



NRA-ILA

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BATFE Revises Policies on Firearms "Transfers"

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In a recent ruling regarding the “transfer” of firearms, the Bureau of Alcohol, Tobacco and Firearms (BATFE) has reversed policies that have been in place for more than 40 years.

In the ruling, BATFE declared that a temporary shipment of a firearm by a federal firearms licensee to a non-employee for business reasons (such as a manufacturer's shipment to a gun writer or engineering consultant for a technical evaluation), will now be considered a “transfer” and require completion of a Form 4473 and background check.

This reverses a ruling issued in 1969, right after the passage of the Gun Control Act, although BATFE provided no explanation of the need for the change. According to the National Shooting Sports Foundation, BATFE hasn't been able to name a single case in which a gun temporarily shipped under the old rule has been used in crime.

The short-term impact may be limited, because many major manufacturers already require firearms sent to non-employees to go through the transfer process. But manufacturers who didn't follow that practice will now have to ship guns to licensed dealers to complete these “transfers.”

Furthermore, the ruling only applies to temporary shipments by federal firearms licensees to carry out those licensees' business operations. Given that limitation, the new ruling won't affect private individuals who ship guns to themselves when traveling to shoot or hunt, or who ship firearms to a manufacturer or gunsmith for repair or customization.

However, this new ruling may have broader implications for future issues. For example, some have suggested that although the ruling doesn't relate directly to rental of guns for use on commercial shooting ranges, its reasoning might require rentals to be treated as “transfers” subject to recordkeeping and background check requirements.

Please rest assured that NRA-ILA is seeking clarification of the scope of this new ruling. If necessary, we will consider appropriate action to reverse any adverse impact on law-abiding gun owners.

Find this item at: <http://www.nraila.org/Legislation/Federal/Read.aspx?id=5866>