

DEPARTMENT OF JUSTICE
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

Supporting Statement

1140-0007

Release and Receipt of Imported Firearms, Ammunition, and Defense Articles - ATF F 6A
(5330.3C)

A. Justification

1. Under 18 U.S.C. 925(a), 22 U.S.C. 2778, and 26 U.S.C. 5844, the importation of firearms, ammunition and defense articles into the United States is restricted. The importation of articles coming within the purview of these statutes is prohibited. The statutes also require that persons engaged in the business of importing such articles be licensed and/or registered. Implementing regulations in 27 CFR Parts, 447, 478, and 479, prescribe the forms and procedures necessary to fulfill the import permit requirements. Through these requirements, the law and regulations establish a comprehensive system for regulating the importation of firearms, ammunition, and defense articles.

The ATF requests approval to make the following changes to the Form 6A:

Title

- Change Implements of War to Defense Articles

Section I

- Block 9, on column titles along left side, change “Implements of War” to “Defense Articles”

Section III

- Block 18, verbiage for the first check box, change “implements of war” to “defense articles”

Instructions for Federally Licensed and/or Registered Importers

- Item #1, line 2, change “implements of war” to “defense articles”
- Item #2, paragraph 1, delete current paragraph and replace with the following:

“Section I. Importation Information. To obtain release of firearm(s), ammunition and defense articles from the custody of the U.S. Customs and Border Protection (CBP), the importer may (1) complete Section I of the form, in duplicate, and present one copy to CBP along with his import permit, ATF E-form 6 Part I (5330.3A) or (2) submit Form 6 and 6A data electronically to ATF via the Partner Government Agency (PGA) message set. For additional information on how to submit PGA data to CBP electronically, please see <https://www.cbp.gov/document/guidance/atf-supplemental-guidance-ace>. For assistance in setting up an Automated Commercial Environment (ACE) account, please contact the CBP Ace Helpdesk at 1-866-530-4172. Questions for ATF may be directed to Imports-Helpdesk@atf.gov.

Importers are still required to send in their copy of the Form 6A to ATF within 15 days of release from CBP custody. Only Sections I and III are required. If the import includes a firearm(s) for which the serial number(s) are not known at the time the ATF Form 6 Part I, Application and Permit to Import Firearms, Ammunition and Defense Articles, the serial numbers must be reported in Section III of the form (see below) within 15 days from release from CBP custody.”
- Item #3, Section II. Replace the verbiage with the following: “CBP will release the shipment if they are satisfied that the shipment of firearm(s), ammunition, and/or Defense Articles was authorized by the Director, Bureau of Alcohol, Tobacco, Firearms and Explosives. CBP will no longer complete Section II of the Form 6A.”

Instructions for Federal Firearms Licensees other than Importers

- Item #1, line 2, change “implements of war” to “defense articles”
- Item #2 delete current paragraph and replace with the following:

“Section I. Importation Information. To obtain release of firearm(s), ammunition and defense articles from the custody of the U.S. Customs and Border Protection (CBP), the importer may (1) complete Section I of the form, in duplicate, and present one copy to CBP along with his import permit, ATF E-form 6 Part I (5330.3A) or (2) submit Form 6 and 6A data electronically to ATF via the PGA message set. For additional information on how to submit PGA data to CBP electronically, please see <https://www.cbp.gov/document/guidance/atf-supplemental-guidance-ace>. For assistance in setting up an ACE account, please contact the CBP Ace

Helpdesk at 1-866-530-4172. Questions for ATF may be directed to Imports-Helpdesk@atf.gov.

- Item #3, Section II, replace verbiage with “CBP will release the shipment if they are satisfied that the shipment of firearm(s), ammunition, and/or defense articles was authorized by the Director, Bureau of Alcohol, Tobacco, Firearms and Explosives. CBP will no longer complete Section II of the Form 6A.”

Instructions for Members of the U.S. Armed Forces

- Item #1, line 2, change “implements of war” to “defense articles”
- Item #2, line 2, after ammunition, add “or defense articles”
- Item #3, Section II, delete existing verbiage and replace with “CBP will release the shipment if they are satisfied that the shipment of firearm(s), ammunition, and/or defense articles was authorized by the Director, Bureau of Alcohol, Tobacco, Firearms and Explosives. CBP will no longer complete Section II of the Form 6A.”

