

Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

Supporting Statement
Information Collection Requirement 1140-0018
Application for Federal Firearms License
ATF F 7 (5310.12)

A. Justification:

1. Section 922 of Chapter 44 of Title 18, United States Code, specifies a number of unlawful activities involving firearms in interstate and foreign commerce. Many of these activities cease to be unlawful when persons are licensed under the provisions of Section 923. Examples of unlawful acts legitimized by licensing are engaging in the business of selling firearms and shipping, receiving, and transporting firearms in interstate or foreign commerce. This collection of information is necessary to insure that the person who wishes to be licensed as required by Section 923 meets the requirements of the section for the license.

2. The information collection requirement is satisfied by submission of an application for a Federal Firearms License to ATF. ATF personnel analyze this application to determine the applicant's eligibility to receive the requested license. With payment of the required fee under 18 U.S.C. Section 923(a)(1), the application must be approved, and the license issued if the applicant meets the provisions of 923(d)(1).

A detailed analysis of responses to the application is made by ATF personnel to make sure that: 1) the person (or persons) seeking the license has premises from which operations will be conducted and hours of operations allowing for contact for compliance inspections and the tracing of firearms suspected by law enforcement authorities of being used in criminal activities; 2) all responsible persons are not under the disabilities of 922(g) and (h); and, 3) the applicant has not willfully failed to disclose any material information or has not made any false statements as to any material fact.

From the material supplied on Form 7, a criminal record check is made by ATF personnel on all responsible persons to confirm their certification that they are not under the disabilities of 922(g) and (h).

As long as 18 U.S.C. Section 923 requires a person wishing to transport, ship, or receive firearms in interstate or foreign commerce to pay a fee, to file an application and to obtain a license before engaging in business, this form or one like it will be necessary.

3. ATF F 7 is not available on the ATF website because of the fingerprint cards that must be included with the form. The fingerprint cards which have special coding numbers are only available from ATF. The form 7 can be ordered on-line thru the ATF Distribution Center. The ATF Distribution Center is located in Springfield, Virginia. It is available as a package that includes the form, instructions, fingerprint cards and other materials. The package is very user friendly because it includes all of the documents needed to apply for a license. Other ways to access the form is to request the package from the ATF National Licensing Center via email at NLCLicenseapplication@atf.gov or call the ATF Distribution Center.
4. 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. The collection of information has no impact on small businesses or other small entities.
6. Less frequent collection of this information would pose a threat to public safety. Without the information required by statute and the background information necessary to verify certain elements, ATF might issue licenses to persons prohibited by law from engaging in the business.
7. The information collection is conducted in a manner consistent with 5 CFR 1320.6.
8. The ATF Chief Counsel was consulted to ensure that the requirements of the law were addressed for this information collection. A 60-day and 30-day Federal Register notice was published in order to solicit comments from the general public. No comments were received.
9. No decision of payment or gift is associated with this collection.
10. Responses are maintained by ATF for government use. ATF staff that process this form have a special clearance. The information is kept in a secured location.
11. Questions of a sensitive nature are asked to assist in determining if the applicant is prohibited from possessing firearms.
12. The number of respondents associated with this collection is 13,000. Each respondent will complete the form one time. The total number of responses is 13,000. It takes 1 hour and 15 minutes to complete the form. The total burden hours associated with this collection is 16,250.
13. No new cost is associated with this collection. The annual cost has increased because the postage has increase. The new postage cost will be reported as \$5,000.
14. Annual cost to ATF is estimated as follows:

Printing	\$1,000
Distribution	<u>500</u>
Total	1,500

15. There are no program changes associated with this information collection.

16. The results of this collection will not be published.

17. ATF requests authorization to omit printing the expiration date for ATF F 7, Application for Federal Firearm License. Printing the expiration date on the form will result in increased cost because of the need to replace inventories that become obsolete by passage of the expiration date each time OMB approval is renewed. The time period during which the current edition of the form in this package will continue to be usable cannot be predicted. It could easily span several cycles of review and OMB clearance renewal. In addition usage fluctuates unpredictably. This makes it necessary to maintain a substantial inventory of the form in the supply line at all times. For these reasons, we request authorization to omit printing the expiration date on the form.

18. There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods

This collection does not involve statistical methods.