

# ENDNOTES

<sup>1</sup> All references to firearms and ammunition manufacturing in this section refer to licensed manufacturing.

<sup>2</sup> Destructive Device is defined in Title 18 U.S.C. § 921(a)(4) as (A) any explosive, incendiary, or poison gas— (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge of more than one-quarter ounce, (v) mine, or (vi) device similar to any of the devices described in the preceding clauses; (B) any type of weapon (other than a shotgun or a shotgun shell which the Attorney General finds is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and (C) any combination of parts either designed or intended for use in converting any device into any destructive device described in subparagraph (A) or (B) and from which a destructive device may be readily assembled.

<sup>3</sup> GCA firearms: Include handguns, rifles, shotguns, combination guns, and miscellaneous firearms

<sup>4</sup> *Historical Population Change Data (1910 to 2020)*. (2021, April 21). Census.Gov. Retrieved December 9, 2021, from <https://www.census.gov/data/tables/time-series/dec/popchange-data-text.html>

<sup>5</sup> Parent Entity: Since FFLs are issued for each specific location where regulated business activities are conducted; some business entities must use multiple licensed locations to accomplish their manufacturing or sales objectives. For example, firearm manufacturer ABC Company may use multiple product specific manufacturing locations in different states to produce their full product line. Similarly, many retailers / pawnbrokers have multiple sales locations through which they service the needs of their clientele. Finally, many manufacturers and retailers expand their capacity through the acquisition of other manufacturers or retailers' business locations but retain the brand or trade names to promote brand / consumer loyalty. To fully and succinctly describe the scope of all regulated activity conducted by these controlling business entities, ATF aggregates related FFLs and/or separate FFLs owned or controlled by the same business organization under a common "parent entity" name under which each related FFL "child entity" falls. This allows for the aggregation of related data at the parent entity level. As used in these reports, the "parent entity" represents the current structure of the regulated firearms industry. Since the dates of mergers and acquisitions are not captured in ATF information systems, we attribute all current and historical data to the parent entity as that business organization exists today. ATF has grouped all child entity manufacturers under 85 manufacturer parent entities. Each manufacturer parent entity may only report manufacturing certain types of firearms (E.g., NFA vs GCA, pistols vs rifles, silencers vs machineguns).

<sup>6</sup> Total rifles manufactured includes the total number of assault rifles manufactured in 2000. Title 18 U.S.C. § 922(v) defined an assault rifle as any semi-automatic rifle able to accept detachable magazines that has two or more of the following features: a folding or telescoping stock, pistol grip, bayonet mount, flash hider or threaded barrel designed to accommodate one, grenade launcher. This law was in effect from 1994 through September 13, 2004.

<sup>7</sup> Total pistols manufactured include the total number of assault pistols manufactured in 2000. Title 18 U.S.C. § 922(v) defined an assault pistol as any semi-automatic pistols with detachable magazines and two or more of the following features: a magazine that attaches outside the pistol grip, threaded barrel to attach barrel extender, flash suppressor, handgrip, or suppressor, barrel shroud safety feature that prevents burns to the operator, a manufactured weight of 50 ounces (1.41kg) or more when the pistol is unloaded, a semi-automatic version of a fully automatic firearm. This law was in effect from 1994 through September 13, 2004.

<sup>8</sup> Total pistols manufactured includes assault pistols.

<sup>9</sup> For purposes of this section "9mm" refers to a caliber range of up to 9MM PARA reflected in AFMER filings. See Table M-08 in Appendix M - Manufacturing to review lists of those calibers that constitute the AFMER pistol and revolver caliber ranges.

<sup>10</sup> For purposes of this section ".22" refers to a caliber range of up to .22 caliber reflected in AFMER filings. See Table M-08 in Appendix M - Manufacturing to review lists of those calibers that constitute the AFMER pistol and revolver caliber ranges.

<sup>11</sup> Total rifles manufactured includes assault rifles.

<sup>12</sup> AFMER data aggregates shotgun and combination gun manufacturing in the same category. All references to shotguns in this section includes combination gun manufacturing.

<sup>13</sup> Total number of shotguns includes assault shotguns.

<sup>14</sup> Retrieved on December 4, 2021, from <https://www.federalregister.gov/documents/2021/05/21/2021-10058/definition-of-frame-or-receiver-and-identification-of火器>

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<sup>15</sup> Cal. Penal Code § 30605. See generally Cal. Penal Code §§ 30600-30675, 30900-30965, 31000-31005. For state assault weapon regulations, see Cal. Code Regs. tit. 11, §§ 5459-5473, 5495, 5499

<sup>16</sup> Computerized numerical control, (CNC) a computerized manufacturing process using pre-programmed software and coding to control the movement of the fabrication tools.

