Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Information Collection Request
Supporting Statement
1140-0031
Records of Acquisition and Disposition by Registered Importers of Arms, Ammunition, and Defense Articles on the U.S. Munitions Import List

A. JUSTIFICATION

1. Explain the circumstances that make the information collection necessary.

The records associated with this information collection are required records under 22 U.S.C. 2778 and regulations at 27 CFR 447.34. Persons who want to import defense articles that are on the U.S. Munitions Import List (USMIL) must first register with ATF, receive authorization to import under the USMIL, file a request to import defense articles, and, once importing, certify to ATF that the imported items were in fact received (these last two activities are accomplished using ATF Forms 6 and 6A). Once authorized as an importer of USMIL articles by ATF's Imports Branch, the person may begin importing such items and must maintain records of their importing activities under the USMIL. 27 CFR 447.34(b) specifies that these records should include information related to importing defense articles on the USMIL, including ATF Forms 6 and 6A. As per § 447.34(b), the records required of persons who import USMIL articles are usually already generated for commercial purposes and must be kept for a period of six years. This records system is separate from and in addition to what is normally considered to be a Federal firearms licensee's "bound book" of acquisition and dispositions under provisions in 27 CFR parts 478 and 479 (see § 447.34(a)).

The records under this information collection include import activities involving the following USMIL articles:
Category I – firearms
Category II – artillery projectors
Category III – ammunition
Category IV – launch vehicles, guided missiles, ballistic missiles, rockets, torpedoes, bombs, and mines
Category VI – vessels of war and special naval equipment
Category VII – tanks and military vehicles
Category VIII – aircraft and associated equipment
Category XIV – toxicological agents and equipment and radiological equipment
Category XVI – nuclear weapons design and test equipment
Category XX – submersible vessels, oceanographic and associated equipment
Category XXI – miscellaneous articles
Categories V, IX, X, XI, XII, and XIII, and XV are not included as they are not applicable to imports.

2. Indicate how, by whom, and for what purpose the information is to be used.

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

3. Describe whether, and to what extent, the information collection 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.

This collection of information 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. Some articles on the USMIL are also regulated under 27 CFR part 478, which mandates the procedures for obtaining a variance from ATF to maintain electronic records. Electronic records may be maintained for defense articles covered solely by the AECA.

4. Describe efforts to identify duplication.

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

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

There is no significant impact on small business or other private entities.

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.

Less frequent collection of this information would threaten public safety.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with 5 CFR 1320.6.

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.

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 payment or for gifts are provided to respondents.

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

The agency has made no assurance of confidentiality to respondents.

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.

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

12. Provide estimates of the hour burden of the information collection.

All importers under the USMIL must fill out and submit an ATF Form 6 in order to receive ATF approval to import those items. They must thereafter submit one or more ATF Forms 6A to report which items they have imported. As a result, ATF uses the total number of ATF Form 6s submitted in a given year as the basis to estimate the number of respondents (the number of persons who submit a Form 6 should be the same number of persons who must keep records) and the number of ATF Form 6s and Form 6As submitted in a given year from which to estimate the annual number of responses (a proxy for how many times respondents must create a record). ATF also uses an estimated average amount of time to fill out these forms as a proxy for the amount of time it takes to create a record.

During 2023, the approximate number of respondents for Form 6, using paper forms, was 1,599, while 11,100 completed an online-fillable/submittable form, bringing the total annual number of respondents to 12,699. ATF therefore estimates the annual number of respondents during the upcoming renewal period to be approximately 12,699.

There were also 17,034 Form 6As completed by these same respondents in 2023. Therefore, ATF estimates the annual number of responses during the upcoming renewal period to be approximately 29,733 (12,699 Form 6s + 17,034 Form 6As).

ATF estimates the average time associated with completing a Form 6 to be 30 minutes per respondent or record-keeper, depending on individual circumstances (the amount of time varies with the numbers and kinds of articles a given respondent requests). ATF estimates the average time associated with completing a Form 6A to be 35 minutes per respondent or record-keeper, depending again on individual circumstances. The total burden hours for this information collection are therefore 16,286 hours ((12,699 responses * 0.5 hours (30 minutes) + 17,034 responses * 0.5834 hours (35 minutes)).

ATF estimates that a shipping, receiving, and inventory clerk would be a likely employee to record and enter the data on the form on behalf of the firearms and explosives importer, at an average wage rate of $20.54.[1] In order to account for fringe benefits such as insurance, ATF used a load rate of 1.4 multiplied to the average wage rate, making the loaded wage rate $29 ($20.54 average wage rate * 1.4 load rate).[2]

Therefore, the total monetized value of the time burden associated with this collection is $472,294 (29,733 total responses * $15.88 cost per response (rate for 30-35 minutes)).

Table. Estimated annualized respondent hour burden and monetized value

Activity	Total annual responses	Time per response	Total annual burden (hours)	Hourly rate*	Monetized value of respondent time
Records of acquisition and disposition - U.S. Munitions Import List (Form 6)	12,699	30	6,350	$29.00	$ 184,136
Records of acquisition and disposition - U.S. Munitions Import List (Form 6A)	17,034	35	9,936.50	$29.00	$ 288,159
Unduplicated totals	***29,733***		***16,286***		***$ 472,294***

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

There are no start-up or other costs associated with this collection.

14. Provide estimates of the annualized cost to the Federal Government.

[1] https://www.bls.gov/oes/2023/may/oes435071.htm

[2] https://data.bls.gov/series-report?redirect=true
CMU2010000000000D
CMU2020000000000D

There are no costs to the Government from this ICR.

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

There are no program changes. However, ATF is updating the title of the ICR to reflect a terminology change across the Government from “Implements of War” to “Defense Articles” and is also making slight revisions to the purpose paragraph to better clarify the record-keeping requirements, although those requirements are not changing. And ATF is updating the numbers of respondents and responses to account for increases over time, including a monetized value for the time burden to the public, and adding government time costs.

16. For information collections whose results will be published, outline plans for tabulations, and publication.

The results of this information 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.

We are requesting no exemption.

18. Explain each exception to the certification statement.

ATF is not requesting an exception from the certification statement.

B. COLLECTIONS OF INFORMATON EMPLOYING STATISTICAL METHODS.

This collection does not employ statistical methods.