

Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Information Collection Request
Supporting Statement
1140-0031

Records of Acquisition and Disposition, Registered Importers of Arms, Ammunition and Implements of War on the U.S. Munitions Import List, ATF REC 7570/1

A. JUSTIFICATION

1. Necessity of Information Collection

In furtherance of world peace and the security and foreign policy of the United States, the President is authorized to control the import and the export of defense articles and defense services and to provide foreign policy guidance to persons of the United States involved in the export and import of such articles and services. The President is authorized to designate those items which shall be considered as defense articles and defense services and to promulgate regulations for the import and export of such articles and services. The items so designated shall constitute the United States Munitions List (USMIL).

The records associated with this information collection are unique in that they are of imported items that are on the U.S. Munitions Import List (other than firearms and ammunition). The listed items are not necessarily firearms or ammunition, but are items that must be accounted for as per the law, 22 USC 2778 and regulations, 27 CFR 447.54. The importers must register with ATF and must file an intent to import specific items, as well as certify to the Bureau that the items were in fact received. Registration is accomplished by completing ATF F 4587 (5330.4), Application to Register as an Importer of U.S. Munitions Import List Articles, which is approved under OMB control number 1140-0009. Applicants may request to register from one to five years and the fee is \$250 per year. An electronic version of this form is available on the ATF website. The regulations specifically state that these records include any bearing on the importation of the defense articles on the United State Munitions Import List to include any records of acquisition and disposition including ATF Forms 6 and 6A. This records system is separate and apart from what is normally considered to be a Federal firearms licensee's "bound book" of acquisition and dispositions. The records required of persons who import United States Munitions Import List Articles are usually in commercial form and are required to be kept for a period of 6 years. The regulation that specifically addresses this issue may be found at 27 CFR 447.34.

The U.S. Munitions Import List includes the following:

Category I—firearms
Category II—artillery projectors
Category III—ammunition
Category IV—launch vehicles, guided missiles, ballistic missiles, rockets, torpedoes, bombs and mines
Category V of “Munitions List” deleted as inapplicable to imports
Category VI—vessels of war and special naval equipment
Category VII—tanks and military vehicles

Category VIII—aircraft, spacecraft, and associated equipment
Categories IX, X, XI, XII and XIII of “Munitions List deleted as inapplicable to imports
Category XIV—toxicological agents and equipment and radiological equipment
Category XV—Reserved
Category XVI—nuclear weapons design and test equipment
Categories XVII, XVIII, and XIX of “Munitions List” deleted as inapplicable to imports
Category XX—submersible vessels, oceanographic and associated equipment
Category XXI—miscellaneous articles

2. Needs and Uses

The records are established as per 27 CFR 447.34 (b), and are maintained at the registrant’s business premises, where they are available for inspection by officers of ATF during compliance inspections or criminal investigations. The records are used by the registrant for accounting purposes and by the Bureau in testing for compliance with the Arms Export Control Act of 1976, as amended (22 USC 2778). These records are 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, obtain required retransfer authorizations and generally to determine if the requirements of the Arms Export Control Act (AECA) are being complied with by the importer.

3. Use of Information Technology

The collection of information does not involve the use of automated, electronic, mechanical, or other technological collection techniques as the records are not transmitted to any other source because they are 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, however some articles on the USMIL are also regulated under 27 CFP Part 478 which does mandate procedures for obtaining a variance from ATF in order to maintain electronic records. For defense articles covered solely by the AECA, electronic records may be maintained.

4. Efforts to Identify Duplication

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

5. Minimizing Burden on Small Businesses

ATF does not use any method to minimize the burden to small business since all entities regardless of size are required to keep these records.

6. Consequences of Not Conducting or Less Frequent Collection

Less frequent collection of this information would pose a threat to public safety.

7. Special Circumstances

This data will be collected in a manner consistent with the guidelines in 5 CFR 1320.6.

8. Public Comments and Consultations

The ATF industry liaison was involved during the creation of this information collection. A 60-day and 30-day Federal Register notice was published in order to solicit comments from the general public. No comments were received.

9. Provision of Payments or Gifts to Respondents

No payment or gift is associated with this collection.

10. Assurance of Confidentially

The records are maintained on the premises of the licensee in a secured location. These records are not available to the general public. Only ATF Industry Operations Investigators have access to these records. Confidentially is not assured.

11. Justification for Sensitive Questions

No questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private are associated with this information collection. Record keepers are not required to maintain records of a sensitive nature.

12. Estimate of Respondent's Burden

There are 50 respondents who are associated with this collection. Each respondent will respond one time. The total annual responses are 50. Each respondent will spend 5 hours each to complete this record keeping requirement. The total annual burden associated with this information collection is 250 hours.

13. Estimate of Cost Burden

There is no cost burden to the respondent regarding this information collection.

14. Cost to Federal Government

There is no cost to the Federal Government.

15. Reason for Change in Burden

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

16. Anticipated Publication Plan and Schedule

The results of this information collection will not be published.

17. Display of Expiration Date

ATF does not request approval to not display the expiration date for OMB approval of the information for this collection.

18. Exception to the Certification Statement

None. There are no exceptions identified in Item 19, "Certification for Paperwork Reduction Act Submission," of OMB Form 83-I.

B. STATISTICAL METHODS:

This collection does not employ statistical methods.