

Department of Justice
Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)
Information Collection Request (ICR)
OMB 1140-0092

Voluntary Magazine Questionnaire for Agencies/Entities That Store Explosive Materials

SUPPORTING STATEMENT

A. JUSTIFICATION

1. Explain the circumstances that make the information collection necessary.

The Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) is responsible for enforcing Title XI of the Organized Crime Control Act of 1970 and 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 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. Indicate how, by whom, and for what purpose the information is to be used.

The purpose of OMB 1140-0092 (Voluntary Magazine Questionnaire for Agencies/Entities That 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 at any level 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.

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 are one method by which ATF can 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 can then create programs to address these risks. This information also helps ATF account for all explosive materials during local emergencies, such as hurricanes, forest fires, or other disasters.

3. Describe whether, and to what extent, the information collection 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.

The form may be completed electronically and emailed or faxed to ATF for processing.

4. Describe 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. There is no other way to obtain this information than from agencies that 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. If the information collection impacts small businesses or other small entities, describe any methods used to minimize burden.

This information collection may affect a small subset of public educational institutions that may perform research on explosives materials. However, these institutions do not transact in explosives as a primary part of their main resources and, because this information collection is voluntary, ATF anticipates the impact to them of this information collection to be minimal.

6. Describe the consequence to federal programs 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.

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 and other law enforcement's response to local emergencies such as natural disasters or terrorist attacks.

7. Explain any special circumstances that would cause the information collection to be conducted in a manner inconsistent with 5 CFR 1320.6.

There are no special circumstances associated with this collection, which is conducted in a manner consistent with 5 CFR § 1320.6.

8. If applicable, provide a copy and identify the date and page number, of the agency's notice published in the *Federal Register*, as required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB.

The 60-Day Notice was published in the *Federal Register* on [xx/xx/xx] (XX FR XXXXX). The comment period ended on [xx/xx/xx]. ATF received no comments.

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

No payment or gift is associated with this information collection.

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

This information collection is used for law enforcement purposes only. ATF has not assured respondents of confidentiality; however, collected responses will be kept on ATF premises and will be accessible only by ATF personnel.

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 information collection does not ask questions or require information of a sensitive nature.

12. Provide estimates of the information collection's hour burden.

ATF estimates that there are approximately 10 respondents associated with this information collection. Each respondent responds one time. It takes each respondent approximately 30 minutes (0.5 hours) to complete this questionnaire. Therefore, there are 5 total burden hours associated with this information collection (10 respondents * 0.5 hours).

ATF used an hourly wage rate of \$50.96 as the median wage rate across all groups, based on Bureau of Labor Statistics (BLS) methods and data. We also applied a state and local load rate of 1.54 to account for benefit costs that accompany pay, per BLS. This results in an estimated total loaded wage rate of \$76.44.²

The annual monetized value of time for all respondents is therefore \$382 (rounded rate).

Table. Estimated annualized respondent cost and hour burden

Activity	Number of respondents	Frequency	Total annual responses	Time per response	Total annual burden (hours)	Hourly rate*	Monetized value of respondent time
Respond to questionnaire	10	1	10	0.5 hours	5	\$76.44	\$382

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

There are no additional costs associated with this information collection.

14. Provide estimates of the annualized cost to the federal government.

ATF estimates no additional costs to the federal government associated with this collection. This is due to the current staffing and administrative capacity already in place to complete any marginal processing required under this information collection, with long-term staffing capacity serving as a sunk cost.

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

The estimated burdens have been adjusted due to a decrease in the number of respondents over time from 1,000 to 10, and a corresponding change in the time burden to respondents from 500 to 5 hours.

16. For information collections whose results will be published, outline plans for tabulations and publication.

ATF will not publish the results of this collection.

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.

ATF intends to display the OMB expiration date for this information collection. Because this collection does not include a form, but does include a questionnaire, the OMB control number and expiration date are displayed on the questionnaire.

18. Explain each exception to the certification statement.

This information collection does not include any exceptions to the certification statement.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.

This collection does not employ statistical methods.