<sup>17</sup> Wintemute, G.J. Ghost guns: spookier than you think they are. *Inj. Epidemiol.* 8, 13 (2021).

<sup>18</sup> All Google searches were conducted using quotation marks. Enclosing a search term within quotation marks returns only exact matches. Google search results will vary from computer to computer based on a variety of factors considered by Google such as user profile, search history, and geography.

<sup>19</sup> Google searches retrieved on 3/13/2022.

<sup>20</sup> Google searches were retrieved on 3/13/2022.

<sup>21</sup> All Google searches were conducted using quotation marks. Enclosing a search term within quotation marks returns only exact matches.

<sup>22</sup> Refer to Google (2022) for a more detailed description of the normalization procedure.

<sup>23</sup> Firearms tracing begins when a law enforcement agency discovers a firearm at a crime scene and seeks to learn the origin or background of that firearm to develop investigative leads. Firearms tracing is the systematic tracking of the movement of a firearm recovered by law enforcement officials from its first sale by the manufacturer or importer through the distribution chain (wholesaler/retailer) to the first retail purchaser.

<sup>24</sup> These numbers (as of January 21, 2022) are likely far lower than the actual number of PMFs recovered from crime scenes because some law enforcement departments incorrectly trace some PMFs as commercially manufactured firearms or may not see a need to use their resources to attempt to trace firearms with no serial number or other identifiable markings. The term “suspected PMF” is used because of the inconsistencies in law enforcement agencies uniformly entering PMF trace information into ATF’s electronic tracing system (“eTrace”), resulting in reporting inconsistencies of PMFs involved in crime. For example, often PMFs resemble commercially manufactured firearms, or incorporate parts from commercially manufactured firearms bearing that manufacturer’s name, so some firearms suspected of being PMFs were entered into eTrace using a commercial manufacturer’s name rather than as one privately made by an individual. The term “potential crime scenes” is used because ATF does not know if the firearm being traced by the law enforcement agency was found at a crime scene as opposed to one recovered by them that was stolen or otherwise not from the scene of a crime. This is because the recovery location or correlated crime is not always communicated by the agency to ATF in the tracing process.

<sup>25</sup> Taniguchi, T., Hoogesteyn, K., Renouard, E., & Esserman, D. (2021). The Proliferation of Ghost Guns: Regulation Gaps and Challenges for Law Enforcement. National Police Foundation.

<sup>26</sup> ATF Ruling 2015-1 and ATF Ruling 2010-10.

<sup>27</sup> eTrace is a web-based application that provides authorized law enforcement agencies with the ability to electronically submit firearm trace requests to the ATF NTC, monitor the progress of traces, retrieve completed trace results, and query firearms trace-related data. The eTrace user community consists of more than 8,700 local, state, tribal, federal, and international law enforcement agencies (as of 12/31/2021). <https://www.atf.gov/resource-center/fact-sheet/fact-sheet-etrace-internet-based-firearms-tracing-and-analysis>

<sup>28</sup> Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLEN) is one of the six RISS regional centers and serves Delaware, Indiana, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, District of Columbia, as well as England and parts of Canada.

<sup>29</sup> Western States Information Network (WSIN) is one of the six RISS regional centers and serves Alaska, California, Hawaii, Oregon, Washington, Guam, as well as New Zealand and parts of Canada.

<sup>30</sup> Regional Organized Crime Information Center (ROCIC) is one of the six RISS regional centers and serves Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia, as well as Puerto Rico and the U.S. Virgin Islands.

<sup>31</sup> Rocky Mountain Information Network (RMIN) is one of the six RISS regional centers and serves Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, Wyoming, and parts of Canada.

<sup>32</sup> Mid-States Organized Crime Information Center (MOCIC) is one of the six RISS regional centers and serves Illinois, Iowa, Kansas, Missouri, Nebraska, North Dakota, South Dakota, Wisconsin, and parts of Canada.

<sup>33</sup> New England State Police Information Network (NESPIN) is one of the six RISS regional centers and serves Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, and parts of Canada.

<sup>34</sup> The Gun Control Act, Title 18 U.S.C., §925(a)(1) provides, “[t]he provisions of this chapter, except for sections 922(d)(9) and 922(g)(9) and provisions relating to firearms subject to the prohibitions of section 922(p), shall not apply with respect to the transportation, shipment, receipt, possession, or importation of any firearm or ammunition imported for, sold or shipped to, or issued for the use of, the United States or any department or agency thereof or any State or any department, agency, or political subdivision thereof.”

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<sup>35</sup> The Arms Export Control Act, Title 22 U.S.C. §2778(1) provides, “In furtherance of world peace and the security and foreign policy of the United States, the President is authorized to control the import and the export of defense articles and defense services and to provide foreign policy guidance to persons of the United States involved in the export and import of such articles and services. The President is authorized to designate those items which shall be considered as defense articles and defense services.”

