OMB No. 1140-0014 (01/31/2014)

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

Application for Tax Paid Transfer and Registration of Firearm

ATF Control Number

Submit in Duplicate to:
National Firearms Act Branch
Bureau of Alcohol, Tobacco, Firearms and Explosives, P.O. Box 530298
Atlanta, GA 30353-0298

2a. Transferee's Name and Address *(Including tradename, if any) (See instruction 2)*
Maryland NRC Licensee
123 Main Street
Anytown, MD 20900

2b. County
Calvert

1. Type of Transfer *(Check one)*
☐ $5 ☒ $200
Submit with your application a check or money order for the appropriate amount made payable to the Bureau of Alcohol, Tobacco, Firearms and Explosives. Upon approval of this application, this office will acquire, affix and cancel the required "National Firearms Act" stamp for you. *(See instructions 2h, 2i and 3.)*

3a. Transferor's Name and Address *(Including trade name, if any) (Executors: see instruction 2k)*
Police and Law Enforcement Suppliers
456 State Road
Anytown, MD 20900

3b. Transferor's Telephone Number and Area Code
301 555 1212

3d. Number, Street, City, State and Zip Code of Residence *(or Firearms Business Premises)* if Different from Item 3a.

3c. If Applicable: Decedent's Name, Address, and Date of Death

The above-named and undersigned transferor hereby makes application as required by Section 5812 of the National Firearms Act to transfer and register the firearm described below to the transferee.

4. Description of Firearm *(Complete items a through h)*

a. Name and Address of Manufacturer and/or Importer of Firearm	b. Type of Firearm *(See instruction 1c)*	c. Caliber, Gauge or Size *(Specify)*	d. Model		
Colt Hartford, CT			M4		
			Length *(Inches)*	e. Of Barrel: 14	f. Overall: 24
	Machinegun	.223	g. Serial Number X246890		

h. Additional Description or Data Appearing on Firearm *(Attach additional sheet if necessary)*

5. Transferee's Federal Firearms License *(If any)*
(Give complete 15-digit number) (See instruction 2b)

First 6 digits	2 digits	2 digits	5 digits

6. Transferee's Special (Occupational) Tax Status *(If any)*

a. Employer Identification Number	b. Class

7. Transferor's Federal Firearms License *(If any)*
(Give complete 15-digit number) (See instruction 2b)

First 6 digits	2 digits	2 digits	5 digits
2-22-222	**01**	**2L**	**22222**

8. Transferor's Special (Occupational) Tax Status *(If any)*

a. Employer Identification Number	b. Class
234567890	3

Under Penalties of Perjury, I Declare that I have examined this application, and to the best of my knowledge and belief it is true, correct and complete, and that the transfer of the described firearm to the transferee and receipt and possession of it by the transferee are not prohibited by the provisions of Chapter 44, Title 18, United States Code; Chapter 53, Title 26, United States Code; or Title VII of the Omnibus Crime Control and Safe Streets Act, as amended; or any provisions of State or local law.

9. Consent to Disclosure of Information to Transferee *(See instruction 8)*. I **Do** or **Do Not** *(Circle one)* Authorize ATF to Provide Information Relating to this Application to the Above-Named Transferee.

10. Signature of Transferor *(or authorized official)*	11. Name and Title of Authorized Official *(Print or type)*	12. Date
John Smith	John Smith, DIRECTOR OF SALES	May 17, 2011

The Space Below is for the use of the Bureau of Alcohol, Tobacco, Firearms and Explosives

By authority of the Director, This Application has been Examined, and the Transfer and Registration of the Firearm Described herein and the Interstate Movement of that Firearm, when Applicable, to the Transferee are:

Stamp Denomination

☐ Approved *(with the following conditions, if any)*

☐ Disapproved *(For the following reasons)*

Signature of Authorized ATF Official

Date

Transferee Information

The following questions must be answered by any transferee who is **not** a Federal firearms licensee or government agency. The transferee shall give full details on a separate sheet for all "YES" answers. *(See instruction 2d)*

13. Are You:	Yes	No	14. Have You:	Yes	No
a. Charged by information or under indictment in any court for a crime punishable by imprisonment for a term exceeding one year?	☐	☒	a. Been convicted in any court of a crime for which the judge could have imprisoned you for more than one year, even if the judge actually gave you a shorter sentence?	☐	☒
b. A **fugitive** from justice?	☐	☒	b. Been discharged from the armed forces under **dishonorable** conditions?	☐	☒
c. An alien who is **illegally** or unlawfully in the United States?	☐	☒	c. Been adjudicated mentally defective or been committed to a mental institution?	☐	☒
d. Under 21 years of age?	☐	☒	d. Renounced your United States citizenship?	☐	☒
e. An unlawful user of or addicted to, marijuana, or any depressant, stimulant, or narcotic drug, or any other controlled substance?	☐	☒	e. Been convicted in any court of a misdemeanor crime of domestic violence? This includes any misdemeanor conviction involving the use or attempted use of physical force committed by a current or former spouse, parent, or guardian of the victim, or by a person with a similar relationship with the victim.	☐	☒
f. Subject to a court order restraining you from harassing, stalking or threatening an intimate partner or child of such partner?	☐	☒			

15. Transferee's Certification *(See instruction 2e)*

I, Joseph Doe, have a reasonable necessity to
(Name of Transferee)
possess the machinegun, short-barreled rifle, short-barreled shotgun, or destructive device described on this application for the following reason(s) security at NRC licensed facility

and my possession of the device or weapon would be consistent with public safety (18 U.S.C. 922(b) (4) and 27 CFR 478.98).

