

**SUPPORTING STATEMENT FOR
Application to Register as an Importer of U.S. Munitions Import List Articles – ATF Form
4587 (5330.4)**

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

Through eligibility and permit requirements, the Arms Export Control Act of 1976 (Title 22 U.S.C. § 2778(1)(A)(i)) established a comprehensive system for regulating the importation of defense articles and services. Respondents are informed about the requirements of this information collection (IC) as mandated or authorized by statute or regulations, with respect to the importation of such articles and services. Under Title 22 U.S.C. § 2778(1)(A)(i) and the implementing regulations in 27 CFR Part 447, all persons engaged in the business of importing defense articles and services are required to register with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). Specifically, they must register using the Application to Register as an Importer of U.S. Munitions Import List Articles – ATF Form 4587(5330.4) (ATF F 4587(5330.4)) and pay a registration fee.

On December 6, 1984, the Department of State published a Final Rule (49 FR 47684) revising the International Traffic in Arms Regulations (ITAR). ATF subsequently published a final rule (50 FR 42157 (1985)) to conform 27 CFR Part 447 with the revised ITAR. The final rule became effective on October 11, 1985. The procedures to register as an importer of defense articles and services have not changed.

ATF requests approval to make the following changes to ATF Form 4587(5330.4):

- A. Block 4 add “(required)” beside E-Mail Address
- B. Block 10 change wording “individual owner, partner, and principle corporate officer” to “responsible person”. After the sentence that ends with “applicant business.” Insert “At least one responsible person must reside in the United States.” Additionally, change the appearance of Block 10 section removing “Social Security Number”. See attached document for changes.
- C. Block 12 change wording “usually imported (specify categories)” to “intending to import. (Specify USMIL Categories from 27CFR Part 447.21)”
- D. Block 15 Remove “(See Instruction 2)”
- E. Add two attachment pages, one for Additional Responsible Persons and the other for Additional Locations. See attached for reference.
- F. Remove Instruction 4.
- G. Change Instruction 5 to 4.
- H. Change Instruction 6 to 5.
- I. Change Definition 7 to 6.
- J. Change Definition 8 to 7.

K. Change Definition 9 to 8.

L. Add Definition 9 to read “Responsible Person. In addition to sole proprietor, a Responsible Person is, in the case of a Corporation, Partnership, or Association, any individual possessing, directly or indirectly, the power to direct or cause the direction of the management, policies, and practices of the Corporation, Partnership, or Association, insofar as they pertain to firearms, ammunition, and defense articles.”

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

ATF personnel will use the data collected on ATF Form 4587(5330.4) to: determine if the applicant is required to register as an importer, effect the registration, and facilitate the collection of registration fees. Additionally, information may be disclosed to other Federal, State, foreign, and local law enforcement, and regulatory agency personnel, to verify information on the application and to aid in the performance of their duties with respect to the enforcement and regulation of firearms and/or ammunition, where such disclosure is not prohibited by law. The licensee is required to retain a copy of their completed form permanently.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.

The fillable ATF Form 4587(5330.4) is available on the Pay.gov website: www.pay.gov. The form may also be submitted to ATF electronically via the eForms system.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item A.2 above.

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 collection.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

ATF does not use any method to minimize the burden to small businesses. All owners are required by statute to complete this form to register as an importer of defense articles and services, regardless of size of their business.

6. Describe the consequence to federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

People will illegally import firearms, ammunition, and defense articles and services into the United States without this collection. ATF Form 4587(5330.4) serves as authorization to be an importer of such articles and services.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- **requiring respondents to report information to the agency more often than quarterly;**
- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **requiring respondents to submit more than an original and two copies of any document;**
- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **requiring the use of statistical data classification that has not been reviewed and approved by OMB;**
- **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentially to the extent permitted by law.**

There are no special circumstances.

8. If applicable, provide a copy and identify the date and page number of publication in the *Federal Register* of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years -- even if the collection-of-information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

Both a 60-day and a 30-day notice will be published in the Federal Register to solicit public comments.

9. Explain any decision to provide any payments or gifts to respondents, other than remuneration of contractors or grantees.

No government funds will be used as payment or for gifts to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

The confidentiality of information obtained by ATF from regulated individuals is protected under the provisions of 5 U.S.C. §552 and 26 U.S.C. §6103. Confidentiality is not assured.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

No questions of a sensitive nature are asked.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the**

variance. General, estimates should not include burden hours for customary and usual business practices.

- **If this request for approval covers more than one form, provide separate hour burden estimates for each form.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

Estimated Annualized Respondent Cost and Hour Burden

Activity	Number of Respondents	Frequency	Total Annual Responses	Time Per Response	Total Annual Burden (Hours)	Hourly Rate*	Monetized Value of Respondent Time
ATF Form 4587 (5330.4)	400	1	400	30min	200		
Unduplicated Totals	400	1	400	30min	200		

Hourly rate source citation or you may enter a footnote:

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

- **The cost estimate should be split into two components: (a) a total capital and start up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of service component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample**

of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

There are/are no start up costs associated with this collection.

14. Provide estimates of the annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 into a single table.

Due to the form being submitted and processed electronically, there should be no cost to the Federal government for printing and stocking the forms at the ATF Distribution Center.

15. Explain the reasons for any program changes or adjustments.

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

16. For collections of information whose results will be published, outline plans for tabulations, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The results of this collection will not be published.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

ATF does not request approval to not display the Office of Management and Budget expiration date of for this collection.

18. Explain each exception to the certification statement.

This collection of information does not include any exceptions to the certificate statement.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.

This collection does/does not contain statistical data.