<sup>36</sup> 15 CFR Parts 730-774. The EAR is issued by the DOC and BIS under laws relating to the control of certain exports, reexports, and activities. In addition, the EAR implements anti-boycott law provisions requiring regulations to prohibit specified conduct by U.S. persons that has the effect of furthering or supporting boycotts fostered or imposed by a country against a country friendly to U.S.

<sup>37</sup> The Export Control Classification Number (ECCN) is an alpha-numeric code, e.g., 3A001, that describes the item and indicates licensing requirements. An ECCN categorizes items based on the nature of the product, i.e. type of commodity, software, or technology, and its respective technical parameters. An ECCN is different from a Schedule B number, which is used by the Bureau of Census to collect trade statistics. It is also different from the Harmonized Tariff System Nomenclature, which is used to determine import duties. All ECCNs are listed in the CCL. The CCL is divided into ten broad categories (0 through 9), and each category is further subdivided into five product groups (A through E). Items not listed on the CCL, but still falling within the jurisdiction of the DOC, are designated as EAR99. The EAR99 category is a “catch all” largely consisting of low-technology consumer goods generally not requiring a license.

<sup>38</sup> Total rifles exported includes the total number of assault rifles exported in 2000.

<sup>39</sup> There were zero assault pistols exported in 2000.

<sup>40</sup> AFMER defines a miscellaneous firearm as any firearm that may not be listed within any of the other nine AFMER firearm categories (pistol, revolver, rifle, shotgun, machinegun, any other weapon, short-barreled rifle, short-barreled shotgun, silencer). This miscellaneous category includes frames or receivers that are not yet identified as a particular type of firearm.

<sup>41</sup> Totals include assault weapons.

<sup>42</sup> For purposes of the NFA weapons section, the names of NFA manufacturers as it relates to their export number is associated with tax information and, as such, is prohibited from disclosure.

<sup>43</sup> Title 27 CFR Ch2 §478.92 marking requirements for GCA firearms, and §479.102 for NFA weapons.

<sup>44</sup> Active duty military uses ATF Form 6 Part II.

<sup>45</sup> Frames and receivers were not reported separately from complete firearms until 2005.

<sup>46</sup> Ammunition import data does not differentiate if the ammunition will ultimately be used for military or commercial purposes.

<sup>47</sup> On May 26, 1994, the U.S. instituted a firearms imports embargo against China. Sporting shotguns, however, are exempt from the embargo. Imports from Afghanistan, Belarus, Burma, China, Cuba, Democratic Republic of Congo, Haiti, Iran, Iraq, Libya, Mongolia, North Korea, Rwanda, Somalia Sudan, Syria, Unita (Angola), Vietnam, may include surplus military curio and relic firearms that were manufactured in these countries prior to becoming proscribed or embargoed and had been outside those proscribed countries for the preceding five years prior to import. Imports may also include those that obtained a waiver from the U.S. State Department. Imports from Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russian Federation, Turkmenistan, Ukraine, Uzbekistan are limited to firearms enumerated on the Voluntary Restraint Agreement (VRA).

<sup>48</sup> Secondary market firearms are those firearms which entered commerce through an FFL and are subsequently sold by an unlicensed individual through a private sale, gun show, and FFLs operating as pawn shops. The normal ATF tracing process would not identify who sold or purchased the firearm.

<sup>49</sup> The NICS/State POC transaction data available to ATF in 2016 was incomplete. Therefore, analysis was only conducted for those years with complete transaction data, namely 2017 through 2020.

<sup>50</sup> In rare instances, a NICS check may be conducted, and a proceed response generated, but the final sale of the firearm is not culminated. The reasons for not completing the approved transfer include, but are not limited to, the customer or the licensee terminating the transfer. These instances are so few that they are not considered statistically significant.

<sup>51</sup> Table SD-02 excludes annual EMSV totals associated with Type 03 (1,193) and Type 06 (7,683) FFLs as well as those EMSV totals that cannot be attributed to an FFL type (2,348,594) due to the listed EMSV Data Limitations in Appendix SD – Selling and Distribution. Nearly 97% (2,274,009) of unattributed EMSV totals are from Virginia.

<sup>52</sup> The data for Table SD-13 was compiled on February 23, 2022.

<sup>53</sup> This table does not include EMSV data for the states of Hawaii and Virginia. Hawaii requires the use of police permits to acquire firearms. Licensees do not conduct any NICS checks. Therefore, no data is available to estimate

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sales in Hawaii. Virginia reports their NICS checks aggregated at the state level, and no licensee information is provided. ATF is therefore unable to attribute any portion of sales in Virginia to manufacturers.

