



July 7, 2026

By electronic submission to FIPB@atf.gov

Jason Gluck
Firearms Industry Programs Branch
Bureau of Alcohol, Tobacco, Firearms and Explosives
99 New York Avenue NE
6N-509
Washington, DC 20226

**Re: OMB 1140-0020 - Comment on Agency Information Collection Activities:
Revision of a Previously Approved Collection; Firearms Transaction Record—ATF
Form 5300.9 and 5300.9A (“Form 4473”)**

Dear Mr. Gluck:

Everytown for Gun Safety Support Fund¹ (“Everytown”) submits this comment in response to the information collection request submitted by the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) regarding proposed changes to ATF Form 5300.9 and 5300.9A (“Form 4473”).

In the past, ATF has made commonsense revisions to Form 4473 that have improved the way the form collects and utilizes information in furtherance of the goal of ensuring that prohibited persons do not obtain guns from federal firearm licensees (“FFLs”). But ATF’s new proposed revisions would undermine the information collection and law enforcement purposes that the form was created to serve. **Bottom line, ATF’s proposed revisions to Form 4473 would increase the likelihood that prohibited persons will be able to obtain firearms, reduce oversight of and accountability for FFLs who fail to properly vet their customers, make firearms purchasers less aware of legal restrictions on purchases, make it harder to prosecute straw purchasers and those who lie on the form, and undermine law enforcement’s ability to successfully trace crime guns.**

Alongside this information collection request, ATF concurrently published a notice of proposed rulemaking (“NPRM”) proposing to amend Department of Justice regulations governing Form 4473, with comments on the NPRM due one month after the due date for comments for the information collection request.² Everytown will provide the bulk of our feedback regarding ATF’s proposed Form 4473 changes and changes to associated regulations in

¹ Everytown for Gun Safety Support Fund is the education, research and litigation arm of Everytown for Gun Safety, the largest gun violence prevention organization in the country with nearly 11 million supporters and more than 700,000 donors. The Everytown Support Fund seeks to improve our understanding of the causes of gun violence and help to reduce it by conducting groundbreaking original research, developing evidence-based policies, communicating this knowledge to the American public, and advancing gun safety and gun violence prevention in communities and the courts.

² 91 Fed. Reg. 25432.

a comment letter submitted in response to the NPRM, and we request that our response to this information collection request be treated as incorporating the points contained in our comment on the NPRM and vice versa.³ In its information collection request, ATF urged the submission of comments and recommendations on several specific points, which we provide below.⁴

For the reasons discussed below as well as the reasons cited in our response to the NPRM, we urge ATF to withdraw the proposed revisions to Form 4473.

Response to Point 1: “Evaluate whether the proposed information collection is necessary to properly perform ATF’s functions, including whether the information will have practical utility.”

Not only are ATF’s sweeping proposed changes to Form 4473 not necessary to properly perform ATF’s functions, they would in many ways hinder those functions. ATF states in its information collection request that the information collected from transferees in Form 4473 “is critical to law enforcement, complying with statutes prohibiting certain persons from possessing firearms, [and] facilitating crime gun traces.”⁵ Yet in proposing the current set of changes to Form 4473 for the stated purpose of trying “to make it easier and faster for respondents and licensees to complete the form,” ATF would diminish the practical utility of the information collected by the form for law enforcement and public safety goals.⁶

At the outset, we note that the revised Form 4473 even seeks to change the purpose statement which explains how Form 4473 serves ATF’s functions. Form 4473 currently includes a purpose statement providing that: “The information and certification on this form are designed so that a person licensed under 18 U.S.C. § 923 may determine if he/she may lawfully sell or deliver a firearm to the person identified in Section B, and to alert the transferee/buyer of certain restrictions on the receipt and possession of firearms.” However, the purpose statement in the revised form would no longer mention alerting the transferee/buyer about restrictions on the receipt and possession of firearms. And, indeed, the revised Form 4473 removes a number of current features that serve to make customers better aware of the types of prohibitions that render customers ineligible. These include proposed changes that would:

