

DEPARTMENT OF JUSTICE
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES
Supporting Statement
OMB 1140-0084

Application/Permit for Temporary Importation of Firearms and Ammunition by Nonimmigrant
Aliens - ATF Form 6NIA (5330.3D)

A. Justification

1. Necessity of Information Collection

Importation of firearms and ammunition by nonimmigrant aliens into the United States is subject to the provisions of Public Law No.105-277 (1998), 8 U.S.C. § 1101(a)(15), 18 U.S.C. § 922(g)(5), and 27 C.F.R. Part 478. Pursuant to Public Law Number 105-277 (1999), Congress created with certain exceptions, a new category of persons prohibited from shipping, transporting, receiving, and possessing firearms and ammunition. ATF interprets this category to be aliens in a nonimmigrant classification under section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. § 1101(a)(15)).

ATF regulations prohibit nonimmigrant aliens from importing firearms, parts or accessories for firearms or ammunition, unless the nonimmigrant alien qualifies for one of the six exceptions or receives a waiver. The vast majority of users are Canadians applying to import firearms into the United States temporarily. These individuals must complete the Application/Permit for Temporary Importation of Firearms and Ammunition by Nonimmigrant Aliens - ATF Form 6NIA (5330.3D), which must be accompanied by additional information, such as the firearms possession license number, and/or firearms possession and acquisition license number, and firearms registration certificate number. Canadian law also requires all firearms to be registered, and that persons possessing firearms are licensed to do so.

2. Needs and Uses

The data provided on ATF Form 6NIA (5330.3D) will be used by ATF personnel to determine the following:

- (1) If the firearm(s) and ammunition described on the application qualify for importation,
- (2) If the nonimmigrant alien falls within an exception to the general prohibition of nonimmigrant aliens from possessing firearms and ammunition, and
- (3) If the nonimmigrant alien is otherwise prohibited from possessing firearms and ammunition under the Gun Control Act. ATF Form 6NIA (5330.3D) also serve as authorization for the U.S. Customs and Border Protection (CBP) to allow the listed articles entry into the United States.

3. Use of Information Technology

The fillable ATF Form 6NIA (5330.3D) is accessible on the ATF's website for download and completion by users. The completed form can be signed with either a wet or a digital signature, and submitted to the ATF by fax for processing. Individuals with disabilities can access and complete this form, which is 508 compliant.

4. Efforts to Identify Duplication

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 use for the purpose of this information collection.

5. Minimizing Burden on Small Business

This collection does not affect small businesses.

6. Consequences of Not Conducting or Less Frequent Collection

Without this information collection, individuals will be unable to import their firearms or ammunition into the United States.

7. Special Circumstances

There are no special circumstances regarding this collection. This information collection requirement is conducted in a manner consistent with 5 CFR 1320.6, Controlling Paperwork Burdens on the Public.

8. Public Comments and Consultations

No comments have been received during the 60-day Federal Register notice period. However, a 30-day notice will be published in the Federal Register to solicit public comments.

9. Provision of Payment or Gifts to Respondents

No payment or gift is associated with this collection.

10. Assurance of Confidentiality

This information will be maintained in a secure room in ATF headquarters. Confidentiality is not assured.

11. Justification for Sensitive Questions

The applicant's race, date of birth, and place of birth will be used to determine if the applicant is prohibited from possessing firearms and ammunition under the Gun Control Act.

12. Estimate of Respondent's Burden

The total annual respondents and responses to this information collection is 15,000. The estimated annual burden associated with this collection of information is 30 minutes per respondent. Therefore, the total burden hours is 7,500, which can be calculated as follows: 15,000 (# of respondents) * .5 (30 minutes to complete the form).

13. Estimate of Cost Burden

There is no public cost associated with this information collection, since the completed form can be faxed to ATF for processing.

14. Cost to Federal Government

Estimates of annual cost to the Federal Government for 6,000 copies are:

Printing	\$ 700.00
Labor	<u>\$ 2,000.00</u>
Total	\$2,700.00

15. Reason for Change in Burden

There are no program changes or adjustments associated with this collection.

16. Anticipated Publication Plan and Schedule

The results of this collection will not be published.

17. Display of Expiration Date

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

18. Exception to the Certification Statement

There are no exceptions to the certification statement.

B. This collection does not employ statistical methods.