<sup>54</sup> 18 U.S.C. § 923 (g)(5)(A)

<sup>55</sup> DL3 MSRs that could not be attributed to one of the four SWB states were excluded from this analysis.

<sup>56</sup> For a definition of the PPI small arms and ammunition go to North American Industry Classification System (NAICS) U.S. Census Bureau.

<sup>57</sup> While some private industry sources of retail price data exist, such as gun catalogs, these sources provide suggested prices rather than prices of actual transactions.

<sup>58</sup> U.S. Bureau of Labor Statistics (bls.gov)

<sup>59</sup> U.S. Bureau of Labor Statistics (bls.gov)

<sup>60</sup> ATF is a criminal and regulatory enforcement agency and has been a component of the U.S. Department of Justice since 2003. Prior to 2003, ATF and its predecessor bureaus functioned within the U.S. Department of the Treasury (except for a brief period during the Prohibition era). The Homeland Security Act of 2002 (Pub. L. No. 107-296, 116 Stat. 2135 (2002)) split the missions and functions of ATF into two agencies: ATF and the Alcohol and Tobacco Tax and Trade Bureau (“TTB”). Under that Act, the ATF’s functions and responsibilities (to include enforcement of the NFA) were transferred to the Department of Justice, and TTB’s functions and responsibilities remained with the Department of the Treasury.

<sup>61</sup> In August 2013, Forms 1, 2, 3, 5, 9, and 10 were available to applicants via eForm. In December 2021, Form 4 was made available to applicants via eForm.

<sup>62</sup> NFA applications eligible for processing are all applications that are not pending, withdrawn, returned without action, or voided.

<sup>63</sup> During the application processing and review, applications in which an error is identified are removed from further processing and therefore not included in this data.

<sup>64</sup> The tax rates are as follows: Class 1 - Importer of Firearms = \$1,000, Class 1 - Importer of Firearms (Reduced) = \$500, Class 2 - Manufacturer of Firearms = \$1,000, Class 2 - Manufacturer of Firearms (Reduced) = \$500, and Class 3 - Dealer in Firearms = \$500. The reduced rates for importers and manufacturers apply only to those taxpayers whose total gross receipts for the most recent income tax year is less than \$500,000 (not just receipts relating to the activity subject to special occupational tax). However, a member of a controlled group as defined in section 5061(e)(3) of the Internal Revenue Code, is not eligible for this reduced rate unless the total gross receipts for the entire group are less than \$500,000. Businesses beginning an activity subject to special tax for the first time, may qualify for a reduced rate if the initial tax year gross receipts for the business (or the entire control group, if a member of a control group) were under \$500,000 the previous year.

<sup>65</sup> A follow-up ATF report will be released in 2022 detailing FFL theft incidents.

<sup>66</sup> The total number of missing and/or stolen firearms and reporting incidents excludes those firearms originally reported missing and/or stolen, but were found by the FFL, found by another means and not involved in a crime, or was found in the possession of the rightful owner. These reported incidents occurred between 2016 and 2020.

<sup>67</sup> Type 03 and Type 06 FFL inventory loss data has been excluded from this analysis since neither FFL type transfers firearms in commerce. From 2016 to 2020, Type 03 FFLs reported only 15 loss incidents (0.24% of total) involving 106 firearms (0.23% of total) as missing. Type 06 FFLs did not report any loss incidents during this time.

<sup>68</sup> Excluded from this Table are Type 03 and 06 FFLs as well as any state or U.S. Territory with less than 100 FFLs. This FFL threshold excludes the District of Columbia as well as all five U.S. territories from this table.

<sup>69</sup> The number of firearms reported missing by FFLs in the state of Oregon includes a loss incident in CY2018 wherein a total of 1,978 firearms were reported missing by a single Type 01 FFL.

<sup>70</sup> For any transactions where the firearm type is listed as “Unknown”, the type of firearm was not provided by the submitter and could not be readily determined based on other information provided.

<sup>71</sup> The number of NFA weapons reported missing by Type 10 FFLs includes a loss incident in 2017 wherein a total of 278 machineguns were reported missing by a single Type 10 FFL.

<sup>72</sup> Recovery data reviewed includes all reports received by ATF up to February 14, 2022

<sup>73</sup> [Fact Sheet - Federal Firearms and Explosives Licenses by Types | Bureau of Alcohol, Tobacco, Firearms and Explosives \(atf.gov\)](#)

<sup>74</sup> For purposes of this section, OOB (out-of-business) will be used interchangeably with discontinued business.

<sup>75</sup> In Table IO-07, the analysis uses the last address of record for each FFL. The land use for each FFL is based on Department of Homeland Security (DHS)/ Homeland Infrastructure Foundation-Level Data (HIFLD) and the National Geospatial-Intelligence Agency (NGA) countrywide zoning data from October 2021. Several categories were combined: Commercial (commercial retail and office), Industrial (general and heavy industry), Not Available (Null and Blank), All Other (miscellaneous and other).

