



**U.S. Department of Justice**

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

JUL 12 2005

Washington, DC 20226

[www.atf.gov](http://www.atf.gov)

**OPEN LETTER TO FEDERALLY LICENSED FIREARMS IMPORTERS  
AND REGISTERED IMPORTERS OF U.S. MUNITIONS IMPORT LIST  
ARTICLES**

In line with our commitment to keep industry members informed of relevant statutory and regulatory developments, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is issuing this open letter containing information about recent changes in policies administered by the Department of State that may affect the industry's day-to-day operations and/or long range plans.

ATF was recently advised by the Department of State that its Bureau of Political Military Affairs will now, on a case-by-case basis, permit the retransfer of U.S. manufactured military firearms that were sold or granted by the United States Government and that are classified by ATF as curio or relic firearms to U.S. private entities under the following conditions:

- ATF has determined that such firearms are curios or relics and are importable for commercial resale under the National Firearms Act, Gun Control Act, and the Arms Export Control Act;
- The foreign government to which the U.S. Government had furnished the firearms certifies to the U.S. Government that it owns such firearms;
- The Department of Justice, ATF, Federal Bureau of Investigation, Department of Homeland Security, or Bureau of Political Military Affairs/Directorate of Defense Trade Controls, etc., have no derogatory information regarding the entity;
- ATF and relevant domestic agencies do not object to particular imports, subject to such provisos as they may require to assist them in any related monitoring or law enforcement efforts;
- Title will not transfer until the such items are in the customs jurisdiction of the United States; and
- Importers provide appropriate end-use and retransfer assurances related to the importation of such items.

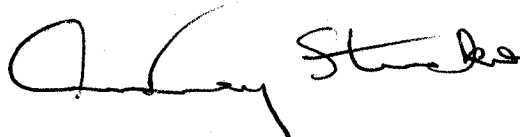
Prospective importers of U.S. manufactured military firearms should note that the above policy changes implemented by the Department of State will not affect how ATF processes applications for permits to import such firearms. Applicants for permits to import U.S. manufactured military firearms, among other things, must:

- Attach to their permit application written retransfer authorization for such firearms from the Department of State. Applications without written retransfer authorization will be denied.
- Seek the importation of only those U.S. manufactured military firearms determined by ATF to be curio or relic firearms. 27 CFR § 478.11.
- With respect to handguns, seek the importation of only those handguns that are of a type that is generally recognized as particularly suitable for or readily adaptable to sporting purposes per 18 U.S.C. 925(d)(3).
- Seek the importation of only those U.S. manufactured military firearms that are assembled in their original military configuration.

Properly filed import applications for U.S. manufactured surplus military firearms classified as curios or relics do not require submission of a law enforcement purchase order, pursuant to 18 U.S.C. 925(e). As such, ATF Ruling 80-8 will be modified in part in the near future to reflect that purchase orders are not required for these specific items.

Please direct any questions regarding the policy changes implemented by the Department of State to the Bureau of Political Military Affairs, Regional Security and Arms Transfer Policy office at 202-647-9750. Questions concerning import permit applications and requirements should be directed to ATF's Firearms and Explosives Imports Branch at 202-927-8320.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Audrey Stucko". The signature is written in a cursive style with a large initial "A" and a long, sweeping underline.

Audrey Stucko  
Chief, Firearms and Explosives  
Services Division