

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES
Supporting Statement
Information Collection Request
OMB 1140-0021
ATF F 4473 (5300.9) Part II, Firearms Transaction Record Part II -
Intrastate Non-Over-the-Counter

A. Justification

1. The subject form is required under the authority of 18 U.S.C. 922 and 923 and 27 CFR 478.124. These sections of the Gun Control Act (GCA) prohibit certain persons from shipping, transporting, receiving or possessing firearms. A Federal firearms licensee may not dispose of a firearm to these persons. A licensee is subject to other restrictions for the disposition of a firearm under the GCA. Age and place of residence also determine whether a person may lawfully receive a firearm. The form 4473 (5300.9) Part II, Firearms Transaction Record Part II – Intrastate Non-Over-the-Counter, poses questions to the potential transferee, his/her answers will allow the transferor (the licensee) to determine the eligibility of the transferee. The form should only be used for sales or transfers where the seller is licensed under 18 U. S. C. 923.
2. A person purchasing a firearm from a Federal firearms licensee completes Section A of the form. The purchaser's answers to the questions determine whether or not he/she is eligible to receive the firearm. If the purchaser is eligible to receive the firearm, Section B is completed by the licensee (dealer, seller) and a copy is sent to the chief law enforcement officer indicated on the form. Unless the chief law enforcement officer indicates to the contrary in his answer to the registered notification, the firearm is then transferred to the purchaser. The form is entered into the licensee's permanent records and is used primarily in investigations of a criminal nature, and secondarily as an inspection tool in determining that the licensee is in conformity with the GCA.
3. None of the ATF F 4473 forms are posted on the ATF website due to security and legal issues. The licensee maintains copies of the form on the premises and sends a copy of this form to the purchaser. Because the form must be prepared in duplicate and certified with an original signature, the form must be mailed back to the licensee (dealer, seller). The form cannot be faxed or sent electronically.
4. 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. This collection of information has no impact on small businesses.

6. The consequence of not conducting this collection of information or conducting it less frequently would result in the licensee selling and transferring a firearm to a person who is not eligible.
7. There are no special circumstances regarding this information collection.
8. The ATF industry liaison was involved with the firearms industry (dealers) during the creation of this collection. A 60-day and 30-day Federal Register notice was published in the Federal Register in order to solicit comments from the general public. No comments were received.
9. No payment or gift is offered to the respondents.
10. All records regarding this collection are kept on the dealers premises in secured location. There is no statute, regulation, or agency policy that provides any assurance of confidentiality to the respondents.
11. Questions of a sensitive nature are asked to ensure that firearms are not sold to or received by certain persons. The information and certification on the form are designed so that a person licensed under 18 U.S.C. 923 may determine if he or she lawfully may sell or deliver a firearm to the person requiring the firearm.
12. The number of respondents associated with this information collection is 500. The total annual responses is 500. It is estimated that it takes 20 minutes to complete the form. The total annual burden hours for this information collection is 167.
13. There is a postage cost to the dealer ($500 \times .42 = \$210.00$) as the dealer has to mail the form to the buyer. The buyer must mail the signed original form back to the dealer, therefore, there is also a postage cost to the buyer ($500 \times .42 = \$210.00$). The total cost is \$ 420.00. Because this total is less than one thousand dollars, burden costs will be entered as 0 on the 83-I.
14. The cost of printing and distribution of the form is \$600.00
15. There are no program changes or adjustments associated with this collection.
16. The results of this collection will not be published.
17. ATF requests authorization to omit printing the expiration date on this form. Printing the expiration date on this form will result in increased cost because of the need to replace inventories that become obsolete by the passage of the expiration date each time the OMB approval is renewed. The time period during which the current edition of the form will continue to be usable cannot be predicted. It could easily span several cycles of review and OMB renewal. In addition, usage fluctuates unpredictably. This makes it necessary to maintain a substantial inventory of forms

in the supply line at all times. For these reasons, ATF requests 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

None.