

# Guide to Requesting Marking Variances

Licensed manufacturers and licensed importers are required to mark firearms manufactured or imported with specific identifying information. This information is found under Title 18 United States Code (U.S.C.) Section 923(i) and 27 Code of Federal Regulations (CFR) Section 478.92. However, the Director may authorize other means of identification upon receipt of a letter application from you, showing that such other identification is reasonable and will not hinder the effective administration of the law.

## Purpose and Background

Generally, each manufacturer of firearms is required by law to place identifying markings on the frame or receiver of every firearm that they manufacture. Marking variances are necessary when a federally licensed manufacturer of firearms contracts with another licensed manufacturer to manufacture firearms frames or receivers on their behalf. In these instances, the contracted manufacturer places on the frames or receivers the required identifying markings for the manufacturer of record per 27 CFR Section 478.92.

In this publication, ATF is providing the firearms manufacturers with guidance on the requirements for submitting requests for marking variances. This guide communicates the information that must be submitted with your application in order for ATF to efficiently and effectively consider your request.

Along with a letter of application for a marking variance to the ATF Firearms Technology Branch, all of the following information must be submitted:

1. Identify the actual manufacturer of the firearm frame or receiver
  - Name as listed on Federal Firearms License (FFL); you can use either:
    - Licensee name
    - Business name (e.g., trade name, etc.), if provided on FFL
  - Address
  - City (Only abbreviations recognized by the U.S. Postal Service (USPS) will be accepted)
  - State
  - FFL number
  - Manufacturing process to be completed
2. Identify the manufacturer whose markings will be placed on the firearm frame or receiver
  - Name as listed on FFL; you can use either:
    - Licensee name
    - Business name (e.g., trade name, etc.), if provided on FFL
  - Address
  - City (Only abbreviations recognized by the USPS will be accepted)
  - State
  - FFL number
3. Identify any other participants in the manufacturing process
  - Name as listed on FFL, can use either:
    - Licensee name
    - Business name (e.g., trade name, etc.), if provided on FFL
  - Address

- City
  - State
  - FFL number
  - Manufacturing process to be completed by each additional participant
4. Identify the model of firearm, if designated
  5. Identify the caliber or gauge
  6. Identify the serial number range to be used
    - Serial number range must not duplicate serial numbers appearing on any other firearms produced by or for the manufacturer identified above in step 2.
  7. Identify where the firearm frames or receivers are shipped and/or transferred to between all of the manufacturers identified in the marking variance process.
  8. Statement communicating the function of the firearm (semiautomatic, bolt-action, etc.)
  9. Contact information: phone number, e-mail address, business address
  10. Drawing/schematic/photograph of firearm to be manufactured, displaying proposed markings
    - Illegible markings will not be accepted and will delay the marking variance process
  11. Copy of FFL for each manufacturer
  12. If applicable, a copy of the Special (Occupational) Tax Stamp for each manufacturer
  13. If applicable, a signed statement authorizing ATF to disclose information relating to the marking variance request to individual(s) not employed by the licensees identified in the marking variance request

If a manufacturer has any proprietary concerns regarding disclosing the identity of any of the participating secondary manufacturers to all of the other secondary manufacturers contracted or subcontracted to perform work on the firearms, the manufacturer may submit individual letters of request to ATF indicating each of the secondary manufacturers separately who are participating in the manufacturing process. ATF will address each request in a separate marking variance approval to ensure that the identities of the secondary manufacturers are kept proprietary.

## Customer Service Standards

It is the goal of the Firearms and Explosives Industry Division (FEID), Firearms Technology Branch, to respond to requests from the firearms industry within 90 days of receipt of properly submitted requests. Requests may include those for variances, determinations, classifications, and exemptions. Please note that although we generally exceed this goal, our ability to respond to industry-related inquiries is affected by a number of factors, such as available staffing, the sufficiency of information received from the requestor, existing precedents for granting the request, necessary technical research and/or testing, and any applicable legal review process. Additionally, it is FEID's priority to serve the needs of the law enforcement community first, to include ATF, other Federal agencies, and State and local enforcement entities. We attempt to balance and address exigent circumstances – which the requestor should clarify in writing and include with the original request – with the routine needs of all firearms industry members.

## Methods of Submission

Electronically (preferred method): [marking\\_variances@atf.gov](mailto:marking_variances@atf.gov)

Fax: (304) 616-4301

Mailing Address: ATF - Firearms Technology Branch  
244 Needy Road  
Martinsburg, WV 25405