

## Notice of Firearms Manufactured or Imported

Prepare in Duplicate. Submit to: The National Firearms Act Division, 244 Needy Road, Martinsburg, WV 25405. **The undersigned hereby serves notice of the manufacture, reactivation, or importation of firearms as required by § 5841 of the National Firearms Act, Title 26, U.S.C. Chapter 53.**

1. Type of Notice a. Firearms on This Notice Are: (Check one)    Manufactured <input type="checkbox"/> Reactivated <input type="checkbox"/> Imported (complete b & c) <input type="checkbox"/>		b. Import Permit Number	c. Permit Expiration Date
2. Name and Address (Include trade name, if any)      Sole Proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/>		3. Federal Firearms License Number	4. Employer Identification Number and Class
		5. Federal Explosives License/Permit Number	6. Telephone Number (Include area code)
11. Marking variance information (see instruction 3.d.). Enter the name, trade name (if any), city and State of the manufacturer whose markings are being applied.		7. Type of Destructive Device: Firearm <input checked="" type="checkbox"/> Explosives <input type="checkbox"/> If the type is Explosives, complete item 5 and identify the type of explosives below:	8. Email Address (optional)
		9. Number of Firearms Covered By This Notice	
		10. Date of Manufacture, Reactivation or Release From Customs	

Marking Variance Number:

12. Description of Firearm(s) (See instruction 3)						
Type of Firearm (See definition 1c) <i>a</i>	Additional Description (See Instruction 3e (3)) <i>b</i>	Caliber Gauge or Size <i>c</i>	Model <i>d</i>	Length (In.)		Serial Number (See Instruction 3e) <i>g</i>
				Barrel <i>e</i>	Overall <i>f</i>	

13. Signature of Manufacturer or Importer (or authorized official) Name and Title		ATF Use - Restrictions (If any)		NFA Control Number
		14. Filing Date	Imported Under 26 U.S.C. § 5844 For Use (A) By a Government Agency, (2) For Scientific or Research Purposes, or (3) As a Model or Sales Sample. (Note: machineguns are not subject to these restrictions.) <input type="checkbox"/>	
15. Acknowledge of Receipt by ATF		16. Receipt Date	Machinegun Manufactured or Imported After May 19, 1986 (18 U.S.C. § 922(o)) <input type="checkbox"/>	

### Important Information for Currently Registered Firearms

If this registration document evidences the current registration of the firearm(s) described on it, please note the following information.

**Estate Procedures:** For procedures regarding the transfer of firearms in an estate resulting from the death of the registrant identified in item 2, the executor should contact the NFA Division, Bureau of Alcohol, Tobacco, Firearms and Explosives, 244 Needy Road, Suite 1120, Martinsburg, WV 25405.

**Change of Address:** The registrant, if no longer a Federal firearms licensee, shall notify the NFA Division, Bureau of Alcohol, Tobacco, Firearms and Explosives, 244 Needy Road, Suite 1120, Martinsburg, WV 25405, in writing, of any change to the address in item 2.

**Interstate Movement:** If the registrant is no longer a Federal firearms licensee and any firearm identified in item 12 is a machinegun, short-barreled rifle, short-barreled shotgun, or destructive device, the registrant is required by 18 U.S.C. § 922(a)(4) to obtain permission from ATF prior to any transportation in interstate or foreign commerce. ATF Form 5320.20 can be used to request this permission.

**Change of Description:** The registrant shall notify the NFA Division, Bureau of Alcohol, Tobacco, Firearms and Explosives, 244 Needy Road, Suite 1120, Martinsburg, WV 25405, in writing, of any change to the description of the firearm(s) in item 12.

**Restrictions on Possession:** Any restriction (*stamped on the face of form*) on the possession of the firearm(s) identified in item 12 continues with the further transfer of the firearm(s). Any machinegun manufactured or imported on or after May 19, 1986, may not be retained when the registrant is no longer qualified to manufacture, import or deal in NFA firearms.

**Persons Prohibited From Possessing Firearms:** If the registrant becomes prohibited by from possessing a firearm, the registrant shall notify the NFA Division, Bureau of Alcohol, Tobacco, Firearms and Explosives, 244 Needy Road, Suite 1120, Martinsburg, WV 25405, in writing, immediately upon becoming prohibited for guidance on the disposal of the firearm.

