

**Department of Justice
Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)
Information Collection Request (ICR)
OMB 1140-0040
Application to Amend Federal Firearms License
(ATF Form 5300.38)**

SUPPORTING STATEMENT

A. JUSTIFICATION

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

The Gun Control Act of 1968 (GCA), 18 U.S.C. 923, sets out the requirements for Federal firearms licenses, along with implementing regulations at 27 CFR part 478, subpart D. Firearms licensees must obtain a license to operate from ATF before beginning operations. The licensee must obtain a separate license for each business premises and the license is specific to that location. In addition, licensees must operate their firearms business or operations in compliance with federal, state, and local laws.

If a licensee later decides to move locations, they cannot operate under the existing license at a new physical address. § 478.50 and 478.52. To operate at the new location, they must first apply to amend the firearms license and receive a new license specifically for that location. Amending the license requires the licensee to certify that the firearms business or operations can legally operate at the new address, that they will not operate until they comply with state and local laws, that they will be complying with state and local laws within 30 days of receiving the new license, and that they have notified the chief law enforcement officer (CLEO) of the locality in which they will operate. 18 U.S.C. 923(f).

To make it easier for licensees to submit the necessary information when they change locations, ATF has prescribed that licensees submit ATF Form 5300.38, Application to Amend Federal Firearms License (changing via this renewal from “Application for an Amended Federal Firearms License” for easier reading) when they intend to change their licensed business address. Licensees must submit the form at least 30 days before they relocate their business. Licensees also use this form to report changes in their business operating hours, telephone number, and mailing and email address.

This information collection is necessary to ensure that licensees submit the required information to comply with the GCA and implementing regulations when they change business addresses during the period of an approved firearms license. Approval to change the licensed address is contingent upon this compliance.

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

Licensees submit the information required by the regulation via this information collection so

that they may change business locations during the period of a valid license and remain in compliance with the law. They submit the required information to ATF's Federal Firearms Licensing Center (FFLC), which uses the information to ensure that the licensee has an appropriate new premises from which to conduct operations and provides updated operating hours, if applicable. The licensee must allow access to these premises for ATF to conduct compliance inspections and must be reachable to aid in tracing firearms suspected by law enforcement authorities of being used in criminal activities. In addition, FFLC uses the information to ensure the licensee has not willfully failed to disclose any material information or has not made any false statements about any material fact. ATF personnel conduct a detailed review and analysis of the information provided by the licensee.

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 collecting.

Form 5300.38 may be downloaded from the ATF website and licensees can fill and sign the form electronically, submitting it by email to the Federal Firearms Licensing Center at fflc@atf.gov or to the appropriate FFLC examiner. ATF also anticipates that the form will become available through ATF's online eForms platform during this renewal period. ATF no longer prints stocks of this form for public dissemination.

4. Describe efforts to identify duplication.

The information collected pursuant to this ICR is not duplicated elsewhere. It consists of information on a new businesses premises and other information related to the licensee's proposed new location, so it is unique for each instance and there is no other source for the information. 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 the purpose of this information collection.

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

This information collection does not have a significant impact on small entities.

6. Describe the consequence to federal programs 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.

Respondents complete ATF Form 5300.38 to change their business address, and to certify that the proposed new premises will comply with state and local law. Licensees submit this information only when they change business locations. Collecting this information less frequently would be the same as not collecting it at all. It would place licensees in violation of federal law and regulation, run the risk that their new operations would violate state and local requirements, interfere with regulatory compliance inspections and the ability to trace crime

guns, and increase the risk to 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 associated with this information collection, which is conducted in a manner consistent with 5 CFR 1320.6.

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.

The 60-Day Notice was published in the *Federal Register* on [07/17/2026] (91 FR 44874). The comment period ended on [09/15/26]. ATF received no comments.

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

ATF does not provide payments or gifts in connection with this information collection.

