

PART\_OF\_FAQ\_NFA.txt  
FAQ ON NATIONAL FIREARMS ACT WEAPONS

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This is accurate, to the best of my knowledge, as of 12/30/2001. Nothing written here should be taken as legal advice. If you have a specific legal problem, you should talk to a lawyer.

GENERAL INFO ON NFA WEAPONS

Key to Abbreviations

AOW - any other weapon  
ATF - Bureau of Alcohol, Tobacco and Firearms  
ATT - Alcohol and Tobacco Tax Division of the IRS, the pre-68 administrators of the NFA  
C&R - curio and relic  
CFR - Code of Federal Regulations  
DD - destructive device  
FET - federal excise tax  
FFL - federal firearms license  
GCA - Gun Control Act  
NFA - National Firearms Act  
SOT - special (occupational) taxpayer  
U. S. C. - United States Code  
DEWAT - De-activated war trophy

What are NFA Weapons?

There are two kinds of firearms under U.S. (federal) law, title 1 firearms and title 2. Title 1 firearms are long guns (rifles and shotguns), handguns, silencer, and firearm frames or receivers. Most NFA weapons are also title 1 firearms. Title 2 weapons are NFA weapons. Title 2 of the 1968 Gun Control Act is the National Firearms Act (codified at 26 U.S.C. sec. 5801 et seq.), hence NFA. Title 1 is generally called the Gun Control Act, (18 U.S.C. sec. 921 et seq.). NFA weapons are also sometimes called class 3 weapons, because a class 3 SOT (see below) is needed to deal in NFA weapons.

NFA WEAPONS AND THE 4TH AMENDMENT

As to surrendering your 4th amendment (search and seizure) rights, this is definitely true when one gets a Federal Firearms License. The law allows the ATF to inspect your records and inventory once every 12 months without any cause, and at any point during the course of a bona fide criminal investigation (18 U.S.C. sec. 923(g)). They may inspect without warning during business hours. The only modification of the above pertains to the C&R FFL (type 03) where ATF must schedule the inspection, (C&R FFL holders do not have business hours) and they must have the inspection at their office nearest the C&R FFL holders premises, if the holder so requests. ATF may look around the licensed premises for other weapons not on your records. This means they take the position that if your licensed premises are your home they may search it, as part of the annual compliance inspection. The constitutionality of the warrantless "administrative search" of licensees provided for in the Gun Control Act has been upheld by the US Supreme Court, see U.S. v. Biswell, 406 U.S. 311 (1972). Biswell was partially overturned by Congress by 1986 changes to the requirements for a warrant under the GCA, but the administrative search provisions remain.

PART\_OF\_FAQ\_NFA.txt

In addition, if one is also a SOT, ATF claims to have the right to enter onto your business premises, during business hours, to verify compliance with the NFA. Their regulation to that effect is found at 27 CFR sec. 179.22. The regulation is apparently based upon 26 U.S.C. sec. 7606:

MACHINE GUN SEARS AND CONVERSION PARTS

The definition of "machinegun" in the NFA (26 U.S.C. sec. 5845(b)) includes a part or parts to convert a gun into a machine gun. These parts are called registered sears, as well as "conversion kits".

Note that conversion parts are not included in the definition of "firearm" under the Gun Control Act, one of the few things that is a firearm under the NFA, but not the GCA. Thus the purchaser of a conversion part from an FFL need not do a 4473 form, unlike other NFA weapons. Of course the host gun, if purchased from an FFL, will require the 4473. This reading of the law is based on opinion letters from ATF, and the definition of "firearm" under the GCA, which requires it be able to expel a shot. However, at least one judge has decided that somehow the definition of "firearm" in the GCA "incorporates" the definition of "machine gun" under the GCA (even though the law doesn't say that) and that a machine gun conversion part is a "firearm" under the GCA as well as the NFA. I think the judge is clearly wrong, even ATF reads the law better than that, but the point is to be careful. The case is U.S. v. Hunter, 843 F.Supp 235 (E.D. Mich. 1994), and see also the same judge's second opinion in the same case, at 863 F.Supp. 462 (E.D. Mich. 1994). As the U.S. dropped that prosecution, and the defendants were not convicted, there was no review of that determination by an appeals court.

