

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

**Supporting Statement – Information Collection Request
ATF F 3210.1, Application for Restoration of
Firearms Privileges
OMB 1140-0002**

A. JUSTIFICATION

1. Necessity of Information Collection

The information requested is collected to fulfill the requirements of 18 U.S.C. Chapter 44. Under Federal law, individuals prohibited from purchasing, possessing, receiving, or transporting firearms are permitted to apply for restoration of their firearms privileges. The information to be supplied must identify the specifics of the applicant's appeal for restoration of privileges. The information is investigated, processed, examined, and stored initially at ATF Headquarters.

2. Needs and Uses

This form is used by a person who has been indicted for or convicted of a crime punishable by imprisonment for a term exceeding one year and certain other persons prohibited from possessing firearms under 18 U.S.C. 922(g) and desires to apply for restoration of privileges to obtain a Federal firearms license (FFL), or to possess a firearm. The application is examined by ATF personnel who subsequently conduct a field investigation based upon the information provided to determine if the applicant may be allowed to regain rights if it is established that the circumstances regarding the indictment or conviction, plus the applicant's record and reputation, are such that the applicant will not act in a manner dangerous to public safety or contrary to the public interest. The investigation generally includes interviews of references, both those provided and additional references developed by the investigator. ATF requests the applicant's residence addresses for a ten year period to check police databases to determine if there is a match with reported crimes at the address while the person occupied it, to check the neighborhood to ensure it is a legitimate address and possibly interview neighbors. Employment history of the applicant is asked so that ATF may conduct interviews with current and former employers for character references. ATF requests the occupation of character references that the applicant provides to gain insight into the potential relationship between the applicant and the reference and it is used to interview the character references. A licensee who is disabled during the term of a FFL, and who makes a timely application for a restoration of privileges, is not barred from further operations pending final action on the application.

3. Use of Information Technology

The form is available to download and print however, respondents cannot submit the form electronically because an original signature is needed. The form is mailed back to ATF.

4. Efforts to Identify Duplication

The Federal Information Locator System (FILS) program has been terminated for agency use. However, an agency subject classification system is used to identify duplication.

5. Minimizing Burden on Small Businesses

The collection of this information would have no impact on small businesses or other small entities.

6. Consequences of Not Conducting or Less Frequent Collection

Less frequent collection of this information would pose a threat to public safety.

7. Special Circumstances

The information collection requirement is conducted in a manner consistent with 5 CFR 1320.6.

8. Public Comments and Consultations

The firearms industry analyst was consulted during the creation of this form. A 60-day and 30-day Federal Notice was published in order to solicit comments from the general public. Several public comments were received and addressed by the responsible Program Office.

9. Provision of Payments or Gifts to Respondents

No payment or gift is associated with this collection.

10. Assurance of Confidentiality

The information identifying the applicant would not be disclosed except in accordance with the Privacy Act and the Freedom of Information Act.

11. Justification for Sensitive Questions

Questions about an individual's criminal history, immigration status, and mental status are asked. The questions are necessary in order to ensure that the provisions of the Gun Control Act of 1968 and the Safe Explosives Act of 2002 are properly enforced.

12. Estimate of Respondent's Burden

There are 250 respondents associated with this information collection. Each respondent will respond one time. Total number of responses is 250. It is estimated that each respondent will complete the form in 30 minutes. The total burden associated with this information collection is 125 hours. There is no change of burden hours from the previous submission.

13. Estimate of Cost Burden

The respondent must mail the application to ATF. The cost to the respondent is postage. 250 respondents x 49 cents = \$122.50. This amount is rounded up to \$123.

14. Cost to Federal Government

Annual cost to the Federal Government is estimated to be as follows:

Printing	\$500.00
Distribution	\$500.00
Clerical	\$12,000.00
<u>Supervisory</u>	<u>\$20,000.00</u>
Total	\$33,000.00

15. Reason for Change in Burden

The increase in the annual cost burden is due to a postal rate increase. The cost for mailing the application is \$0.49 per respondent.

16. Anticipated Publication Plan and Schedule

The results of this collection will not be published.

17. Display of Expiration Date

ATF requests approval to not display the expiration date of OMB approval for this collection. If ATF prints the expiration date on the form, this will result in increased costs to the Government because of the need to replace obsolete inventories with the passage of the expiration date each time an OMB approval is renewed.

18. Exception to the Certification Statement

There are no exceptions to the certification statement.