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

ATF has not assured respondents of confidentiality. However, the information being collected includes PII and is thus protected by the Privacy Act. The information is maintained by ATF in a system of records, Justice/ATF-008, Regulatory Enforcement Records System. The form that accompanies this ICR includes a Privacy Act statement that covers this information and informs respondents of the system of records, and its routine uses.

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 information collection does not ask questions of a sensitive nature.

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

ATF estimates that there are 6,703 respondents associated with this collection per year, using an average of the applications ATF received during the past three years. The frequency varies, depending on whether a given licensee changes locations more than once per year under a given license, but for the purposes of this ICR, ATF assumes once per year, as most licensees will not move operations more often. As a result, ATF estimates 6,703 annual responses. However, ATF notes that licensees also use this ICR to submit changes to their operating hours and other contact information, so they may on occasion submit more than one time during a year. ATF estimates it takes respondents 15 minutes (0.25 hours) to complete this form. Therefore, this ICR's total annual burden hours are 1,676 (rounded) hours (6,703 responses * 0.25 hours).

For the purposes of estimating the monetized value of the hourly burden, ATF estimates that a licensee employee completing this form would be equivalent to a retail salesperson. According to the U.S. Bureau of Labor Statistics (“BLS”), the wage for retail salespersons (41-2031)⁵ is an average of \$31.54.¹ To account for fringe employment benefits such as insurance, ATF determined an average load rate based on BLS’s calculated national hourly compensation (salaries/wages plus paid benefits) for all private-sector occupations (an average of \$44.20 for 2024)² divided by the national average hourly wages and salaries without benefits (an average of \$31.10 for 2024),³ making a load rate of 1.42.⁴ Applying the load rate to the \$31.54 wage brings it to a loaded wage rate of \$44.79 (1.42 loaded rate * \$31.54 hourly wage).

Therefore, the total monetized value of this ICR’s hourly burden is \$75,068, rounded (\$44.79 * 1,676 hours).

Table 1. 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
Completing Form 5300.38	6,703	1	6,703	0.25	1,676	\$44.79	\$75.068

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

There is no annualized capital/startup cost associated with this collection.

14. Provide estimates of the annualized cost to the federal government.

There are no additional costs to the federal government from this ICR, due to the current staffing and administrative capacity already in place to complete any marginal processing required under this information collection, with long-term staffing capacity serving as a sunk cost.

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

The number of respondents has decreased since the last renewal, from 10,000 to 6,703, due to fewer respondents changing business premises. This resulted in a corresponding decrease in the

¹ U.S. Bureau of Labor Statistics, *Occupational Employment and Wages*, May 2023, for 41-2031 Retail Salespersons, <https://www.bls.gov/oes/2023/may/oes412031.htm>

² U.S. Bureau of Labor Statistics, *Total compensation cost per hour worked for private industry workers (2023–2025)*, <https://data.bls.gov/dataViewer/view/timeseries/CMU2010000000000D> [<https://perma.cc/T2ZL-2UUB>].

³ U.S. Bureau of Labor Statistics, *Employer cost for employee compensation, (2023–2025)*, <https://data.bls.gov/dataViewer/view/timeseries/CMU2020000000000D> [<https://perma.cc/8WEJ-2TRW>].

⁴ 1.42 load rate = \$44.20 total hourly compensation / 31.10 hourly wages and salaries.

number of burden hours, from 5,000 hours to 3,352 hours (rounded). In addition, because the form has become fully electronic – completing, signing, and submitting – the amount of time it takes to complete the information collection has decreased from .5 hours to .25 hours, resulting in a further decrease in hourly burden to 1,676 hours.

As part of this renewal, ATF is also revising the title of the form and the ICR for plain writing purposes, from “Application for an Amended Federal Firearms License” to “Application to Amend Federal Firearms License” to make it easier to read. In addition, ATF is making minor plain writing edits to text on the form.

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

ATF does publish the results of this collection.

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

ATF intends to display the OMB expiration date for this information collection.

18. Explain each exception to the certification statement.

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

B. INFORMATION COLLECTIONS EMPLOYING STATISTICAL METHODS.

This collection does not employ statistical methods.