Instructions for Persons not Licensed by or Registered with ATF

- Item #1, line 2, change “implements of war” to “defense articles”
- Item #2, line 2, replace “implements of war” with “defense articles”
- Item #3, Section II, delete existing verbiage and replace with “CBP will release the shipment if they are satisfied that the shipment of firearm(s), ammunition, and/or defense articles was authorized by the Director, Bureau of Alcohol, Tobacco, Firearms and Explosives. CBP will no longer complete Section II of the Form 6A.”

Privacy Act Information

- Item #1, line 5, change “implements of war” to “defense articles”
 - Item #2, line 2, change “implements of war” to “defense articles”
 - Item #3, line 6, change “implements of war to defense articles”
2. The data provided by this information collection request are used by the Bureau to determine if articles imported meet the statutory and regulatory criteria for importation and if the articles shown on the permit application have actually been imported. The Release and Receipt of Imported Firearms, Ammunition and Defense Articles ATF F 6A (5330.3C) serves as the certification of release and receipt of the articles described on the permit application. The form is used by federally licensed and/or registered importers, Federal firearms licensees other

than importers, members of the U.S. Armed Forces and persons not licensed by or registered with ATF.

3. ATF F 6A (5330.3C) is available on the ATF website www.atf.gov and is fillable. The form may be printed and mailed to ATF. The form may also be completed, signed, and submitted electronically to ATF via the Eforms platform: (www.atfonline.gov). The respondent must present this the information collected via this form to U.S. Customs and Border Protection (CBP). If CBP is satisfied that the Director of ATF has authorized the importation, CBP will release the shipment. The importer's copy that is manually generated must be mailed back to ATF. ATF regulations require that the Form 6A be filed in duplicate. This provides ATF with notification that the defense articles have entered in the US. Within 15 days of release from CBP custody, the licensed and/or registered importer is required to examine the shipment, complete Section III as appropriate, attach any serial number as required and forward the form to ATF. CBP does not necessarily examine the actual shipment – their notification is merely that the articles have come into the US. The licensed/registered importer is required to examine the shipment, notify ATF of any discrepancies (so our records will note it), and report the serial numbers as applicable.
4. ATF uses a 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 collection.
5. This information collection has no impact on small businesses.
6. The consequences of discontinuing the requirement for ATF F 6A are that licensed importers, dealers, and military personnel would be unable to import firearms, ammunition, and implements of war as allowed by statute. Shipments would be detained by CBP resulting in unnecessary expense to the industry. 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 public safety by exacerbating crime and violence and undermining the declared law enforcement, foreign policy, and revenue purposes of 18 U.S.C. 925(a), 22 U.S.C. 2778, and 26 U.S.C. 5844.
7. This information collection is conducted in a manner consistent with the guidelines of 5 CFR 1320.6.
8. One comment received during the 60-day Federal Register notice period received an official response. However, there were no additional comments received during the 30-day notice period for this collection.
9. No payment or gift is associated with this information collection.

10. Disclosure of the information by the applicant is mandatory for the release and receipt of imported firearms, ammunition, and implements of war. The information is kept in a secured location. Confidentiality is not assured.
11. No questions of a sensitive nature are asked.
12. There are 28,000 respondents who complete this form. Each respondent completes the form 1 time. The total number of annual responses is 28,000. Estimated time to complete this form is 35 minutes. The total burden associated with this form is 16,333 hours.
13. There is no start-up cost associated with this collection. The respondents that do not file electronically must mail the form to ATF. Approximately 10% of the respondents file electronically. The costs to respondents choose not to file electronically is postage. The postage cost is based on 28,000 x .49 postage = \$13,720.
14. Estimates of annual cost to the Federal Government are: Printing, \$2,200 and Labor \$42,000 for a total of \$44,200.
15. An increase in the period of validity for the Form 6A, Release and Receipt of Imported Firearms, Ammunition, and Defense Articles from one year to two years, has caused an increase in the number of respondents to this collection by 8,000, the burden hours by 4,666, and costs by \$3,920.
16. The results of this collection will not be published.
17. ATF does not request approval to omit the expiration date of OMB approval for this information collection.
18. There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods

This information request does not employ statistical methods.