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<sup>76</sup> There were three FFLs with unidentified FFL types. These FFLs were excluded from the analysis.

<sup>77</sup> American Samoa did not have any FFLs in 2000 or 2020; therefore, there was no change in its FFL population. However, it had as many as two FFLs for at least four years during this period.

<sup>78</sup> In 2008, the Supreme Court decided *District of Columbia v. Heller*, 554 U.S. 570 (2008) which expanded the ability to become a FFL in DC.

<sup>79</sup> American Samoa had no Type 01 FFLs from 2000 to 2020, and thus are not included in the analysis.

<sup>80</sup> The U.S. Virgin Islands and DC had no Type 02 FFLs from 2000 to 2020, and thus are not included in the analysis.

<sup>81</sup> American Samoa and Marianas Islands had no Type 03 FFLs from 2000 to 2020, and thus are not included in the analysis.

<sup>82</sup> American Samoa and DC had no Type 07 FFLs from 2000 to 2020, and thus are not included in the analysis.

<sup>83</sup> See, 18 U.S.C. §§922(a)(1)(A) and 923(a); 27 CFR 478.41

<sup>84</sup> To avoid inflating the average number of FFLs in a state, Type 03 FFLs were excluded when determining the average number of FFLs as well as in determining the total number of completed assignments by state. Consequently, the 761 firearm assignments related to Type 03 FFLs were excluded from this analysis.

<sup>85</sup> States or U.S. territories must have at least 100 FFLs to be included in this table.

<sup>86</sup> States or U.S. territories must have at least 100 FFLs to be included in this table.

<sup>87</sup> The “Other” Recommendation category within this table represents inspections involving an FFL relocating their business to a new location and applications approved, withdrawn, or abandoned.

<sup>88</sup> Seven inspections contained multiple recommendations.

<sup>89</sup> Between 2016 and 2020, there were 13 FFL compliance inspections that resulted in 65,097,428 cited violations, which represents more than 96% of the total (67,720,812) cited violations during the period. Each of these 13 inspections had a minimum of 50,000 violations cited.

<sup>90</sup> Many of the qualification inspections conducted in 2020 were completed telephonically due to COVID-19.

<sup>91</sup> The number of IOIs is as of October for the indicated year.

<sup>92</sup> IOIs in field positions are responsible for conducting firearm and explosives regulatory inspections.

<sup>93</sup> States or U.S. territories must have at least 100 FFLs to be included in this table. ATF IOIs are designated by field divisions which do not correspond directly to state lines. For a list of ATF field divisions, go to <https://www.atf.gov/contact/atf-field-divisions>.

<sup>94</sup> States or U.S. territories must have at least 100 FFLs to be included in this table. ATF IOIs are designated by field divisions which do not correspond directly to state lines. For a list of ATF field divisions, go to <https://www.atf.gov/contact/atf-field-divisions>.

<sup>95</sup> Title 15 U.S.C. §§ 7901-03

<sup>96</sup> Alabama, Colorado, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Louisiana, Michigan, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, Wisconsin, and the District of Columbia. See Ala. Code § 13A-11-75; Colo. Rev. Stat. Ann. § 18-12-203; Conn. Gen. Stat. § 29-28(b); Fla. Stat. Ann. § 790.06; Ga. Code Ann. § 16-11-129; 430 Ill. Comp. Stat. 66/4; Ind. Code §§ 35-47-2-1, 35-47-2-3; Ia. Code Ann. §§ 724.7, 724.11; La. Stat. Ann. § 1379.1.1; Mich. Comp. Laws Ann. § 28.425a; Minn. Stat. Ann. § 624.714; Mont. Code Ann. § 45-8-321; Neb. Rev. Stat. § 69-2430; Nev. Rev. Stat. Ann. § 202.3657; N.M. Stat. Ann. § 29-19-4; N.C. Gen. Stat. § 14-415.11; Ohio Rev. Code Ann. § 2923.125; Ore. Rev. Stat. Ann. § 166.291; 18 Pa. Cons. Stat. § 6109; S.C. Code § 23-31-215; Tenn. Code Ann. § 39-17-1351; Tex. Code Ann. § 411.177; Utah Code Ann. § 53-5-704; Va. Ann. Code § 18.2-308.04; Wash. Rev. Code § 9.41.070; Wisc. Stat. Ann. § 175.60; D.C.: via case law, *Wrenn v. District of Columbia*, 864 F.3d 650, D.C. Cir. 2017

<sup>97</sup>

<https://www.atf.gov/firearms/state-laws-and-published-ordinances-firearms-34th-edition>