**Proof of Registration:** This notice is the registrant's proof of registration and it shall be made available to any ATF officer upon request.

#### Paperwork Reduction Act Notice

This request is in accordance with the Paperwork Reduction Act of 1995. The information you provide as a qualified licensed firearms manufacturer or importer is to register, as required by law, firearms within the jurisdiction of the National Firearms Act, which have been lawfully manufactured or imported. The data is used to determine applicant's eligibility to register the firearms described. The furnishing of the information is mandatory (26 U.S.C. 5841c).

The estimated average burden associated with this collection of information is 45 minutes per respondent or recordkeeper depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be addressed to Reports Management Officer, Document Services Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, Washington, DC 20226.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

## Definitions/Instructions

### 1. Definitions

- a. **National Firearms Act (NFA).** Title 26, United States Code, Chapter 53. The implementing regulations are found in Title 27, Code of Federal Regulations, Part 479.
  - b. **Gun Control Act (GCA).** Title 18, United States Code, Chapter 44. The implementing regulations are found in Title 27, Code of Federal Regulations, Part 478.
  - c. **Firearm.** The term “firearm” means: (1) a shotgun having a barrel or barrels of less than 18 inches in length; (2) a weapon made from a shotgun if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 18 inches in length; (3) a rifle having a barrel or barrels of 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; (5) any other weapon as defined in 18 U.S.C. § 5845(e); (6) a machinegun; (7) a muffler or silencer for any firearm whether or not such firearm is included within this definition; and (8) a destructive device.
  - d. **Person.** A partnership, company, association, trust, estate, or corporation, including each responsible person associated with such an entity, or an individual.
  - e. **Employer Identification Number (EIN).** Required of taxpayer filing special (occupational) tax returns under 27 CFR § 479.35.
  - f. **Special (Occupational) Tax.** Required by the NFA to be paid by a Federal firearms licensee engaged in the business of manufacturing, importing, or dealing in NFA firearms.
  - g. **Federal Firearms License.** A license issued under the provisions of the GCA to manufacture, import or deal in firearms.
  - h. **ATF Officer.** An officer or employee of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) authorized to perform any function relating to the administration of the NFA.
  - i. **Manufacturer.** A person who has a Federal firearms license to manufacture firearms (Type 07 or 10) and who has paid special (occupational) tax (Class 2) to manufacture NFA firearms.
  - j. **Importer.** A person who has a Federal firearms license to import firearms (Type 08 or 11) and who has paid special (occupational) tax (Class 1) to import NFA firearms.
  - k. **Manufacture.** The creation of an NFA firearm, whether by the modification of an existing firearm or from parts.
  - l. **Reactivation.** The restoration of a registered unserviceable firearm to a functional condition.
  - m. **Importation.** The bringing of a firearm into the United States.
  - n. **Import Permit.** ATF Form 6 authorized by ATF for the importation of firearms under 27 CFR Part 478.
  - o. **Unserviceable Firearm.** One which is incapable of discharging a shot by means of an explosive and incapable of being readily restored to firing condition. An acceptable method of rendering most firearms unserviceable is to fusion weld the chamber closed and fusion weld the barrel solidly to the frame.
2. **Machineguns**

