

4622 Rimrock Drive
Las Cruces, New Mexico 88012

July 29, 2016

Ms. Tracey Robertson
Acting Chief, Federal Firearms Licensing Center
244 Needy Road
Martinsburg, West Virginia 25405

Dear Ms. Robertson:

This letter replies to your Agency's call for public comments concerning the proposed information collection activity, *Application for an Amended Federal Firearms License (ATF F 5300.38)*, OMB Number 1140-0040, published in the Federal Register on July 14, 2016. By email dated July 19, your Agency notified me that the proposed information collection instrument is a renewal of the current form without changes.

The form is principally set-up for use by business licensees, but is also intended for use by Type 03 Collector of Curios and Relics Licensees. My comments concern improving the utility of the form for these Type 03 Licensees.

Section 3, Item 11 ("Are there any changes in the business structure of the FFL's operations [sic]?"). As drafted, this question is clearly intended for business licensees, as a Type 03 license is not for business use. However, since a "corporation, company, association, firm, partnership, society, or joint stock company" may also hold a Type 03 License, this question could potentially (though, rarely) apply to a collecting activity. It would be inapplicable to an individual licensee.

However, the question only offers a yes/no response. I recommend that the Agency provide an explanation in the instructions that this question is inapplicable to individual Type 03 Licensees and an "N/A" option for response. Additionally, the spelling of "opertions" should be corrected to "operations."

Section 5, ("Certification of Compliance With State and Local Law"). This section requires the Applicant to certify to several statements, including three that are inapplicable to Type 03 Licensees:

e. The business to be conducted under the license is not prohibited by State or local law in the place where the license premises is located.

f. Within 30 days after the application is approved, the business will comply with the requirements of State and local law applicable to the conduct of business.

g. The business will not be conducted under the license until the requirements of State and local law applicable to the business have been met.

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All three of these statements, as written, are applicable only to business licensees. I recommend that the Agency amend the certification statements to read "business or activity" where it currently reads "business." This change would also be consistent with use of the word "activity" in the certification statements on ATF Form 7CR (e.g. "The activity to be conducted under the Federal firearms license is not prohibited by State or local law") for the Licensee's original application.

I appreciate the opportunity to comment on this proposed information collection activity.

Very truly yours,

A handwritten signature in blue ink, appearing to read "K. M. Dent", is written above the printed name.

Kevin M. Dent