

**Department of Justice
Bureau of Alcohol, Tobacco, Firearms, and Explosives
Supporting Statement
Revision# 1140-0017**

**Annual Firearms Manufacturing and Exportation Report
Under 18 U.S.C. Chapter 44, Firearms
ATF F 5300.11**

A. Justification

1. Annual Firearms Manufacturing and Exportation Report (AFMER) primary purpose is to collect and disseminate data regarding the number of firearms produced by licensed manufacturers within one calendar year. The AFMER report is used to provide the public with firearms production economics on licensed manufacturer within the United States. This information is used for research purposes by the government, academic community and various industries. Under the Gun Control Act (GCA) 18 U.S.C§923(g) (5) (A), all licensed manufacturers are required to complete and return Form 5300.11 to ATF before April 1st each year.

18 U.S.C. § 923(g) (5) (A) - “Each licensee shall, when required by letter issued by the Attorney General, and until notified to the contrary in writing by the Attorney General, submit on a form specified by the Attorney General, for periods and at the times specified in such letter, all record information required to be kept by this chapter or such lesser record information as the Attorney General in such letter may specify.”

2. AFMER is self-reported, by licensed manufacturers, through submission of ATF Form 5300.11. After the information is collected and calculated, it is then posted annually to the ATF website located at <http://www.atf.gov/statistics/> in the Annual Firearms Manufacturers and Export Report Section to provide to the public. The AFMER information has been used in previous publications and presentations to provide firearms market trends for the U.S.
3. The AFMER Form 5300.11 is currently available on the ATF website, and the updated form will be available on the ATF website. The electronic form is fillable and can be submitted electronically if the submitter prints the form out, signs it, scans it into a PDF or image file, and emails that file to AFMER2@atf.gov.
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 the purpose of this information collection.
5. The revision of the AFMER Form 5300.11, impacts all businesses, despite size. All licensed manufacturers are required by law to report their information if requested by the Attorney General. There is no additional reporting burden resulting from the proposed changes. The changes will result in more accurate reporting.

6. The consequences of cancelling the AFMER program would substantially impact the firearms research community. Providing this information from AFMER allows tracking of market trends and economic background of firearms manufacturing in the United States.
7. This information collection and record keeping requirement is conducted in a manner consistent with 5 CFR 1320.6
8. ATF personnel consulted with the firearms industry during the creation of this form. The form's format was modified to increase clarity and the instruction page was expanded with more specific term definitions. The 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 decision to provide any payment or gift to respondents is associated with collection of this information.
10. Confidentiality is not assured.
11. No questions of a sensitive nature are associated with this information collection.
12. The number of respondents for this information collection is 4300. Each respondent completes the form one time. The total number of responses is 4300. It is estimated that it takes 20 minutes to complete the form. The total burden for this information collection is 1433 hours. The record retention requirement for this information collection is 98 years. Respondents are required to retain the form in their records for the period of time for which the respective license is active. Once the license goes inactive, the respondent is required to submit their copy of the form to ATF's Out of Business Records Center with all of their other license documentation. Forms that are submitted are retained by the ATF for a period of five years, and are then microfilmed. As per record retention guidelines, the microfilm copies are kept until they are no longer needed administratively(no set time), but the original hard copies are sent to the National Archives in five year blocks. Current record retention guidelines dictate that these hard copy records are permanent. Burden estimate has changed from 45 minutes to 20 minutes.
13. Respondents have a choice of mailing, faxing or emailing the application back to ATF. There is no cost to the respondent for reporting this information if they use electronic means.
14. Estimates of annual costs to the Federal Government are as follows:

Direct Labor	\$7,500
Overhead	\$2250

Printing	\$1,200
Total	\$10,950

15. The increase in respondents is due to an increase in licensed manufacturers. All Federal Firearms Licensees who hold either a Type 07 (manufacturer of firearms) or Type 10 (manufacturer of destructive devices) license must file the Annual Firearms Manufacturing and Exportation Report. The burden estimate per respondent was actually decreased from the current 45 minutes per respondent (on the Form 5300.11 that expires on 12.31/2012) to what has been determined to be a more accurate time of 20 minutes per respondent. If prior justifications showed an overall burden less than 1433 hours, the increase would be due to a spike in licensed manufacturers. No change was made to question 13. Question 14 cost estimate has changed because the number of manufacturers has increased.
16. The result of this collection will be posted on the ATF website located at <http://www.atf.gov/statistics/> in the Annual Firearms Manufacturers and Export Report Section.
17. ATF does not request approval to not display the expiration date for OMB approval of the information for this collection.
18. There are no exceptions to the certification statement.

B. Collection of Information Employing Statistical Methods

As stated above, the universe is in fact a small well defined population as compared to the universe of ALL licensees, or for that matter the entire public. In a universe of approximately 126,000 licensees (total licensees that sell, import, export, manufacture, etc.), the AFMER is only submitted by less than 6000 licensees (or less than 5% who manufacture firearms). Collection procedures are conducted through a mailing of a letter requesting the information accompanied by the form itself (it should be noted that this information collection is not voluntary, but required under 18 U.S.C. Chapter 44). Licensees are required to continue to report until notified to the contrary in writing by the Attorney General. Response rates are maximized by sending a second request for the information to all non filers approximately 8 months after the first request. Non-filers after this are referred to the field for collection of the form during routine inspections. If, when the forms come in, there is missing data, a call is placed to the licensee to discuss the incomplete data, and guidance is offered as to how the licensee may provide the required data. Although ATF did not conduct a test to determine if respondents understand the form, the form has been in use for several decades (since the early 1970s) with minimal changes. Therefore, respondents are familiar with the requirements and information necessary to submit the form.