

Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Supporting Statement

OMB Control No. 1140-0009

Application to Register as an Importer of U.S. Munitions Import List Articles
(ATF Form 4587 (5330.4))

A. Justification

1. Through eligibility and permit requirements, the Arms Export Control Act of 1976 established a comprehensive system for regulating the importation of defense articles and defense services. This information collection informs potential respondents about specifications for the collection of information mandated or authorized by statute or regulations, with respect to the importation of such articles. According to 22 USC 2778 and the implementing regulations in 27 CFR Part 447, any individuals engaged in the business of importing defense articles and defense services, must register with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). Specifically, they must register using the Application to Register as an Importer of U.S. Munitions Import List Articles (ATF F 4587 (5330.4)) and pay a registration fee.

On December 6, 1984, the Department of State published a final rule (49 FR 47684) revising the International Traffic in Arms Regulations (ITAR). ATF subsequently published a final rule (50 FR 42157 (1985)) to conform 27 CFR 447 to the revised ITAR. The final rule became effective on October 11, 1985. The procedures to register as an importer have not changed. An explanation of the circumstances that make the collection of information necessary, follows for each data element that appears on the information collection request ATF F 4587 (5330.4):

- I. The name and address are necessary in order to return the application to the applicant, to correspond with and ensure that the registrant has suitable premises to conduct business and maintain required records.
- II. The telephone number expedites processing of the completed application, by allowing ATF to communicate directly with the applicant or registrant to resolve questions quickly, thereby eliminating the need for formal and time-consuming correspondence.
- III. The current AECA registration number expedites processing of the application, by allowing ATF to verify if the applicant is already registered, to validate a previous registration date, and to assign a new expiration date.
- IV. The applicant has the option by regulation (27 CFR 47.32) to register for a period of 1 to 5 years. This block implements that regulation and provides a record after the check or money order has been deposited.
- V. It is necessary to determine whether the business entity making application is an individual, partnership, corporation or other legal entity, as well as the following particulars:
 - i. That the applicant is a legitimate business enterprise,

- ii. The proper licensing and registration requirements for the particular entity, and
 - iii. That the application to register and subsequent applications to import are executed by properly authorized persons.
- VI. The date and place of incorporation or commencement of business are necessary to ensure that the applicant is a legitimate business entity and, in the case of foreign entities and individuals, authorized to conduct business in the United States.
 - VII. The importation of firearms, ammunition, and implements of war are subject to licensing and registration requirements of the Gun Control Act (18 U.S.C. Chapter 44) and the National Firearms Act (26 U.S. C. Chapter 53), as well as the Arms Export Control Act (22 U.S. C. 2778).
 - VIII. In order to approve an application to import firearms, ammunition, and implements of war, it is necessary to verify that the registrant has become properly licensed and registered under the GCA and the NFA, if required.
 - IX. The information required for each individual owner, partner, and principal officer is necessary to verify that the business entity and persons are legitimate, and that the registration and subsequent applications are executed by properly authorized individuals. This information also enables the identification of persons who may be involved in illegal activity.
 - X. The information that is required in blocks 10-13, enables ATF to determine if registration under the AECA is actually required and what, if any, additional licensing and registration requirements must be met. Fees are returned if ATF determines that registration is not required.
 - XI. The signature, title, and date in blocks 14-16 are necessary to ensure that the application is properly executed by an authorized person.
2. The data provided through this information collection is used by ATF personnel to:
- I. Determine if the applicant is required to register as an importer,
 - II. Effect the registration, and
 - III. Facilitate the collection of the registration fees.

In addition, the information is used to aid ATF in its law enforcement and regulatory activities with respect to the regulation of firearms and ammunition. The information may also be disclosed to other Federal, State, foreign and local law enforcement and regulatory agency personnel. Specifically, application content may be shared with these entities to validate the information on the application, and verify the performance of individual duties with respect to the regulation of firearms and ammunition. This information may also help the State Department to determine if there is any connection between an individual and any duties and responsibilities in the area of foreign affairs. The information may be disclosed to the Justice Department, if it appears that information has been falsified, which may constitute a violation of Federal law.

3. ATF accepts signed electronic copies of this form through Pay.gov. Individuals with disabilities can also access, complete and submit this form. Respondents may also mail the application (ATF F 4587), which includes an original signature in duplicate form, along with the registration fee to the ATF lock box address located in Portland, Oregon.

The lock box allows fee deposits, photocopies of checks and/or money orders, and facilitates the transmission of duplicate form and photocopies to ATF Headquarters.

4. ATF uses a uniform subject classification system to identify duplication and ensure that any similar information already available cannot be used or modified for the purpose of this information collection.
5. There is no impact on small businesses.
6. Infrequent collection of this information would substantially increase the potential for the illegal introduction of firearms, ammunition and implements of war into domestic commerce. This would pose a threat to public safety by exacerbating crime and violence, and undermining the declared law enforcement, foreign policy, and/or revenue purposes.
7. This collection of information is conducted in a manner consistent with the guidelines of 5 CFR 1320.6.
8. No comment were received during either the 60-day or the 30-day Federal Register notice periods.
9. No payment or gift is associated with this collection.
10. The confidentiality of information obtained by ATF from regulated individuals is protected under the provisions of 5 U.S.C. 552 and 26 U.S.C. 6103. Confidentiality is not assured.
11. There are no questions of a sensitive nature.
12. There are 300 respondents for this collection. The respondents will respond one (1) time to this information collection for a total 300 responses annually. The form takes 30 minutes to complete. Therefore, the total annual burden hours is 150. The record-keeping requirement for this information collection is 6 years.
13. There is no start-up cost to the respondent. The only cost to the respondent is postage, totaling \$150.00 annually.
14. The estimated annual cost to the Federal Government of collecting and processing the information collected through the use of this collection request is as follows:

Printing	\$300
Labor	<u>\$11, 600</u>
Total	<u>\$11, 900</u>
15. There are no program changes or adjustments associated with this collection since the last renewal.
16. The results of this information collection will not be published.

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

18. There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods

This information collection request does not employ statistical methods