

Department of Justice
Alcohol, Tobacco, Firearms and Explosives
Supporting Statement
Information Collection Request 1140-0019
Federal Firearms License (FFL) RENEWAL Application
ATF F 8 (5310.11) Part II

A. Justification

1. Title 18 of the United States Code, Chapter 44 (18 U.S.C. Chapter 44) provides that no person may engage in the business of importing, manufacturing, or dealing in firearms, or importing or manufacturing ammunition without first obtaining a license to do so. The benefit of a collector's license is also provided for in the statute. These activities are licensed for a specific period of time. In order to continue uninterruptedly in these activities, licenses can be renewed by filling out a renewal application prior to its expiration.
2. The information on this renewal application form is used by ATF application examiners to identify the applicant for a renewed firearms license and to determine that the applicant remains eligible to retain the license. The form is filed by the licensee desiring to renew their Federal firearms license. As stated, it is used to identify the applicant, locate the business/collection premises, identify the type of business/collection activity, and determine the eligibility of the applicant. The renewal application for a Federal Firearms license (also known as FFL) is used by the public to retain a license to engage in Firearms activities; i.e. deal, collect, manufacture, and import firearms

As long as 18 U.S.C. 923 requires a person wishing to 'engage in business' to pay a fee, to file an application, and to obtain a license before engaging in business or collection activity of curio and relics, this form or one like it will be necessary.

Without the information supplied by the applicant on the renewal form, ATF might issue a renewal to a person prohibited by law from engaging in the business or collecting.

3. ATF F 8 (5310.11) Part II is generated out of the ATF Federal Firearms Licensing Center in Martinsburg, West Virginia. The form is not available on the ATF website because it is electronically generated by the ATF database automatically 90 days prior to the expiration of a license. The database also pre-fills or populates numerous data fields related to the existing license(s) that is to be renewed. These pre-filled data fields are associated with renewal fees according to specific license types. The renewal fee is calculated and pre-filled on the form based on the license

type that is being renewed. This reduces the burden on the respondent, increases accuracy rate on the form, and decreases delays in processing the application due to incorrect fee calculations. The partially completed form is then sent to the respondent for completion of the remaining applicable fields, signature, and submission with payment. The form must be submitted/mailed with the payment in order for the financial institution to process it. The respondent has the option to pay via check, money order, or credit/debit card which the financial institution requires an original signature be provided. The current contract ATF has with the financial institution does not permit electronic or online payment processing.

4. ATF uses a uniform subject classification system to identify duplication and to ensure that 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 significant impact on small businesses or other small entities.
6. Less frequent collection of this information collection would pose a threat to public safety. The information supplied by the applicant helps ATF to determine that the applicant remains eligible to retain the license.
7. There are no special circumstances regarding this collection. The collection is conducted in a manner consistent with 5 CFR 1320.6.
8. The ATF industry liaison was involved with the creation of this information collection. A 60-day and 30-day Federal Register Notice was published in order to solicit comments from the public.
9. No payment or gift is associated with this collection.
10. In accordance with System of records notice (SORN) Justice/ATF-008 Regulatory Enforcement Record System FR Vol. 68 No. 16 3558 dated January 24, 2003, records are stored in file folders in file cabinets and in electronic media. Direct access is restricted to personnel in the Department of Justice in the performance of their duty. Records are transmitted to routine users on a need to know basis and others upon verification of the substance and propriety of the request. Records are stored in file cabinets in rooms locked during non-duty hours. The records stored in electronic media are password protected.
11. Questions of a sensitive nature are asked on the renewal application in order to determine the eligibility of the applicant.
12. Respondents that are updating responsible person information on a license should send in a letter with the renewal application indicating the

appropriate RP(s) to be added or removed. Please include in your letter the following identification information for each individual to be added as a RP: Full Name, Position, Social Security Number, Home Address, Telephone Number, Date of Birth, Place of Birth, Country/Countries of Citizenship, Sex, Race and Ethnicity – (American Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino, Native Hawaiian or Other Pacific Islander, White).

In accordance with ATF Publication 5300.4 § 478.44 (a) (1):

All new responsible persons must submit a properly prepared FD-258 (Fingerprint Card) with this application. Fingerprints must be taken by appropriate law enforcement authorities. The pre-printed FD-258 should include “WVATF1100 ATF-FFLC, MARTINSBURG, WV” to facilitate processing of fingerprints. A 2” x 2” photograph, taken in full face view within the last 6 months without a hat or head covering that obscures the hair or hairline, must also accompany this application. Please ensure that each photograph is clearly identified on the reverse with the full name of the responsible person to whom the photograph applies, and attach the photograph to a separate sheet of paper with person’s full name under the picture. You may affix multiple photographs to one sheet of paper ensuring that the responsible person’s full name is written under each picture.”

**Fingerprint card and photo submission apply to new RPs who have never been associated with a Federal Firearms license in the past.

13. There are 35,000 respondents for this application collection. Each respondent responds once per license. Total annual responses are 35,000. Total time to complete the form is 30 minutes. Total annual burden hours are 17,500.
14. The cost to the respondent is the mailing of the form. There is no capital/startup cost. The total annualized cost for this information collection is \$17,150.00 (35,000 respondents x .49 postage). The difference from previous collections is the increase in postal rates.
15. The estimated annual cost to the Federal Government of collecting and processing the information collected through the use of this information collection request is as follows:

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|---------------|-----------------|
| Printing | \$1,000 |
| Distribution | \$1,000 |
| Clerical cost | \$35,750 |
| Postal cost | <u>\$17,150</u> |
| | \$54,900 |

16. The cost adjustments to this collection are due to the postal rate increases over the years from \$.45 to \$.49.

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

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

19. There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods.

None