18 U.S.C. § 922(o) provides that machineguns may be made only for government use or export.
  3. **Preparation of Notice**
    - a. **Authority.** As provided by 26 U.S.C. § 5841, each manufacturer or importer shall file a notice to effect the registration of all firearms manufactured or imported. **The notice shall be prepared in duplicate.** See instruction 4 for specific procedures. The original notice shall be filed with the NFA Division and the copy retained for the manufacturer or importer’s records.
    - b. **Signatures.** All signatures required on ATF Form 2 must be original in ink.
  - c. **Photocopies or Computer Generated Versions.** Form 2 may be photocopied or a computer-generated version (*in the same format and containing all required information*) may be used. Form 2 is available as a fillable form which may then be downloaded from the ATF Internet website at [www.atf.gov](http://www.atf.gov).
  - d. **Marking Variance.** Is the firearm or are the firearms described on this Form 2 being marked under a marking variance where you will be applying only another manufacturers markings? If so, in item 11, enter the name, trade name (*if any*), city and state of the manufacturer whose markings are being applied to the firearm(s) and the marking variance number. Attach a copy of the approved marking variance to the Form 2.
  - e. **Markings.**
    - (1) Each manufacturer or importer is to legibly identify each firearm manufactured or imported (*see 27 CFR §§ 478.92 and 479.102*) with a serial number, not duplicating any serial number placed by the manufacturer or importer on any other firearm.
    - (2) The manufacturer or importer must also identify the model (if any), the caliber or gauge, the name of the manufacturer (or the foreign manufacturer if not domestically manufactured), the city and State of the domestic manufacturer or the name of the foreign country for an imported firearm, and the city and State of the importer on the receiver, frame or barrel.
    - (3) If an existing firearm is being modified into an NFA firearm, the NFA marking requirements also apply. Much of the existing markings can be adopted. The existing serial number is to be adopted without change or alteration. The model and caliber markings may also be adopted unless the NFA manufacturer has changed the existing markings to reflect another model and/or caliber. Enter the original manufacturer information (name, trade name (*if any*), city, State or country (*if of foreign manufacture*), in item 12.b of the Form2.
    - (4) Note that the NFA manufacturer or importer must also mark the firearm even when there are existing markings.
  - f. **Additional Description Field.** In addition to the entry of the information relating to the original manufacturer (*see instruction 3.e(3)*), information further identifying the firearm, such as any additional markings, or the classification of the firearm shall be entered.
  - g. **Description of Firearm(s) (item 12).** If there are insufficient lines in item 12 to enter all the firearms to be included on the notice, a supplemental sheet may be used and attached to the Form 2 being submitted. The supplemental sheet(s) shall be referenced to the Form 2 being submitted. A note shall be made in the bottom line of item 12 to reference that there is supplemental sheet or sheets attached. The format of the firearm information on the supplemental sheet shall be the same as in item 12.
  - h. **Preparation.** All requested information must be entered in blue or black ink and must be legible. Illegible entries will be returned for correction. The return of the notice will delay the processing.
4. **Filing**
    - a. The manufacturer shall file a separate notice for firearms manufactured or firearms reactivated during a single day by the close of the next business day.
    - b. The importer shall file a separate notice for each permit on which firearms are imported during a single day no later than 15 days from the date the firearm was released from Customs custody.
  5. **Submission**
    - a. By Mail. The notice shall be filed with the National Firearms Act Division, Bureau of ATF, 244 Needy Road, Martinsburg, WV 25405.
    - b. Facsimile Transmission. Form 2 may also be submitted for approval via facsimile transmission(( 304) 616-4501) provided that the licensee has filed an affidavit with the NFA Division in accordance with ATF Industry Circular 89-6.
    - c. Submission electronically. Importers and manufacturers who have registered to use ATF’s eForms system may file Form 2 electronically via the eForms system.
  6. **Receipt By NFA Division.** Receipt of the notice by the NFA Division will effectuate the registration of the firearms.

## Definitions/Instructions

7. **Status Inquiries and Questions.** The NFA Division telephone number is (304) 616-4500. Any inquiry relating to the status of a notice to register an NFA firearm or about procedures in general should be directed to the NFA. Please be aware that the information relating to the registration of firearms is defined as “return” or “return information” by 26 U.S.C. § 6103 and disclosure is generally prohibited to anyone other than the registrant. Information relating to the NFA and other firearms laws is also available at the ATF Internet website at [www.atf.gov](http://www.atf.gov).
8. **Penalties.** Any person who violates or fails to comply with any of the requirements of the NFA shall, upon conviction, be fined not more than \$10,000 or be imprisoned for not more than 10 years, or both. Any firearm involved in a violation of the NFA shall be subject to seizure and forfeiture. It is unlawful for any person to make or cause the making of a false entry on any application or record required by the NFA knowing such entry to be false.
9. **Compliance With The Gun Control Act.** All provisions of the GCA must be complied with, including the recordkeeping requirements for licensees.

DRAFT