- Convert Question 21, regarding prohibitor categories, from a series of questions that require a “yes” or “no” answer regarding each prohibited category to statements that can be affirmed with simple initialing;
- Consolidate several separate questions from current Question 21 regarding prohibited categories into one statement that can be initialed;
- Remove Question 21.a’s explanation that a customer cannot be sold a firearm if the customer is acquiring the firearm on behalf of another person, and replace it with a short bullet point within the consolidated Question 2.d that asks the customer to initial that “I have not engaged

³ ATF has indicated that after comments are submitted for the NPRM, “ATF will address the comments and publish the information collection for a second notice, open for 30 days of additional public comments,” after which the Office of Management and Budget “will review the information collection renewal request and determine whether to approve the proposed changes.” 91 Fed. Reg. 25433.

⁴ Each of the points on which the information collection request seeks feedback is located on 91 Fed. Reg. 25448.

⁵ 91 Fed. Reg. 25448.

⁶ *Id.*

in a ‘straw purchase’ as that term is defined in the instructions.” The instructions are then provided on a separate page with a definition that does not fully explain the two types of straw purchasing that ATF describes in its recently issued straw purchasing NPRM;⁷ and

- Remove important instructions that provide guidance for customers regarding how to answer specific listed questions.

As a result of these and other proposed changes, the revised form would provide FFL customers (and FFLs themselves) with information that is less clear and offers less guidance than the current Form 4473. It is foreseeable that this will result in unaware customers purchasing firearms they are not legally permitted to buy. We discuss these changes and their impact in detail in our NPRM comment.

ATF’s proposed changes would also diminish the practical utility of information collected through Form 4473 for law enforcement and FFL oversight purposes. These include proposed changes that would:

- Reorder questions to place FFL answers and customer answers on separate pages, which would hinder FFL efforts to ensure that the correct firearms are listed on a customer’s form and complicate prosecutors’ efforts to prove that a straw purchaser was not the actual buyer of a firearm described on a separate page;
- Convert Question 21’s current structure, in which customers must provide “yes” or “no” answers to each category of prohibitor, to a general initialing format which would weaken FFLs’ ability to properly vet customers as well as hamper efforts to prosecute instances of lying on the form and straw purchases. We note, for example, that the current “yes” or “no” questions on Form 4473 have helped responsible FFLs protect themselves against selling weapons to prospective customers who are prohibited persons, because the questions identify them as such in real time at the point of sale. For instance, three months before the mass shooting in Lewiston, Maine, in October 2023, that killed 18 people and wounded 13 more, the gunman tried to purchase a silencer for a rifle at an FFL. According to the FFL, “He came in and filled out the form, he checked off a box that incriminated himself saying that he was in an institution. . . . Our staff . . . said, ‘I’m sorry . . . we cannot give you this . . . [A]t this point in time, we cannot release this silencer to you because of the answers that you’ve given us.”⁸;
- Remove Question 24 directing FFLs to identify what category of firearm is being transferred, which would increase the chances of unlawful sales of handguns being made to customers under age 21;
- Remove instructions advising FFLs about the 10-day waiting period for purchasers under age 21, which risks increasing sales to prohibited underage purchasers;
- Remove the reminder for FFLs to submit multiple sales reports as required by 18 U.S.C. § 923(g)(3)(A), which would weaken efforts to combat firearm trafficking;

⁷ *Id.*

⁸ Sasha Pezenik and Josh Margolin, “Alleged Maine Gunman Tried to Buy a Silencer Months Before Lewiston Shootings,” ABC News, Oct. 29, 2023, *available at* <https://abcnews.com/US/alleged-maine-gunman-buy-silencer-months-lewiston-shootings/ story?id=104453990>.

- No longer require FFLs to record customer identification information in the form itself but instead direct FFLs to attach copies of identification documents to the form, even though the copies might detach from paper forms, which would complicate crime gun tracing efforts; and
- Remove certain requests in Question 10 for customers' residence information, which would hinder efforts to notify the correct local law enforcement agency about "lie and try" cases as required by 18 U.S.C. § 925B.

