

Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Information Collection Request
Supporting Statement
1140-0031

Records of Acquisition and Disposition, Registered Importers of Arms, Ammunition and Defense Articles on the U.S. Munitions Import List, ATF REC 7570/1

A. JUSTIFICATION

1. Necessity of Information Collection

In furtherance of world peace and the security and foreign policy of the United States, the President is authorized to control the import and export of defense articles and services, and to provide foreign policy guidance to Americans involved in the export and import of such articles and services. The President is also authorized to designate those items that shall be considered defense articles and services and to promulgate regulations for the import and export of such articles and services. The items so designated shall constitute the United States Munitions List (USMIL).

The records associated with this information collection are unique and not exclusively firearms or ammunition. These records also include items that must be accounted for as per law 22 U.S.C. § 2778 and regulations 27 CFR § 447.54. The importers must register with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and file an intent to import specific items. Importers must also certify to ATF that imported items were received. Registration is accomplished by completing the Application to Register as an Importer of U.S. Munitions Import List Articles – ATF Form 4587 (5330.4), which is approved under OMB control number 1140-0009. Applicants may request to register for one to five years and pay the annual registration fee of \$250. An electronic version of this form is available on the ATF website. Regulation 27 CFR § 447.54 specifies that this collection must include information related to the importation of the defense articles on the USMIL. Business records must also include data related to acquisition and disposition of USMIL items, as reported on the Application and Permit for Importation of Firearms, Ammunition and Implements of War – ATF Form 6 Part I (5330.3A) and ATF Form 6 Part II (5330.3B) (ATF Forms 6) and the Release and Receipt of Imported Firearms, Ammunition and Defense Articles – ATF Form 6A(5330.3C) (ATF Form 6A). This record system is separate and apart from what is normally considered to be a Federal firearms licensee’s “bound book” of acquisition and dispositions. Per 27 CFR § 447.34, licensees must keep records bearing on such articles imported for a period of six years.

The USMIL includes the following records:

Category I – firearms
Category II – artillery projectors
Category III – ammunition
Category IV – launch vehicles, guided missiles, ballistic missiles, rockets, torpedoes, bombs and mines
Category V – deleted as inapplicable to imports
Category VI – vessels of war and special naval equipment
Category VII – tanks and military vehicles
Category VIII – aircraft, spacecraft, and associated equipment
Categories IX, X, XI, XII and XIII – deleted as inapplicable to imports
Category XIV – toxicological agents and equipment and radiological equipment
Category XV – reserved
Category XVI – nuclear weapons design and test equipment
Categories XVII, XVIII, and XIX – deleted as inapplicable to imports
Category XX – submersible vessels, oceanographic and associated equipment
Category XXI – miscellaneous articles

2. Needs and Uses

The records for this information collection are established by 27 CFR § 447.34(a) and must be maintained at the registrant's business premises, where they are available for review by ATF officers, during compliance inspections or criminal investigations. These records may also be used by the registrant for accounting purposes, and by ATF personnel when ensuring compliance with the Arms Export Control Act of 1976, as amended. 22 U.S.C. § 2778. ATF personnel may also use these records to verify that the importer has filed the appropriate ATF Forms 6 and/or 6A, when required, to import articles on the USMIL and also obtained the required retransfer authorizations. These records may also be used to ensure importer compliance with the requirements of the Arms Export Control Act (AECA).

3. Use of Information Technology

This information collection does not involve the use of automated, electronic, mechanical, or other technological collection techniques, since the affected records are not transmitted to any other source, but rather, maintained on the business premises. This is not a registration requirement but a record retention requirement. The AECA does not specify that the records must be maintained in paper form. However, some articles on the USMIL are also regulated under 27 CFR Part 478, which mandates the procedures for obtaining a variance from ATF, in order to maintain electronic records. Electronic records may be maintained for defense articles covered solely by the AECA.

4. Efforts to Identify Duplication

ATF uses an agency subject classification system to identify duplication. No similar information is available from any other source.

5. Minimizing Burden on Small Businesses

There is no major impact to small businesses, although owners must maintain the required records regardless of the size of their business.

6. Consequences of Not Conducting or Less Frequent Collection

Public safety would be threatened without this information collection.

7. Special Circumstances

This data will be collected in a manner consistent with the guidelines in 5 CFR § 1320.6.

8. Public Comments and Consultations

No comments were received during the 60-day Federal Register (FR) notice period. However, a 30-day FR notice will be published momentarily to solicit public comments.

9. Provision of Payments or Gifts to Respondents

No payment or gift is associated with this collection.

10. Assurance of Confidentially

The records are maintained on the premises of the licensee in a secured location. These records unavailable to the general public. Only ATF Industry Operations Investigators have access to these records. Confidentially is not assured.

11. Justification for Sensitive Questions

No questions of a sensitive nature are asked.

12. Estimate of Respondent's Burden

There are 50 respondents to this collection. Each respondent will answer once per year. The total response is 50. Each respondent will take 5 hours to prepare information for this record keeping requirement. Therefore, the total annual burden associated with this information collection is 250 hours.

13. Estimate of Cost Burden

There is no cost burden to the respondent.

14. Cost to Federal Government

There is no cost to the Federal Government.

15. Reason for Change in Burden

There are no program changes or adjustments to this collection.

16. Anticipated Publication Plan and Schedule

The results of this information collection will not be published.

17. Display of Expiration Date

ATF does not request approval to not display an expiration date because this information collection does not have a form.

18. Exception to the Certification Statement

There are no exceptions to the certification statement.

B. STATISTICAL METHODS

This collection does not employ statistical methods.