

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

Supporting Statement
OMB # 1140-0010

Application to Transport Interstate or Temporarily Export Certain National Firearms Act (NFA)
Firearms - ATF Form 5320.20

A. JUSTIFICATION

1. Certain National Firearms Act (NFA) firearms may not be transported interstate or temporarily exported by any person other than a qualified licensee, without approval from ATF (18 U.S.C. 922 (a) (4) and 27 CFR 478.28). These regulations require that a written request for permission be submitted to ATF, prior to engaging in interstate transportation or temporary exportation of certain NFA firearms. The Application to Transport Interstate or Temporarily Export Certain National Firearms Act (NFA) Firearms - ATF Form 5320.20 provides for these regulatory requirements, and can be used in lieu of the written permission request.

ATF requests approval to make the following changes to ATF Form 5320.20:

- Item 1 - Add the check boxes for Corporation, Individual, Other Legal Entity, and Trust
 - Change “Legal Entity” in Item 1 to “Other Legal Entity”
 - Create new Item 1b. Email Address
 - Item 4 - Remove the column “Serviceable Yes/No”
 - Item 5 - This item will be modified to read as follows: “Mailing Address of Returned Form” (if different than Item 1)
 - Item 6 will be the previous Item 5 but moved to the right-hand side.
 - All remaining items will be renumbered.
 - Change all references from “NFA Branch” to “NFA Division”
2. ATF F 5320.20 is used by a person who possesses a registered machine gun, destructive device, short barreled rifle or short barreled shotgun, to request permission to move the firearm interstate (either temporarily or permanently) or to temporarily export the firearm. The form is to be filed in duplicate and once authorization has been granted, one of the copies is returned to the requestor evidencing the approval. This information on the form is verified by ATF personnel in the processing of the application, to ensure the legality of the proposed transportation, and to verify the location of the firearms in the National Firearms Registration and Transfer Record. This information is also used by ATF to determine the lawful transportation of an NFA firearm and/or to pursue the criminal investigation about an unregistered NFA firearm.

3. This form is available on the ATF website. It is also fillable and can be submitted by mail. In addition, the form can be submitted to ATF's NFA Branch in duplicate via facsimile (Fax number (304) 616-4501) or by scanning the form and emailing it to NFAFax@atf.gov. This form is currently under consideration as an eForm, as funding permits.
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. This information collection has no impact on small business.
6. The consequences of not conducting this collection would result in the illegal transporting of certain types of firearms. Respondents submit this form only as often as necessary to comply with statutory and regulatory requirements.
7. This collection is consistent with the provisions of 5 CFR 1320.6. There are no special circumstances.
8. All comments received during the 60-day Federal Register notice period received a response. However, a 30-day notice will be published in the Federal Register to solicit public comments.
9. No payment or gift is associated with this collection.
10. In addition to the requirements of confidentiality contained in the Privacy Act, this information is classified as "tax information" or "tax return information," and any release is severely restricted by the Tax Reform Act (26 U.S.C. section 6103).
11. No questions of a sensitive nature are associated with this information collection.
12. In FY 2017, over 12,000 forms were filed. In FY 2018, over 14,500 forms were filed. Each filing is a new request for a different location or duration. Both the size of the registry and the number of firearms being registered that require permission for transportation continue to increase annually. We anticipate an increase in the number of responses during FY 2019, which is estimated to total about 17,000. Since each filing is unique, the number of respondents is equivalent to the number of forms filed. The estimated time to complete the form is 20 minutes per submission (i.e. 10 minutes to complete the form and 10 minutes to address an envelope and mail). Therefore, the total burden hours for this information collection is estimated to be 5,610 hours.
13. The cost to the respondent is postage and an envelope. For 17,000 submissions @\$0.49 per stamp and \$0.10 per envelope (total .59 cents), which is calculated as follows:
$$17,000 (\# \text{ of respondents}) * \$0.59 (\text{total mailing cost}) = \$10,030.00.$$

14. Estimates of annual costs to the Federal Government are:

Printing 17,000 forms @ \$.10 = \$1,700

15. The adjustments associated with this collection include an increase in the number of respondents from 10,000 during the last IC renewal in 2016 to 17,000 in 2019. Consequently, the burden hours has also risen from 3,300 hours in 2016 to 5,610 hours in 2019. Additionally, the cost burden has increased from \$ 5,900 in 2016, to \$10,030.

16. The results of this 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

None.