<sup>98</sup>

“Alabama, Alaska, Arizona, Arkansas, Idaho, Indiana, Iowa, Kansas, Kentucky, Maine, Mississippi, Missouri, Montana, New Hampshire, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Utah, West Virginia, and Wyoming. See Alabama “§13A-11-85; Alaska Stat. § 11.61.220; Ariz. Rev. Stat. § 13-3112; Ark. App. 488 (via case law: *Taff v. State*, 2018); Ida. Code Ann. § 18-3302 (applies only outside cities); IA Stat. § 724.5; Indiana SECTION 12. IC 35-47-2-3, AS AMENDED BY P.L.165-2021, SECTION 196; Kan. Stat. Ann. §§ 21-6301, 21-6302; Ky. Rev. Stat. Ann. § 237; Mc. Rev. Stat. Ann. § 2001-A; Miss. Ann. Code § 45-9-101; Mo. Rev. Stat. § 571.030; Mt. Stat. § 45-8-316; N.H. Rev. Stat. Ann. § 159:6; N.D. Cent. Code §§ 62.1-04-01, 62.1-04-02; Ohio GA 134, SB 215; Okla. Stat. Ann. Tit. 21, § 1272; S.D. Codified Laws § 23-7-7; Tn. Stat. §39-17-1307; Tx. Penal Code § 46.02; Ut. Stat. § 76-10-523; W. Va. Ann. Code § 61-7-3; Wyo. Stat. Ann. § 6-8-104

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<sup>99</sup> Alabama, Alaska, Arizona, Arkansas, Colorado, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin, Wyoming.; Ala. Admin. Code § 220-2-.02(1)(e); Al. Stat. § 11-61-200(h); Ariz. Rev. Stat. § 13-3101(8)(a)(ii) and Rev. Stat. § 17-251; Ark. Code R. § 5-73-104; House Bill 1488 / Act 720 (2015); Colo. Rev. Stat. §18-12-102; Fl. Stat. § 790.001 and Fla. Admin. Code r. 68A-12.002(3)(b); Ga. Code Ann. §§ 16-11-122, 16-11-124, and 27-3-4(9); Id law silent; Ind. Code Ann. § 14-22-6-11; Ia. Code §§ 724.1-724.3; Kan. Stat. Ann. §§ 21-6301, 32-1002, and SB 152-2011; Ky. law silent; La. Rev. Stat. Ann. §§ 40:1781,14:94, 56:116.6; Me. LD 635 (SP 249); Md. Code Ann. § 5-621; Mi. Mich. Comp. Laws § 750.224; Minn. Stat. Ann. § 609.66 Subd. 1a; SF 878 (2015); Miss. Code Ann. § 97-37-31; Mo. Rev. Stat. § 571.020; Mont. Code Ann. §§ 45-8-337, 87-6-401(1)(c); Neb. law silent; Nev. Rev. Stat. § 202.350; N.H. Rev. Stat. Ann. § 207:4(1); New Mex. law silent; N.C. Gen. Stat. §§ 14-288.8(c)(3), 113-291.1(c); N.D. Cent. Code §§ 62.1-05-01, 20.1-01-36; Ohio Rev. Code Ann. §§ 2923.17(C)(5),1533.04; Okla. Stat. tit. 29, § 5-201(A)(5); Or. Rev. Stat. §166.272; 18 Pa. Cons. Stat. § 908; Sc. law silent; S.D. Codified Laws § 22-14-6; Tn. law silent; Tex. Penal Code Ann. § 46.05; UT law silent; Va. law silent; Wash. Rev. Code §§ 9.41.250; 9.41.251; Wv. law silent; Wis. Stat. § 941.298; Wyo. Stat. Ann. § 23-3-112

<sup>100</sup> California, Connecticut, District of Columbia, Illinois, Massachusetts, Minnesota, New Jersey, Pennsylvania, Rhode Island; Cal. Penal Code § 26820, 26890(a); Conn. Gen. Stat. § 29-37d; D.C. Code Ann. § 7-2504.07; 430 Ill. Comp. Stat. Ann. 68/5-50, 68/5-55; Mass. Gen. Laws Ch. 140, § 123; Minn. Stat. § 624.7161; Minn. Admin. Rules Ch. 7504; N.J. Stat. Ann. § 2C:58-2(a), N.J. Admin. Code §§ 13:54-3.11, 13:54-6.1-13:54-6.5; 18 Pa. Cons. Stat. Ann. § 6113; R.I. Gen. Laws § 11-47-40(b)

<sup>101</sup> The average number of Form 1 and Form 4 applications received is based on the number of those forms received between May 1<sup>st</sup> and December 31, 2015.

<sup>102</sup> Data captured on December 10, 2021.