In every case, the conversion part(s) are installed into a semi-automatic gun, and without converting the semi-auto gun's receiver to machine gun specification, the new part(s) will allow the gun to fire as a machine gun. If the registered conversion part breaks or wears out it cannot be replaced, only repaired, if possible. BATF considers replacing it with a new part to be the new manufacture of a machine gun, and a civilian could not own it, as it would have been made after the effective date of 18 U.S.C. sec. 922(o). This wear/breakage thing is also true of the receiver on a gun where that is the registered part, but in general the receiver is less subject to wear or breakage than a small part, like a sear. Being larger, a receiver may also be easier to repair. The sear conversion will most likely not be just like the factory machine gun version; it will be working in the semi-auto version of the gun. A registered receiver conversion can (and should, but isn't always) be mechanically identical to the original full auto version of the gun, and factory spare parts may be used. Some sear conversions require altered parts, in addition to the registered sear.

A conversion sear that does require alteration to the host gun's receiver is not legally a conversion part, and is not able to be registered as such. Some were permitted by ATF, in particular AK-47 "sears" that required a hole be drilled in the gun's receiver, like a regular receiver conversion of the semi-auto AK. Such "sears" in the hands of innocent buyers were left on the Registry, with the requirement that they were not to be removed from the host gun. However any in the possession of the persons who made and registered them were disallowed, and removed from the Registry. See Vollmer v. Higgins, 23 F.3d 448 (D.C. Cir. 1994) for mention of the AK sears. Also see FFL Newsletter, Summer Issue

1988, Bureau of Alcohol, Tobacco and Firearms, page 2, Washington, D. C.

Some examples of conversion parts; a SWD Auto Connector (for AR rifles), an AR-15 drop-in auto sear, an HK sear, as made by Fleming Firearms, J. A. Ciener, and S&H Arms, among others, a AUG sear as made by F. J. Vollmer and Qualified Manufacturing, an FN-FNC sear, as made by S&H, an M-2 conversion kit for the M-1 carbine, registered by many manufacturers, a slotted UZI machine gun bolt, made by Group Industries and many others, or a Ruger 10/22 trigger pack, as made by John Norell. There are also sears to convert Glock and Beretta 92 pistols into machine guns, but I believe all of them are post-86 manufacture, and thus unavailable to civilians.

As the sears do turn the host gun into a machine gun, the host gun is no longer regulated as a semi-auto, and is not subject to 18 U. S. C. sec. 922(v), (assault weapon law) or sec. 922(r) (ban on domestic assembly from imported parts of an unsporting semi-auto rifle or shotgun), for example. Thus you may put an HK sear in a post 1989 import ban SAR-8 rifle, for instance, and then put a regular pistol grip stock set on that otherwise thumbhole gun, as well as a regular slotted flash hider. The host gun need not even have been on the planet when the sear was made. As long as the sear is in there you may also have the barrel cut down to below 16 inches; a machine gun is not also a short barreled rifle.

HOWEVER, if the sear is placed into a second gun, the first gun is no longer a machine gun, and must comply with the laws regulating it as a semi-auto. In my example, the barrel must grow back, and the thumbhole stock needs to return. If the sear in question is a AR-15 drop-in auto sear, the gun needs to have the M-16 internal parts needed for the sear removed as well, lest it be induced to fire more than one shot at a time, as was done in the U. S. v. Staples case.

NFA Branch desires that folks who install sears into guns where the sear is not very accessible, HK guns in particular, tell them the make, model and serial number of the gun into which the sear is installed, and put this information on the Form 4. This makes it easier on anyone inspecting the gun, as they do not have to open the gun up to see the sear, if they know that gun is the one with the sear in it. This is called "marrying" the sear to the gun. It is especially useful when the host semi-auto has been modified so as to make it potentially illegal without the sear, like putting a shoulder stock on an HK SP-89 pistol, or cutting the barrel of an HK-94 to less than 16 inches. You may "divorce" the two, but don't do that if the host gun will end up an unregistered short barreled rifle, or other unregistered NFA weapon. This marriage info is in box 4(h) on the Form 4, so anyone who looks at the paperwork can see the sear is in that gun; local law enforcement, for instance.

If the gun is a sear conversion you may not alter the receiver to full auto configuration, in particular you may not install a push pin lower on your HK. You may alter a push pin lower shell to accommodate your clip-on trigger pack, so it looks authentic, but don't alter the receiver. You may also alter one of the MG burst packs to fit on your semi-auto receiver, provided it is also modified internally so it no longer just uses the MG trigger pack with the original MG trip. Making an unaltered MG trigger pack fit the semi-auto is making a new conversion device; some registered HK conversion parts are MG trigger packs modified to fit right on the semi-auto receiver.

