

Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Information Collection Request
List of Responsible Persons
OMB Number 1140-0074

A. Justification

1. Necessity of Information Collection

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is charged with enforcing Title XI of the Organized Crime Control Act of 1970 (the Act) and the implementing regulations contained at 27 CFR, Part 555. Subtitle C of Public Law No. 107-296, the Safe Explosives Act, enacted November 25, 2003, amended the Act to require that certain persons file an application for an explosives license or permit with ATF. This requirement also mandates the inclusion of specific information about responsible persons, and those who are authorized to handle explosives in the course of their duties. Further, 18 U.S.C. § 843(h) requires the Secretary to conduct background checks on persons whose descriptions are forwarded to ATF as required by this Chapter. This information will help ensure compliance with the provisions of 18 U.S.C § 842(i), which prohibits certain persons from possessing explosive materials.

This information collection is in accordance with the above provisions of law and ensures that persons newly hired by or otherwise added to explosives operations, are not prohibited under 18 U.S.C. § 842(i) from possessing explosive materials. 27 CFR § 555.57 requires that all persons holding ATF explosives licenses or permits as of May 23, 2003, must report identifying information about their responsible persons and possessors of explosives to ATF. Subsequent changes to their list of persons must also be reported. Further, Section 555.57 requires that copies of these reports be retained in the licensees or permittees' required records, for the period specified in 27 CFR § 555.121.

2. Needs and Uses

ATF will use the information submitted for this information collection to conduct background checks on employees whose names are submitted as described above, and to maintain current records about responsible persons and explosives possessors that are reported to ATF by explosives licensees and permittees.

3. Use of Information Technology

Responses for this collection of information can be sent to ATF by email. The list containing information about a change in responsible person(s), or employee(s) authorized to possess explosive materials, can also be sent to ATF by fax, mail, or email.

4. Efforts to Identify Duplication

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. Minimizing Burden on Small Businesses

This collection does not affect small businesses.

6. Consequences of not conducting or less frequent Collection

The collection must be conducted to ensure that prohibited persons do not have access to explosives and is necessary for compliance with 18 U.S.C. § 843(h).

7. Special Circumstances

There are no special circumstances associated with this collection.

8. Public Comments and Consultations

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

9. Provision of Payments or Gifts to Respondents

No payment or gift is associated with this collection.

10. Assurance of Confidentiality

Respondents' confidentiality is not assured.

11. Justification for Sensitive Questions

No questions of a sensitive nature are asked.

12. Estimate of Respondent's Burden

There are approximately 50,000 respondents associated with this collection. Each explosives licensees/permitees will make about two (2) changes to their list of responsible persons and those who are authorized to handle explosives each year. Therefore, the total annual responses associated with this collection is 100,000. It will take approximately one (1) hour to report changes, twice a year. Consequently, the total burden associated with this collection is 100,000 hours.

13. Estimate of Cost of Burden

There is no cost burden to the respondent.

14. Cost to Federal Government

The annual cost to the Federal government is \$120,000.

15. Reason for Change in Burden

There are no program changes or adjustments associated with this collection.

16. Anticipated Publication Plan and Schedule

The results of this collection will not be published.

17. Display of Expiration Date

ATF is not requesting approval to omit the Office of Management and Budget expiration date for this collection.

18. Exception to the Certification Statement

There are no exceptions to the certification statement.

B. This Collections of Information Employs no Statistical Methods.