

Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

Supporting Statement

1140-0006

ATF F 6, Part II (5330.3B) Application and Permit for Importation of Firearms, Ammunition and Implements of War

A. Justification

1. Importation of firearms, ammunition and implements of war into the United States is subject to the provisions under Title 18 of the Gun Control Act of 1968, U.S.C., Chapter 44, Section 925(d), Title 22 U.S.C., Section 2778, and Title 26 U.S.C., Chapter 53, Section 5844. The statutes are so worded that the importation of articles coming within the purview of the statutes are generally prohibited, except as specifically authorized by the Attorney General. For example, machineguns, destructive devices, and certain other firearms are prohibited from being imported into the United States except for governmental use and certain other purposes. Other restrictions apply to these and other articles coming under the purview of the statutes. Related statutes also require that persons engaged in the business of importing such articles be licensed and/or registered with the Secretary. The implementing regulations (Title 27, Code of Federal Regulations (CFR), Parts 447, 478 and 479) prescribe the forms and procedures necessary to accomplish the import permit requirements. The law establishes a comprehensive system for control of these items through the licensing, registration and permit requirements.

The information on ATF F 6, Part II (5330.3B) is used to determine if the article(s) described on the application qualifies for importation by the importer, and to serve as the authorization for the importer. In addition, information may be disclosed to other Federal, State, foreign and local law enforcement and regulatory agency personnel to verify information on the application and to aid in the performance of their duties with respect to the enforcement and regulation of firearms and/or ammunition where such disclosure is not prohibited by law.

This form has been amended. The changes are as follows:

- 1) Section 1, Item #2 –a block was added to allow the importer to record their email address. This will make contacting the importer easier as many are serving overseas.
- 2) Item #7 -this section was amended to allow the importer the ability to record information concerning the importation of implements of war. This is allowed by regulations but the form did not have a section for it.
- 3) Items #14-17 were amended to require the application to both print and sign their name. Often signatures cannot be read and we do not know who to contact regarding questions about the application.

- 4) Section II, Item #18 was amended to add the status of "No permit required" to the form. Previously examiners had to manually type this on the form.

INSTRUCTION PAGE

- 1) All references to "Customs" on the form were changed to U.S Customs and Border Protection (CBP) as appropriate.

- 2) Item #5 language was deleted regarding the assault weapons ban which has now sunset.

- 3) Item #7 was amended to reflect the correct contact information for the Alcohol Tax and Trade Bureau.

2. The data provided on this form is used by ATF to determine the eligibility for importation of the items listed and also the status of the applicant. The approved form serves as the authorization to U.S. Customs and Border Protection to allow the items into the United States.

3. This form requires an original signature therefore it is not a fillable form. Currently the form is available on the internet but it cannot be submitted electronically. The respondent would have to have the capability to sign the form. ATF would also have to have the capability to accept the electronic signature, currently ATF does not have this capability. Individuals with disabilities (508 Compliant) can access this form.

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.

5. ATF does not use any method to minimize the burden to small businesses since all entities, regardless of size, are required by statute to complete this form.

6. Less frequent collection of this information would substantially increase the potential possibility for the illegal introduction into domestic commerce of firearms, ammunition, and implements of war. This would pose a threat to the public safety by exacerbating crime and violence, and undermining the declared law enforcement, foreign policy, and/or revenue.

7. This collection of information is conducted in a manner consistent with the guidelines of 5 CFR 1320.6.

8. This information collection is a result of Title 18 of the Gun Control Act of 1968. Program staff consulted with ATF' s chief counsel to insure that the requirements of the form were in line with the law. A 60-day and 30 day notice was published in the Federal Register to solicit comments from the public. ATF did not receive any comments regarding the 60-day notice nor the 30-day notice.

9. No payment or gift is associated with this collection.

10. Confidentiality is not assured.

11. No questions of a sensitive nature are asked.

12. There are 9,000 respondents and 9,000 responses for this information collection. Each respondent responds 1 time. ATF estimates that it takes 30 minutes to complete the form. The total burden is for this information collection is 4,500.

13. There is no start-up cost to the respondent. The cost to the respondent has been reviewed and it has been reported that 50% of the forms are received by fax and 50% by mail. The cost of postage for half of the respondents is estimated to be \$1980.00

14. The estimated annual cost to the Federal Government is \$4,500 (printing) and \$93,115 for labor. Total cost \$97,615.00.

15. Changes include one statutory change (deletion of language which has now sunset) and clarification changes which make the form more user friendly. These changes do not increase the burden on the respondent. The new category (see page 1, #7) could possibly change the burden if importers choose to record information concerning the importation of implements of war. The program office states that they will adjust the burden accordingly if needed. For this submission, there will be no increase in burden hours.

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

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

18. There are no exceptions to the certification statement.

B. This information collection does not employ any statistical methods.