This is an area with a variety of items registered; many in the frenzy of registration after the 1986 making ban was being passed

into law, similar to the frenzy of making seen in 1994 during Congressional deliberation on the ban on new manufacture of "semi-automatic assault weapons" for sale to civilians.

A few notes: before November, 1981, BATF did not consider the drop-in AR-15 sear to be a machine gun in itself, because you had to replace all the internal parts with M-16 parts, as well as install the sear, and thus it didn't convert the AR by itself. However in ATF Ruling 81-4, BATF changed its mind about what a thing had to do in order to be a conversion part, grandfathered all AR sears made before the ruling, and decided all made after that needed to be registered. HOWEVER, the fact that the sear itself, if made before 11/81, and sold through ads in Shotgun News to this day (they sure made a lot of 'em back then, or maybe not) is not required to be registered, DOES NOT mean you may install it in an AR-15, or even possess it with an AR-15 rifle, or with other M-16 parts. Either scenario is considered a machine gun also, and also subject to the NFA, and sec. 922(o). Indeed one court has held that ATF's grandfathering is not effective, and that even a pre-81 sear may not be sold or possessed after 11/81 without complying with all laws applicable to machine guns.

Likewise an M-1 carbine receiver and an M-2 carbine receiver are identical, and all the parts to convert a gun from an M-1 to an M-2 are available on the surplus market. HOWEVER having all the parts, and an M-1, or even just enough of the M-2 parts to get an M-1 to fire full auto as a kit, constitutes a machine gun under the NFA.

#### ANY OTHER WEAPONS

An AOW is:

"...any weapon or device capable of being concealed on the person from which a shot can be discharged through the energy of an explosive, a pistol or revolver having a smooth bore designed or redesigned to fire a fixed shotgun shell, weapons with combination shotgun and rifle barrels 12" or more, less than 18" in length, from which only a single discharge can be made from either barrel without manual reloading, and shall include any weapon which may be readily restored to fire. Such term shall not include a pistol or revolver having a rifled bore, or rifled bores, or weapons designed, made or intended to be fired from the shoulder and not capable of firing fixed ammunition." 26 U. S. C. sec. 5845(e).

Thus the question to be answered in deciding if a weapon is an AOW would be, does it fit into any of the three categories below:

1) Is the weapon both not a pistol or revolver, and capable of being concealed on the person?

2) Or is it a smooth bore pistol or revolver? Examples of this include the H&R Handy-Gun, or Ithaca Auto-Burglar gun. This does not include weapons made from a shotgun. That would be a short barreled shotgun. The receiver of a smooth bore pistol, in order to be an AOW, must not have had a shoulder stock attached to it, ever. The shoulder stock attachment deal on a very few H&R Handy Guns, together with a stock, will make them into a short barreled shotgun.

3) Or is it a combination gun, a shoulder fired gun with both rifled and smooth barrels between 12" and 18" long, and which has to be manually reloaded? Examples of this include the M-6 military survival gun, with a single shot barrel in .22 Hornet, and a companion .410 shotgun barrel, as well as most models of the

Marble's Game Getter.

Weapons that fit the first category above are commonly called gadget guns; pen guns, stapler guns, cane guns, alarm clock guns, flashlight guns, the list of objects is pretty long. A few have been removed from the scope of the law because their collector status makes them unlikely to be misused; original Nazi belt buckle guns for example. See the C&R list for these.

ATF has made the decision that a handgun (but not a machine gun, since a machine gun is not also an AOW) with more than one hand grip at an angle to the bore is an AOW. This is based on the gun a) being concealable on the person, and b) not meeting the definition of a "pistol" in the regulations promulgated under the NFA, since they say a pistol has a single grip at an angle to the bore. However, at least one federal magistrate has decided that if the grip is added later, the gun is not "originally designed" to be fired by holding in more than one grip, and thus putting a second grip on a pistol does not make it an AOW. ATF does not regard the decision as binding. The case is U.S. v. Davis, Crim No. 8:93-106 (D. S. C. 1993) (Report of Magistrate, June 21, 1993). The prosecution was dismissed at the request of the Government before any review of that determination by the trial judge.

By the same thinking ATF has decided that "wallet" holsters for small guns, from which the gun can be fired, and which disguise the outline of the gun, are AOW's. This would affect, for example, the North American Arms mini-revolver and the wallet holster NAA used to sell for the gun, as an accessory. Or the wallet holster Galco used to make for the Beretta model 21 pistol. ATF seems to be thinking that the grip has disappeared, and thus it fits into the first category.

