

Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Supporting Statement
OMB 1140-0039

Federal Firearms Licensee/Firearms in Transit Theft/Loss Report - ATF Form 3310.11
and Federal Firearms Licensee/Firearms in Transit Theft/Loss Report Continuation Sheet
- ATF Form 3310.11A

A. JUSTIFICATION

1. Necessity of Information Collection

On September 12, 1994, the Violent Crime Control and Law Enforcement Act (The Crime Bill) was signed into law, amending the Gun Control Act of 1968 (GCA). As amended, Section 923(g) of Title 18 United States Code states: “Each licensee shall report the theft or loss of a firearms from the licensee’s inventory or collection within 48 hours after the theft or loss is discovered to the Attorney General and to the appropriate local authorities.”

ATF Form 3310.11 is the method used to determine compliance with the provision of the Crime Bill. The title of this form “Federal Firearms Licensee/Firearms in Transit Theft/Loss Report,” satisfies the provisions of the Act, which requires that licensees report the theft or loss of firearms to the Attorney General and the appropriate authorities. The information on this form is required by 18 U.S.C. 923(g) (6).

ATF requests approval to make the following changes to OMB 1140-0039 (Federal Firearms Licensee/Firearms in Transit Theft/Loss Report - ATF Form 3310.11):

- Form title change from *Federal Firearms Licensee Firearms Inventory Theft/Loss Report* to *Federal Firearms Licensee/Firearms in Transit Theft/Loss Report*
- Edit: “...all notices and instructions...” instead of “...on reverse...” (line above SECTION A)
- Edit: “Trade/Corporation/Reporting Company Name” (from “Trade/Corporate Name,” SECTION A)
- Edit: consolidate SECTION B into SECTION A (see draft)
- Add: “ In Transit” (“Description of Incident” field, SECTION A)
- Add: fields for shipping information (see draft)
- Edit: “SECTION C – Description of Firearms” becomes SECTION B
- Edit: Reorder columns in “Description of Firearms” to match the order on ATF Form 4473 in effort to standardize all forms that capture firearms descriptions. New order is Manufacturer, Importer, Model, Serial Number, Type, Caliber/Gauge, and Acquisition Date.
- Edit: “Instructions to Federal Firearms Licensees” (see draft for list of revised instructions)

ATF requests approval to make the following changes to OMB 1140-0039 (Federal Firearms Licensee Inventory Theft/Loss Report Continuation Sheet - ATF Form 3310.11A):

- Form title change from *Federal Firearms Licensee Inventory Theft/Loss Report Continuation Sheet* to *Federal Firearms Licensee/Firearms in Transit Theft/Loss Report Continuation Sheet*

2. Needs and Uses

A separate form is required for each theft/loss incident. The form must be prepared in ink, signed and dated. Upon completion of this form by the licensee reporting the theft or loss of firearms, the original will be forwarded to the ATF Stolen Firearms Program, and a copy retained as part of the licensee's permanent records.

3. Use of Information Technology

The ATF Form 3310.11 is an electronically fillable (e-fillable) and accessible form that is available on the ATF public website for download and print. As part of the ongoing effort to make this collection electronic, an email account stolenfirearms@atf.gov was created as an alternate option for members of the public to submit completed, signed, and scanned forms for electronic processing, alongside existing fax and mail-in submission capabilities. Since the last extension request in 2017, ATF Form 3310.11 was embedded with digital signature capability. We will continue to work with the Bureau to obtain the funding to implement digital signature capability, which would greatly enhance the electronic (eForm) capability of this collection, reduce or eliminate paper forms, and improve electronic submission capability.

4. Efforts to Identify Duplication

The Federal Information Locator System Program has been terminated for agency use. However, a subject classification system is used to identify duplication. Similar information is available on OMB 1140- 0004 (Interstate Firearms Shipment Theft/Loss Report - ATF Form 3310.6). However, the ATF Form 3310.6 is directed towards common carriers and is voluntary in nature. The crime bill legislation makes it mandatory for licensees to report firearm thefts or losses.

5. Minimizing Burden on Small Businesses

The information collection does not affect small business or other small entities.

6. Consequences of Not Conducting or Less Frequent Collection

ATF Form 3310.11 provides vital information regarding thefts/losses of firearms. Respondents who fail to report the theft or loss from their inventory within 48 hours of the discovery are in violation of 18 U.S.C. 923(g)(6), which is punishable as a felony.

7. Special Circumstances

The information collection is conducted in a manner consistent with 5 CFR 1320.6.

8. Public Comments and Consultations

No comments were 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 Payments or Gifts to Respondents

No payment or gift is associated with this collection.

10. Assurance of Confidentiality

One copy of this form is kept with the licensee's permanent records in a secured location. Only the licensee has access to the forms. Confidentiality is not assured.

11. Justification for Sensitive Questions

No questions of a sensitive nature are associated with this collection.

12. Estimate of Respondent's Burden

There are 4,000 respondents associated with this information collection. Each respondent responds one time. The number of total annual responses is 4,000. It is estimated that it takes 24 minutes to complete the form. The total annual burden is 1,600 hours, which is equal to 4,000 (# of respondents) x .4 (24 minutes).

13. Estimate of Cost Burden

There is no startup cost to the respondent. Respondents can electronically submit their responses, or mail them to the National Tracing Center. The cost of postage is now 49 cents. Therefore, the total cost is \$1,960, which is equal to 4,000 (# of respondents) x .49 cents (mailing cost per respondent).

14. Cost to the Federal Government

The total cost to the Federal Government to print this form is \$2,769.00.

15. Reason for Change in Burden

There is no adjustment to the public burden associated with this information 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. STATISTICAL METHODS

This collection does not employ statistical methods.