

Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Information Collection Request
Supporting Statement
OMB 1140-0067

Licensed Firearms Manufacturers Records of Production, Disposition, and Supporting Data

A. JUSTIFICATION

1. Necessity of Information Collection

Each licensed importer, manufacturer, and dealer shall maintain records of importation, production, shipment, receipt, sale, or other disposition of firearms at their place of business, for such period, and in such form, as the United States Attorney General may prescribe. These records are required by 18 U.S.C. § 923(g)(1)(A), and allow Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) personnel to inquire into the disposition of any firearm, during a criminal investigation (18 U.S.C. § 926(a)(2)). The records are established and maintained by the licensee, who enters the required information into the proper record books as prescribed by 27 CFR § 478.123, which refers to 27 CFR §§ 478.121- 478.125. Records of production, disposition, and supporting data may also be used to initiate a weapon's trace during criminal investigations and support other aspects of ATF's law enforcement and regulatory mission. These records can be easily reviewed by ATF personnel during compliance inspections that are conducted under the authority of 18 U.S.C. 923 §§ (g) (1)(A) and (B), with minimal interference to the licensee's normal business operations.

2. Needs and uses

Licensees will use the records associated with this collection for accounting purposes. ATF personnel will review these records during a criminal investigation, and/or for regulatory compliance with the Gun Control Act of 1968. The United States Attorney General may inspect or examine the inventory and records of a licensed importer, manufacturer, or dealer without reasonable cause or warrant, during the course of a criminal investigation of a person(s) other than the licensee, to ensure compliance with the recordkeeping requirements of 18 U.S.C §§ 923 (g) (1) (A) and (B). The Attorney General may also inspect or examine records relating to a firearm that is to be disposed of, and/or has been traced to a licensee, during the course of a criminal investigation.

3. Use of Information Technology

The use of automated, electronic, mechanical, or other collection techniques is not required by this information collection. However, pursuant to ATF Ruling 2016-1, maintaining these records electronically is permissible. These records must be kept on the licensee's business premise and contain specific entries regarding the manufacture and disposition of firearms.

4. Efforts to Identify Duplication

ATF officers must ensure that there is no duplication or false entries of licensee records during inspections.

5. Minimizing Burden on Small Businesses

This collection does not have any impact on small businesses.

6. Consequences of Not Conduction or less frequent Collection

Without this information collection, licensees could provide falsified records that would negatively impact criminal investigations. These records are vital to ATF's law enforcement mission.

7. Special Circumstances

There are no special circumstances associated with this information collection. This record retention requirement is conducted in a manner consistent with 5 CFR § 1320.6.

8. Public Comments and Consultations

One comment received during the 60-day Federal Register (FR) notice period received a response. A 30-day FR notice will be published to solicit public comments.

9. Provision of Payments or Gifts to Respondents

No decision of payment or gift is associated with this collection.

10. Assurance of confidentiality

These records are maintained at the premises of the licensee in a secured location. Only cleared ATF investigators have access to these records. Confidentiality is not assured.

11. Justification for Sensitive Questions

Business owners are not required to maintain records of a sensitive nature.

12. Estimate of Respondent's Burden

ATF estimates that approximately 10,513 firearm manufacturers will respond to this collection regarding some 7,188,649 firearms that are produced each year. It is estimated that 7% of the respondents are larger manufacturers that produce 95% (6,829,217) of all firearms. Due to the use of an efficient computer record systems by the larger manufacturers, it is estimated that it will take approximately 1.06 minutes (.0176728 hours) to record the required data for this collection:

6,829,217 * .017 hours = 113,820 hours.

It is estimated that the remaining 359,432 firearms can be recorded in approximately two minutes (.033 hours), which equals 11,981 hours:

359,432 * .033 hours = 11,981 hours.

The total time to record the required information is:

113,820 hours + 11,981 hours = 125,801 hours.

The estimated total number of responses is 7,118,649.

It takes approximately 1.06 minutes (.0176728 hours) to prepare a response to this collection.

The estimated total burden for this collection is 125,801 hours.

13. Estimate of Cost Burden

There is no cost associated with this collection as respondents maintain the required records on their business premises.

14. Costs to Federal Government

There is no cost to the Federal Government.

15. Reason for Change in Burden

The increase in the total respondents by 1,467, is due to more firearms manufacturers responding to this collection. However, the total responses and burden hours decreased by 4,378,792 and 75,404 hours respectively, because less firearms were produced since the last renewal of this collection in 2018.

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 for Office of Management and Budget approval of the information for this collection.

18. Exception to the Certification Statement

There are no exceptions to the certification statement.

B. STATISTICAL METHODS

1. This collection does not employ statistical methods.