

**SUPPORTING STATEMENT A FOR
Drug Enforcement Administration Pre-Employment Drug Policy
Notification and Acknowledgement**

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The Drug Enforcement Administration (DEA) is a federal law enforcement agency charged with enforcing the controlled substances laws and regulations of the United States. Its principal responsibilities include investigation and prosecution of major violators of controlled substances laws. (See www.DEA.gov for additional information on the DEA mission)

Because of the nature of DEA's mission, and its status as a law enforcement agency, past use of illegal drugs by potential employees presents special concerns, and therefore the agency evaluates a job applicant's illegal drug use and abuse during the application process. Executive Order 12564 is supported in the DEA Pre-Employment Drug Policy that a history of illegal drug use or abuse may be a disqualification for employment with DEA.

This new form notifies job applicants of the DEA Pre-Employment Drug Policy and asks them to acknowledge their understanding of those requirements to move forward in the employment process.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

This new form is provided to job applicants when they receive a tentative job offer. It notifies them of the DEA Pre-Employment Drug Policy and asks them to acknowledge their understanding of those requirements to move forward in the employment process. The information collected on the form will be used by Human Resources and Information Security personnel (background investigation, security determination and polygraph) as part of the pre-employment process and review of an individual's history of illegal drug use and/or abuse. In accordance with its Pre-Employment Drug Policy, it is critical to determine a history of illegal drug use to make an informed decision about an individual's eligibility for employment with DEA.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.

The DEA Form 200 is designed to be easily understood and filled out by all applicants. The form is available online and 100% of submissions are sent to DEA electronically. The DEA Form 200 notifies an applicant of the requirements for employment in accordance with the DEA Pre-Employment Drug Policy and asks them to acknowledge their understanding of those requirements to move forward in the employment process.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item A.2 above.

The DEA Form 200 is the only form that captures an applicant's acknowledgement of the DEA requirements for employment in accordance with the DEA Pre-Employment Drug Policy.

Other forms (e.g., SF-86) ask questions and capture specific details about an applicant's drug use.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

There is no impact on small business.

6. Describe the consequence to federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Does not apply to this collection. The DEA Form 200 is filled out at one time after receiving a DEA conditional offer of employment.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- **requiring respondents to report information to the agency more often than quarterly;**
- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **requiring respondents to submit more than an original and two copies of any document;**
- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**

- **in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **requiring the use of statistical data classification that has not been reviewed and approved by OMB;**
- **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

There are no special circumstances.

8. If applicable, provide a copy and identify the date and page number of publication in the *Federal Register* of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years -- even if the collection-of-information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

Not applicable

9. Explain any decision to provide any payments or gifts to respondents, other than remuneration of contractors or grantees.

There are no such gifts of payments to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

As set forth in the Form's Privacy Act Notice, the data collected will be maintained in a DEA System of Record. As such, use and disclosure of information contained therein will be strictly controlled and will be confined to those who have a need for the information in conjunction with DEA responsibilities.

Confidentiality of Survey Data

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

There are no questions asked that are sensitive in nature. This form provides DEA Drug policy requirements for employment and requests applicant to acknowledge they understand these requirements.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. General, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

Estimated Annualized Respondent Cost and Hour Burden

Activity	Number of Respondents	Frequency	Total Annual Responses	Time Per Response	Total Annual Burden (Hours)
DEA Form 200	4727	1/annually	4727	7 min	551 hrs.
Unduplicated Totals	4727	1/annually	4727	7 min	551 hrs.

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

- The cost estimate should be split into two components: (a) a total capital and start up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of service component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.
- If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
- Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3)

for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

Total Capital and Start Up Cost to Respondents: Zero. Respondents can use existing software and Internet connections or, if that is unavailable, can fill out paper forms.

Total operation and maintenance and purchase of services requirement: Zero. DEA can use existing software and Internet connections.

14. Provide estimates of the annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 into a single table.

Cost of printing and maintaining form: Zero as this process is electronic

Cost of personnel and support staff or other expenses that would not have been incurred without collection of information: Zero

Therefore, the estimated annual cost to Federal government is zero.

15. Explain the reasons for any program changes or adjustments.

N/A

16. For collections of information whose results will be published, outline plans for tabulations, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

There are no plans to publish the information collected.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

DEA will display the expiration date on this collection.

18. Explain each exception to the certification statement.

There are no exceptions to the certification statement.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.

The Drug Enforcement Administration does not employ statistical methods in this information collection.

Drug Questionnaire- DEA Form 341
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