<sup>103</sup> “ATF Bump Stock Determination 2017.” DocumentCloud, Retrieved December 8, 2021, from <https://www.documentcloud.org/documents/4418662-ATF-Bump-Stock-Letter-April-6-2017.html>

<sup>104</sup> The bump stock final rule has been challenged in several lawsuits, but has to-date been upheld by federal courts. Some of these lawsuits remain pending on appeal.

<sup>105</sup> [Justice Department Announces New Rule to Modernize Firearm Definitions | OPA | Department of Justice](#)

<sup>106</sup> *ATF Forearm Brace Determination*, November 2012. ATF Classification Letter issued 11.26.12 Redacted

<sup>107</sup> Title 26 U.S.C. § 5845 defines an SBR as a rifle with a barrel of less than 16 inches.

<sup>108</sup> *ATF Open Letter on the Redesign of “Stabilizing Braces,”* Open Letter on the Redesign of “Stablizing Braces” (atf.gov); and a letter to industry counsel clarifying the 2015 Open Letter 2017 Response Letter: Reversal of ATF Open Letter on the Redesign of “Stabilizing Braces”,

<sup>109</sup> *ATF Open Letter on the Redesign of “Stabilizing Braces,”* Open Letter on the Redesign of “Stablizing Braces” (atf.gov); and a letter to industry counsel clarifying the 2015 Open Letter 2017 Response Letter: Reversal of ATF Open Letter on the Redesign of “Stabilizing Braces”

<sup>110</sup> *NPRM ATF 2021R-08, Factoring Criteria for Firearms with Attached “Stabilizing Braces”*, Retrieved on 4-3-2022 from <https://www.atf.gov/rules-and-regulations/docs/undefined/atf-2021r-08-notice-proposed-rulemaking-factoring-criteria/download>

<sup>111</sup> The classification process is entirely voluntary; ATF provides classification assessments as a service to the public and industry to promote compliance with the GCA and NFA. The GCA does not provide for, much less require, manufacturers of firearms, firearm parts, or accessories to obtain “approval” to market a product, and ATF does not “approve” or authorize the design or manufacture of firearm, parts, or accessories for sale. Moreover, other than enforcing marking requirements required by the GCA, ATF does not otherwise regulate the manner in which firearms, parts, and accessories are manufactured. Finally, while the NFA requires manufacturers and makers of NFA weapons to pay applicable taxes and comply with registration and marking requirements, it also does not require submission of product designs for prior approval.

<sup>112</sup> ATF Cease and Desist Letter, August 3, 2020, <https://www.atf.gov/resource-center/docs/foia/impact-laws-footnote-17-2020-cease-and-desist-letter/download>

<sup>113</sup> Data as of April 27, 2022.

<sup>114</sup> The totals in this table reflect the number of SBR weapons listed on correctly submitted NFA applications received.

<sup>115</sup> *ATF Publication 5300.5, State Laws and Published Ordinances – Firearms (34<sup>th</sup> Edition)*

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<sup>116</sup> *NPRM ATF 2021R-08, Factoring Criteria for Firearms with Attached “Stabilizing Braces”*, Retrieved on 4-3-2022 from <https://www.atf.gov/rules-and-regulations/docs/undefined/atf-2021r-08-notice-proposed-rulemaking-factoring-criteria/download>

<sup>117</sup> ATF Fact Sheet, February 2015, retrieved on 4-18-2022 from <https://www.atf.gov/file/10956/download>

<sup>118</sup> ATF Fact Sheet - Facts and Figures for Fiscal Year 2020, retrieved on 4-18-2022 from <https://www.atf.gov/resource-center/fact-sheet/fact-sheet-facts-and-figures-fiscal-year-2020>

<sup>119</sup> DEA Staffing and Budget, retrieved on 4-18-2022 from <https://www.dea.gov/data-and-statistics/staffing-and-budget>

<sup>120</sup> Departments of State, Justice, Commerce, the Judiciary and Related Agencies Appropriations for 1974 – Hearings, retrieved on 4-18-2022 from

<https://books.google.com/books?id=Ow04AAAAIAAJ&pg=PA312&lpg=PA312&dq=1973+employee+level+at+FBI&source=bl&ots=mJZr7AQSQe&sig=ACfU3U0dCgDDZoryzUTO1sG7HQECmhR6WA&hl=en&sa=X&ved=2ahUKEwiInJLR5J73AhVomoFHYI3BqoQ6AF6BAgpEAM#v=onepage&q=1973%20employee%20level%20at%20FBI&f=false>

<sup>121</sup> FBI FY2021 Budget Request, retrieved on 4-18-2022 from <https://www.justice.gov/doj/page/file/1246691/download>

<sup>122</sup> C&R Firearm Criteria Include: (a) Firearms which were manufactured at least 50 years prior to the current date, but not including replicas thereof; (b) Firearms which are certified by the curator of a municipal, State, or Federal museum which exhibits firearms to be curios or relics of museum interest; and (c) Any other firearms which derive a substantial part of their monetary value from the fact that they are novel, rare, bizarre, or because of their association with some historical figure, period, or event. Proof of qualification of a particular firearm under this category may be established by evidence of present value and evidence that like firearms are not available except as collector's items, or that the value of like firearms available in ordinary commercial channels is substantially less.