In all likelihood, the wallet holster decision was an outgrowth of calling the combination of a briefcase from which the gun can be fired, and the gun, an AOW. The cases were usually meant for the SMG version of the gun, which was fine, but could accommodate the semi-auto pistol version of the MAC, or HK MP5K as well, and that combo of the case and semi-auto pistol was considered the AOW.

#### FIREARM SILENCERS

While the statute calls these devices "silencers" or "mufflers", the US NFA industry term is "sound suppressor", as the word silencer has been given a negative connotation, and because it is inaccurate, as these devices do not eliminate all sound from firing a gun. However you can point the folks who get all high and mighty about the use of the word "silencer" to this definition; it is the legal term.

18 U. S. C. sec. 921(a)(24) "The term 'firearm silencer' or 'firearm muffler' means any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer or firearm muffler, and any part intended only for use in such assembly or fabrication."

As can be seen this covers improvised sound suppressors, and component parts of a sound suppressor. There is no threshold level of sound reduction for something to fall under this definition. ATF used to require the device "appreciably" lower the sound (see Revenue Ruling 57-38) In general recoil compensators and flash hiders do not fall under this definition, but some designs

could fall into the category. As with any borderline device the thing to do is to get a written opinion from the Technology Branch of ATF.

Note that the silencer definition applies only to devices for firearms, i.e. powered by an "explosive". An air gun silencer is not covered. But if it can be used on a firearm it would be. Thus an airgun silencer permanently attached to the airgun, or too flimsy to be used on a firearm, should be exempt. If you have an interest in pursuing this line of thought submit a sample or drawings to ATF Tech. Branch. I am not aware of any airgun silencer currently made, or determined to be exempt from this definition. But clearly there is room under the definition for such a gadget. Likewise, since antique guns, as defined in the GCA, are not "firearms", a silencer for such a gun is not, or should not be, covered. Perhaps one fitted permanently to a pre-1899 gun?

### SHORT BARRELED RIFLES

A short barreled rifle (SBR) is defined in the law as:

26 U. S. C. sec. 5845(a)

\* \* \* \*

(3) a rifle having a barrel or barrels less than 16 inches in length;

(4) a weapon made from a rifle if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 16 inches in length; \* \* \*

The NFA law also defines "rifle":

26 U. S. C. sec. 5845(c) "The term 'rifle' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned or made or remade to use the energy of an explosive in a fixed cartridge to fire only a single projectile through a rifled bore for each pull of the trigger, and shall include any such weapon which may be readily restored to fire a fixed cartridge.

Thus you can see why a machine gun is not also a short barreled rifle; it is not a rifle. And you can see why a barrel is not subject to regulation, or registration, in itself. It is a barrel, it cannot discharge a shot. A receiver alone is also not a short rifle; a short rifle is only a complete weapon that fits into the length parameters outlined.

ATF takes the position that this definition includes any combination of parts from which a short barreled rifle can be assembled. And they said this included a set of parts with dual uses. In the Supreme court case of U. S. v. Thompson/Center Arms Co., 504 U. S. 505 (1992) ATF said a set consisting of a receiver, a 16"+ barrel, a pistol grip stock, a shoulder stock, and a barrel less than 16 inches long was a short barreled rifle. The idea of the kit was that you needed only one receiver, and you could have both a rifle and pistol in one gun. While making a pistol out of a rifle is making a short rifle, ATF has approved of converting a pistol into a rifle, and then converting it back into a pistol, without "making" a short barreled rifle when it is converted back into a pistol; that was not an issue. See, for example Revenue Rulings 59-340, 59-341 and 61-203. T/C made one set on a Form 1, then sued for a tax refund, claiming the set was not a SBR, unless it actually was assembled with the shoulder stock, and short barrel, something they instructed the purchaser of the set not to do. The Supreme court disagreed with ATF, and agreed with

Thompson/Center.

The Court said that a set of parts was not a short barreled rifle, unless the only way to assemble the parts was into a short barreled rifle. As this set had a legitimate, legal, use for all the parts it was OK. However they also approved of lower court cases holding that the sale by one person, at the same place, of all the parts to assemble an AR-15, with a short barrel, was sale of a SBR, even if they weren't assembled together at the moment of the bust, and had in fact never been assembled. See U.S. v. Drasen, 845 F.2d 731 (7th Cir. 1988). This was because the only use for the parts in that case was a SBR. If the person in that case also had a registered M-16, then there would be a legitimate use for the SMG barrel, and there shouldn't be a problem. And the Court agreed, of course, that a fully assembled rifle with a barrel less than 16", or an overall length of less than 26" was also subject to registration. Although it was not addressed in the case, the rule is that an otherwise short barreled rifle that is very easily restored to firing condition (readily restorable); e.g., one missing a firing pin, but for that pin one may substitute a nail or other common object, is also subject to the law.

