

Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Information Collection Request Supporting Statement
OMB 1140-0002
Application for Restoration of Firearms Privileges - ATF Form 3210.1

A. Justification

1. Necessity of Information Collection (IC)

The information requested on the Application for Restoration of Firearms Privileges - ATF Form 3210.1, fulfills the requirements of 18 U.S.C. Chapter 44. Specifically, individuals prohibited from purchasing, possessing, receiving, or transporting firearms, are permitted to apply for the restoration of their firearms privileges, using ATF Form 3210.1. The submitted information must include specific details regarding the applicant's appeal for the restoration of their firearms privileges. Once received, the collected information will be investigated, processed, and stored initially at ATF Headquarters.

2. Needs and Uses

ATF Form 3210.1 is used by a person indicted for or convicted of a crime that is punishable by imprisonment for a term exceeding one year. The form may also be used by other individuals prohibited from possessing firearms under 18 U.S.C. 922(g), to apply for the restoration of privileges to obtain a Federal firearms license (FFL), or to possess a firearm. The submitted application is reviewed by ATF personnel, who subsequently conduct a field investigation, to determine if the applicant may be allowed to regain their firearms rights. An applicant may regain firearms privileges, if the investigation conclusively determines that the circumstances surrounding their indictment or conviction, as well as their record and reputation, shows that they will not act in a manner that will endanger public safety or that is contrary to the public interest.

The investigation generally includes in-person interviews of references provided by the applicant and otherwise requested by the ATF investigator. ATF also requests the applicant's residence addresses for a ten-year period, which are checked in police databases. These checks help to determine if there is a link between the applicant and any reported crime(s) at any place of residence, while the applicant lived there. Additionally, the checks will validate the legitimacy of the addresses provided, and help to source neighbors for in-person interview about the applicant. An employment history is also asked, so that ATF may conduct interviews with current and former employers for character references on behalf of the applicant. Character references also help to provide insight about the relationship between the applicant and their referee(s). A licensee who is disabled during the term of a FFL, but makes a timely application for a restoration of privileges is not barred from operations, until a final decision is made about their application.

3. Use of Information Technology

ATF Form 3210.1 form is unavailable in paper form or for download and print due to Congressional restrictions. In general, corporations requesting relief submit a letter request and attach all relevant information. ATF will make an effort to explore the costs and create a budget to enable electronic submission and e-signature capability of this IC, when the associated form is available for general public use.

4. Efforts to Identify Duplication

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

5. Minimizing Burden on Small Businesses

This collection of information has 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

This IC requirement is conducted in a manner consistent with 5 CFR 1320.6.

8. Public Comments and Consultations

All comments received during the 60-day Federal Register notice period received a response. A 30-day notice will be published in the Federal Register to solicit public comments.

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 will 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. These questions are necessary 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 approximately 10 respondent to this IC. Each respondent will respond once per year. Therefore, the total number of responses is also 10. It is estimated that each respondent will complete the form in 30 (.5) minutes. The total burden associated with this IC is 5 hours.

13. Estimate of Cost Burden

The respondent must mail the application to ATF. The total postage cost per respondent is: 10 respondents x .55 cents = \$ 5.50 or \$ 6.

14. Cost to Federal Government

The total Federal Government cost is zero.

15. Reason for Change in Burden

Due to a congressional restriction, use of this IC is currently limited to corporations and not individuals. As such, the total respondents has reduced by 240, since the last renewal in 2017. Although postage costs increased from .49 per respondent during the 2017 to \$0.55 currently, the total public cost burden reduced by \$ 117.

16. Anticipated Publication Plan and Schedule

The results of this collection will not be published.

17. Display of Expiration Date

ATF requests approval to exclude the OMB expiration date from the header of the form for this IC. Printing the expiration date on the form will result in increased Government costs to replace inventories that become obsolete, each time OMB issues a new expiration date for this IC.

18. Exception to the Certification Statement

There are no exceptions to the certification statement.