trade secrets.

8. Public Comments and Consultations

No comments were received during the 60-day Federal Register notice period. However, a 30-day notice will be published in the Federal Register to solicit public comments.

9. Provision of Payments or Gifts to Respondents

No decision of payment or gift is associated with this collection.

10. Assurance of Confidentiality

Confidentiality is not assured. Information collected by the PSD is protected by the Privacy Act of 1974 and will not be released to outside parties, unless authorized as set forth in the Privacy Act of 1974.

11. Justification for Sensitive Questions

Respondents are required to provide PII, including full name and Social Security Number (last four digits) to verify their identity. To ensure compliance with 5 CFR § 3801.107, respondents must also provide the full names and dates of birth of spouse and minor children (if applicable). This information collection protects respondents from the collection of erroneous information, and significantly reduces any likelihood of false records.

12. Estimate of Respondent's Burden

It is anticipated that 2,000 respondents will complete this form annually. Each respondent will respond one time per year. It is estimated that it takes 5 minutes to complete the form. The total number of annual burden hours associated with this collection is 167 hours.

13. Estimate of Cost Burden

The estimated cost per respondent is \$1.00. At \$0.10 a page, each respondent will need to complete the 1-page information collection for \$0.10. Mailing costs are \$0.55 per ounce. Therefore, the total estimated cost burden for this form is \$2,000, which can be calculated as follows: 2,000 (# of respondents) * \$1 (total rounded up paper and postage costs).

14. Cost to Federal Government

There is no cost to the Federal Government.

15. Reason for Change in Burden

There are no changes associated with this submission, as this is a new collection of information.

16. Anticipated Publication Plan and Schedule

ATF will not publish this information collection.

17. Display of Expiration Date

ATF is not requesting approval to omit the expiration date for this information collection.

18. Exception to the Certification Statement

There are no exceptions to the Certification Statement.

B. STATISTICAL METHODS

1. None