<sup>123</sup> This number is excluding Type 03 – Collector of C&R FFLs.

<sup>124</sup> Information derived from ATF's Firearms and Explosives Import System (FEIS). Import data excludes temporary permits issued to nonimmigrant aliens. Military category depicts ATF Form 6 Part II (5330.3C).

<sup>125</sup> Beginning in 2005, pistols and revolvers were reported in separate categories.

<sup>126</sup> Other shotguns include military shotguns and not otherwise specified shotguns. In 2005, pump shotguns were extracted from the “Other Shotgun” category and made its own category.

<sup>127</sup> State not provided or entered – numbers statistically insignificant for comparison with the sums involved.

<sup>128</sup> ZZ = Unknown / not provided – numbers statistically insignificant for comparison with the sums involved.

<sup>129</sup> PPI values were taken from the Bureau of Labor Statistics. PPI values were averaged by year and adjusted to reflect price deviations from 2000. The adjusted PPI values were then used to calculate the relative price of small arms and small arms ammunition. “PPI Commodity Data for Miscellaneous Products – Small Arms, Not Seasonally Adjusted”, retrieved on 1-31-2022 from <https://beta.bls.gov/dataViewer/view/timeseries/WPU151301>; “PPI Commodity Data for Miscellaneous Products – Small Arms Ammunition, Not Seasonally Adjusted”, retrieved on 1-31-2022 from <https://beta.bls.gov/dataViewer/view/timeseries/WPU151302>; “PPI Commodity Data for Final Demand – Finished Consumer Goods Less Foods and Energy, Not Seasonally Adjusted”, retrieved on 1-31-2022 from <https://beta.bls.gov/dataViewer/view/timeseries/WPUFD41311>.

<sup>130</sup> Yellow indicates that the recovery state location is the same as the loss state location. Green indicates a foreign country recovery for a reported FFL inventory loss occurring in the U.S.

<sup>131</sup> American Samoa did not have any Type 01 FFLs between 2000 and 2020.

<sup>132</sup> District of Columbia, Guam, Northern Mariana Islands, Puerto Rico, and the Virgin Islands did not have any Type 02 FFLs between 2000 and 2020. “\*\*” indicates that there is insufficient data to compute percent.

<sup>133</sup> American Samoa and the Northern Mariana Islands did not have any Type 03 FFLs between 2000 and 2020.

<sup>134</sup> American Samoa and the District of Columbia did not have any Type 07 FFLs between 2000 and 2020. “\*\*” indicates that there is insufficient data to compute percent.

<sup>135</sup> American Samoa did not have any Type 08 FFLs between 2000 and 2020. “\*\*” indicates that there is insufficient data to compute percent.

<sup>136</sup> American Samoa, District of Columbia, Guam, Hawaii, Northern Mariana Islands, North Dakota, Nebraska, New Hampshire, New Mexico, Rhode Island, South Carolina, South Dakota, Virgin Islands, Vermont, and West Virginia did not have any Type 09 FFLs between 2000 and 2020. “\*\*” indicates that there is insufficient data to compute percent.

<sup>137</sup> American Samoa, District of Columbia, Guam, Hawaii, Northern Mariana Islands, North Dakota, Rhode Island, and Virgin Islands did not have any Type 10 FFLs between 2000 and 2020. “\*\*” indicates that there is insufficient data to compute percent.

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<sup>138</sup> American Samoa, Delaware, Guam, Hawaii, Northern Mariana Islands, North Dakota, Nebraska, Oklahoma, Rhode Island, South Dakota, and Virgin Islands did not have any Type 11 FFLs between 2000 and 2020. “\*\*” indicates that there is insufficient data to compute percent.

<sup>139</sup> District of Columbia did not have any Type 06 FFLs between 2000 and 2020. “\*\*” indicates that there is insufficient data to compute percent.

<sup>140</sup> States or U.S. territories must have at least 100 FFLs to be included in this table. ATF IOIs are designated by field divisions which do not correspond directly to state lines. For a list of ATF field divisions, go to <https://www.atf.gov/contact/atf-field-divisions>.

<sup>141</sup> IOIs assigned to the Washington Field Division are primarily responsible for overseeing FFLs located in Virginia.



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