> I hope this information is helpful to you. If this response to your inquiry is not satisfactory, please feel free to contact me by telephone at (919) 716-6725.

>

> Sincerely, Jeffrey C. Sugg  
> Associate Attorney General  
> Law Enforcement Liaison Section

#### ATF Forms and Descriptions, by Category and Number

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##### ATF Firearms Forms (in Numerical Order by Form)

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[Note: My thanks to James O. Bardwell for corrections.]

Form	Title
1 (5320. 1 )	- Application to Make and Register a Firearm
2 (5320. 2 )	- Notice of Firearms Manufactured or Imported
3 (5320. 3 )	- Application for Tax-Exempt Transfer of Firearm and Registration to Special (Occupational) Taxpayer
4 (5320. 4 )	- Application for Tax Paid Transfer and Registration of Firearm
5 (5320. 5 )	- Application for Tax Exempt Transfer and Registration of a Firearm
6 (5330. 3A)	- (Part I) Application and Permit for Importation of Firearms, Ammunition and Implements of War: Not for Use by Members of the United States Armed Forces
6 (5330. 3B)	- (Part II) Application and Permit for Importation of Firearms (Military)
6A (5330. 3C)	- Release and Receipt of Imported Firearms, Ammunition and Implements of War
7 (5310. 12)	- Application for License
7CR (5310. 16)	- Application for License (Collector of Curios and Relics)
8 (5310. 11)	- Federal Firearms License
9 (5320. 9 )	- Application and Permit for Permanent Exportation of

PART\_OF\_FAQ\_NFA.txt

- Firearms
- 10 (5320.10) - Application for Registration of Firearms Acquired by Certain Governmental Entities
  - 11 - [OBSOLETE--Used to be return for SOT. See 5630.7.]
  - 3310.4 - Report of Multiple Sale or Other Disposition of Pistols and Revolvers
  - 3310.6 - Interstate Firearms Shipment Report of Theft/Loss
  - 3310.11 - FFL Theft/Loss Report
  - 3310.11A - FFL Theft/Loss Report (Continuation)
  - 4467 - Registration of Certain Firearms During November 1968
  - 4473 (5300.9) - (Part I) Firearms Transaction Record--Over the Counter
  - 4473 (5300.9) - (Part II) Firearms Transaction Record--Non-over the Counter
  - 4473 (5300.24)- (Part I) (LV) Firearms Transaction Record Part I Low Volume--Over the Counter
  - 4473 (5300.24)- (Part II) (LV) Firearms Transaction Record Part II Low Volume--Non-over the Counter
  - 5300.34 - [OBSOLETE.] Questionnaire for Responsible Persons
  - 5300.35 - Statement of Intent to Obtain a Handgun(s)
  - 5300.36 - Notification of Intent to Apply for a Federal Firearms License
  - 5300.37 - [OBSOLETE.] Certification of Compliance with State and Local Law
  - 5300.38 - [Replaces 5300.34 and 5300.37.]
  - 5320.20 - Application to Transport Interstate or to Temporarily Export Certain National Firearms Act (NFA) Firearms
  - 5630.6A - Special Tax Stamp
  - 5630.7 - Special Tax Registration and Return: National Firearms Act (NFA)

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 ATF Firearms Forms and Descriptions (by Category)

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National Firearms Act

Form	Title
1	(5320.1) - Application to Make and Register a Firearm
2	(5320.2) - Notice of Firearms Manufactured or Imported
3	(5320.3) - Application for Tax-Exempt Transfer of Firearm and Registration to Special (Occupational) Taxpayer
4	(5320.4) - Application for Tax Paid Transfer and Registration of Firearm
5	(5320.5) - Application for Tax Exempt Transfer and Registration of a Firearm
9	(5320.9) - Application and Permit for Permanent Exportation of Firearms
10	(5320.10) - Application for Registration of Firearms Acquired by Certain Governmental Entities
11	- [OBSOLETE--Used to be return for SOT. See 5630.7]
4467	- Registration of Certain Firearms During November 1968
5320.20	- Application to Transport Interstate or to Temporarily Export Certain National Firearms Act (NFA) Firearms
5630.6A	- Special Tax Stamp
5630.7	- Special Tax Registration and Return: National Firearms Act (NFA)