Each of these proposed changes and their detrimental impact is more fully discussed in our NPRM comment.

Response to Point 2: "Evaluate the agency's estimate of the proposed information collection's burden for accuracy, including validity of the methodology and assumptions used."

The information collection request provides an estimate of the total annual burden in hours associated with the collection, which ATF calculates as 5.6 million total hours.⁹ More interesting, however, is ATF's "estimate of the total annual other cost burden associated with the collection," which ATF lists at \$0.¹⁰ At minimum, the proposed revisions would require significant taxpayer-borne costs for ATF to update the e4473 online application platform to accommodate the substantial form redesign that ATF proposes. Similarly, these changes will require industry members to update their own electronic recordkeeping systems and provide training for their use. These costs and burdens are not explored, nor are the significant costs that would be incurred if the redesigned form leads to more errors (such as inaccuracies between the firearm description information that FFLs will now fill out on a separate page from the information provided by customers) and more confusion as a result of the elimination of key instructions, notices, and reminders.

Furthermore, the overall effect of ATF's proposed Form 4473 changes (as well as the NPRM's proposal to double the validity period for completed Forms 4473 and initiated NICS background checks) will be to increase the likelihood that prohibited persons will end up receiving guns and to diminish accountability for FFLs and purchasers involved in such transactions. These effects will burden our communities with increased public safety risks. Such risks are discussed more fully in our comment in response to ATF's NPRM, but we mention them here as no discussion of the burden created by ATF's proposed changes should ignore the burden any such changes would create for the safety of our communities.

Point 3: "Evaluate whether, and if so how, the quality, utility, and clarity of the collected information can be enhanced."

As discussed in response to Point 1 above and in more detail in our comment on the NPRM, many of ATF's proposed revisions would diminish, rather than enhance, the quality, utility, and clarity of information collected from customers through Form 4473. The quality, utility and clarity of the information collected through Form 4473 would be better enhanced by withdrawing the proposed changes altogether.

⁹ 91 Fed. Reg. 25448.

¹⁰ *Id.*

Point 4: “Minimize the information collection’s burden on those who are to respond, including appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting people to submit electronic responses.”

ATF’s proposed NRPM and Form 4473 changes seek to allow FFLs to auto-populate information on the form, which can be beneficial only if the auto-populating process is accurate. This would require ATF to firmly ensure in every instance that automatically populated data is clearly presented to the customer, that the customer is able to revise any incorrect or incomplete auto-populated data, that the auto-populating software complies with requirements not to auto-populate any answers to questions related to a person’s eligibility to possess or acquire firearms, and that the customer certifies that the data is both complete and accurate.

Point 5: “Submit written comments and recommendations for this information collection, especially on the estimated public burden or associated response time.”

ATF’s proposal to dramatically revise Form 4473 would not only burden taxpayers by requiring ATF to dedicate considerable time and resources to updating the e4473 online application platform for the redesigned form, but would also burden the public by increasing risks to public safety, including making it more difficult to prosecute prohibited purchasers and diminishing Form 4473’s capacity to help deter prohibited persons and straw purchasers from trying to buy a firearm. Further, ATF’s proposed changes would burden responsible FFLs who seek to protect themselves against selling firearms to prohibited persons by making it harder to identify prohibited persons in real time at the point of sale. The revised form would also make it harder to hold accountable unscrupulous FFLs who seek to sell or transfer firearms to people they know or should know are prohibited, and would make crime gun traces more difficult.

Conclusion

For the reasons mentioned in this response and more fully discussed in our response to ATF’s NPRM, as well as for additional reasons discussed in our NPRM response, we urge that ATF’s proposed changes to Form 4473 and its associated regulations be withdrawn.

Thank you for your consideration of this comment.

Sincerely,

/s/ Justin Wagner

Justin Wagner
Senior Vice President for Law & Policy
Everytown for Gun Safety Support Fund