

DEPARTMENT OF JUSTICE
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES
INFORMATION COLLECTION REQUEST
SUPPORTING STATEMENT
1140-0093
CERTIFICATION OF CHILD SAFETY LOCK

A JUSTIFICATION

1. Necessity of Information Collection

On October 26, 2005, Public Law 109-92, the Protection of Lawful Commerce in Arms Act, was enacted. Section 5 of Public Law 109-92, cited as the Child Safety Lock Act of 2005 (CSLA), amended the Gun Control Act. This act makes it unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell, deliver, or transfer any handgun to any person, other than another licensee, unless the transferee (buyer) is provided with a secure gun storage or safety device for that handgun. Exceptions to this requirement are provided in the law. The provisions of the CSLA became effective on April 24, 2006.

The interim regulations require that, prior to transferring a handgun to a nonlicensed individual, the licensed importer, licensed manufacturer, or licensed dealer must certify on or attach to the Firearms Transaction Record (ATF F 4473 approved by OMB under 1140-0020) that the transferee has been or within 10 days will be, provided with a secure gun storage or safety device for the handgun. The interim rule will remain in effect until superseded by final regulations. The interim rule is effective upon publication in the Federal Register.

2. Needs and uses

The stated purpose for the Child Safety Lock Act of 2005 (CSLA) is to promote the safe storage and use of handguns by consumers; to prevent unauthorized persons from gaining access to or use of a handgun, including children who may not be in possession of a handgun; and to avoid hindering industry from supplying firearms to law-abiding citizens for all lawful purposes, including hunting, self-defense, collection, and competitive or recreational shooting. The required certification statement must appear on, or attached to, ATF F 4473, no change to form 4473 is being made.

3. Use of Information Technology

The use of automated collection techniques does not apply to this collection. The licensed importer, licensed manufacturer, or licensed dealer must include on or attach to, the Firearms Transaction Record (ATF Form 4473) certification that the transferee has been or will be provided within ten days a secure gun storage or safety device for the handgun being transferred.

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

The collection of information does not have any impact on small businesses.

6. Consequences of Not Conducting or less frequent Collection

The certification requirement helps demonstrate that the licensee has complied with the requirements of the new law. The consequences of not conducting this collection will result in unauthorized persons gaining access to or use of a handgun including children. Also, that hand-guns can be sold without written confirmation that a safety device has been issued.

7. Special Circumstances

There are no special circumstances with regard to this information collection requirement conducted in a manner consistent with 5 CFR 1320.6.

8. Public Comments and Consultations

ATF consulted with the firearms industry with regard to this information collection. As a result of the 60-day emergency Federal Register notice, ATF did not receive any comments. For this submission, a 30-day Federal Register notice was published. ATF did not receive any comments from the 30-day notice.

9. Provision of Payments or Gifts to Respondents

No payment or gift is associated with this collection.

10. Assurance of confidentiality

This information will be retained by the licensee in a secured location.

11. Justification for Sensitive Questions

No questions of a sensitive nature are asked. Licensed dealers, manufacturers and importers must certify in writing that the buyer will be provided with a secure gun storage or safety device for the handgun.

12. Estimate Respondents Burden

The number of respondents (licensees) associated with the collection is 61,356. The total number of responses (handgun transactions) is 4,000,000. The time it takes to complete the certification is 5 seconds per respondent. The total burden associated with this collection is 5,556 (5 seconds x 4,000,000) hours.

13. Estimate of Cost Burden

There is no cost burden associated with the collection of information. There is no labor involved with this collection as this transaction takes place on the spot between the dealer and the buyer.

14. Costs to Federal Government

There is no cost to the Federal government with regard to this collection.

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 does not request approval to not display the expiration date for OMB approval of this collection.

18. Exception to the Certification Statement

There are no exceptions to the certification statement.

B. STATISTICAL METHODS:

This collection of information employs no statistical methods.