Title I Transfers

Form	Title
3310. 4	- Report of Multiple Sale or Other Disposition of Pistols and Revolvers
4473 (5300. 9)	- (Part I) Firearms Transaction Record--Over the Counter
4473 (5300. 9)	- (Part II) Firearms Transaction Record--Non-over the Counter
4473 (5300. 24)	- (Part I) (LV) Firearms Transaction Record Part I Low Volume--Over the Counter
4473 (5300. 24)	- (Part II) (LV) Firearms Transaction Record Part II Low Volume--Non-over the Counter
5300. 35	- Statement of Intent to Obtain a Handgun(s)

Federal Firearms Licenses

Form	Title
7 (5310. 12)	- Application for License
7CR (5310. 16)	- Application for License (Collector of Curios and Relics)
8 (5310. 11)	- Federal Firearms License
3310. 6	- Interstate Firearms Shipment Report of Theft/Loss
3310. 11	- FFL Theft/Loss Report
3310. 11A	- FFL Theft/Loss Report (Continuation)
5300. 34	- [OBSOLETE.] Questionnaire for Responsible Persons
5300. 36	- Notification of Intent to Apply for a Federal Firearms License
5300. 37	- [OBSOLETE.] Certification of Compliance with State and Local Law
5300. 38	- [Replaces 5300. 34 and 5300. 37.]

Export/Import

Form	Title
6 (5330. 3A)	- (Part I) Application and Permit for Importation of Firearms, Ammunition and Implements of War: Not for Use by Members of the United States Armed Forces
6 (5330. 3B)	- (Part II) Application and Permit for Importation of Firearms (Military)
6A (5330. 3C)	- Release and Receipt of Imported Firearms, Ammunition and Implements of War
9 (5320. 9)	- Application and Permit for Permanent Exportation of Firearms [NFA]
5320. 20	- Application to Transport Interstate or to Temporarily Export Certain National Firearms Act (NFA) Firearms

Federal Firearms Licenses and Special (Occupational) Tax Stamps

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Federal Firearms Licenses: Types, Fees, and Descriptions

All fees are for a 3-year license.

Type	Fee	Description
01	\$200/ \$90	- Dealer, Including Pawnbroker, in Firearms Other than Destructive Devices [Note: \$200 for initial license; \$90 for subsequent renewals.]
03	\$30	- Collector of Curios and Relics
06	\$30	- Manufacturer of Ammunition for Firearms Other than Ammunition for Destructive Devices or Armor Piercing Ammunition
07	\$150	- Manufacturer of Firearms other than Destructive Devices
08	\$150	- Importer of Firearms other than Destructive Devices or Ammunition for Firearms other than Destructive Devices, or Ammunition other than Armor Piercing Ammunition
09	\$3000	- Dealer in Destructive Devices
10	\$3000	- Manufacturer of Destructive Devices, Ammunition for Destructive Devices or Armor Piercing Ammunition
11	\$3000	- Importer of Destructive Devices, Ammunition for Destructive Devices or Armor Piercing Ammunition

Special (Occupational) Taxes: Classes, Taxes, and Descriptions

All taxes are for a 1-year tax period beginning July 1.

Class	Tax	Description
1	\$1000 \$ 500	- Importer of Firearms - Importer of Firearms (Reduced) [\$500,000 or less]
2	\$1000 \$ 500	- Manufacturer of Firearms - Manufacturer of Firearms (Reduced) [\$500,000 or less]
3	\$ 500	- Dealer in Firearms

Table of Required FFLs and SOT Stamps

Required federal firearms license types and special (occupational) tax classes related to collecting, dealing, manufacturing, and importing firearms. A manufacturer may also operate as a dealer without payment of additional fees. An importer may also operate as a dealer without payment of additional fees. A collector's license is not required, but does allow a licensed collector to receive curio and relic (C&R) firearms directly interstate.

	Collector		Dealer		Manufacturer		Importer		
	FFL	SOT	FFL	SOT	FFL	SOT	FFL	SOT	
Title I firearms		(03)	-	01	-	07	-	08	-
NFA firearms except DDs		(03)	-	01	3	07	2	08	1
Destructive Devices		(03)	-	09	3	10	2	11	1
Ammunition		-	-	-	-	06	-	08	-
Armor piercing ammunition		-	-	01	-	10	-	11	-
Ammunition for DDs		-	-	01	-	10	-	11	-

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