UNDER PENALTIES OF PERJURY, I declare that I have examined this application and the documents submitted in support thereof, and to the best of my knowledge and belief it is true, correct and complete.

Joseph Doe
(Signature of Transferee)

5/17/2011
(Date)

16. Photograph

Affix
Recent Photograph Here
(Approximately 2" x 2")
(See instruction 2f.)

17. Law Enforcement Certification *(See instruction 2e)*

I certify that I am the chief law enforcement officer of the organization named below having jurisdiction in the area of residence of

_____. I have no information indicating that the transferee will use the firearm or device
(Name of Transferee)
described on this application for other than lawful purposes. I have no information that the receipt or possession of the firearm or device described in item 4 would be place the transferee in violation of State or local law.

(Signature and Title of Chief Law Enforcement Officer) *(Date)*

(Organization and Street Address)

(County) *(Telephone Number)*

Important Information for Currently Registered Firearms

If this registration document evidences the current registration of the firearm 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 2a, the executor should contact the NFA Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, 244 Needy Road, Martinsburg, WV 25405.

Change of Address: Unless currently licensed under the Gun Control Act, the registrant shall notify the NFA Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, 244 Needy Road, Martinsburg, WV 25405, in writing, of any change to the address in Item 2a.

Change of Description: The registrant shall notify the NFA Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, 244 Needy Road, Martinsburg, WV 25405, in writing, of any change to the description of the firearm in Item 4.

Interstate Movement: If the firearm identified in item 4 is a machinegun, short-barreled rifle, short-barreled shotgun, or destructive device, the registrant may be required by 18 U.S.C. § 922(a)(4) to obtain permission from ATF prior to any transportation in interstate or foreign commerce.

Restrictions on Possession: Any restriction *(see approval block on face of form)* on the possession of the firearm identified in item 4 continues with the further transfer of the firearm.

Persons Prohibited from Possessing Firearms: If the registrant becomes prohibited by 18 U.S.C. § 922 from possessing a firearm, the registrant shall notify the NFA Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, 244 Needy Road, Martinsburg, WV 25405, in writing, immediately upon becoming prohibited for guidance on the disposal of the firearm.

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

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.** The term "person" means a partnership, company, association, trust, estate, or corporation, as well as a natural person.

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 (Class 2), importing (Class 1), or dealing (Class 3) 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. **Transfer.** Selling, assigning, pledging, leasing, loaning, giving away, or otherwise disposing of a firearm.

j. **Transferor.** The registered owner of a firearm who is applying to transfer it.

k. **Transferee.** The person acquiring the firearm.

l. **Misdemeanor Crime of Domestic Violence.** A crime that is a misdemeanor under Federal or State law and has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian. The term includes all misdemeanors that involve the use or attempted use of physical force *(e.g., simple assault, assault and battery),* if the offense is committed by one of the defined parties. The person is NOT considered to have been convicted of such crime unless the person was represented by a lawyer or gave up the right to a lawyer, and, if the person was entitled to a jury trial, was tried by a jury or gave up the right to a jury trial.

2. **Preparation of Application**

a. **Authority.** As provided by 26 U.S.C. §§ 5811 and 5812, any person seeking to transfer a firearm tax paid must complete, in duplicate, an application on this form for each firearm. The transferor must furnish all the information called for on this application form.

b. **Federal Firearms Licensees.** If the transferor or transferee is licensed under the GCA, the name, trade name *(if any)* , and address shall be identified on the ATF Form 4 as they appear on the license. If item 6 is completed, the entity identified must be the same as the entity identified in item 5. For example, **if item 5 identified a sole proprietor, item 6 cannot identify a corporation.** This also applies for the completion of items 7 and 8.

c. **Transferee Qualifications.** If the transferee is an individual and not licensed under the GCA, the questions in items 13 and 14 must be answered.

d. **Transferee Certification.** Item 15 must be completed by the transferee if:

(1) the firearm to be transferred is a machinegun, short-barreled rifle, short-barreled shotgun, or destructive device;
(2) the transferor is licensed under the GCA to deal in such device or firearm; and
(3) the transferee is not licensed under the GCA to deal in such device or firearm.

e. **Law Enforcement Certification.** Item 17 must be completed for an individual transferee, unless the transferee is licensed as a manufacturer, importer, or dealer under the GCA and is a special *(occupational)* taxpayer under the NFA at the time of the submission of the application for transfer. The chief law enforcement officer is considered to be the Chief of Police for the transferee's city or town of residence; the Sheriff for the transferee's county of residence; the Head of the State Police for the transferee's State of residence; a State or local district attorney or prosecutor having jurisdiction inthe transferee's area of residence; or another person whose certification is acceptable to the Director, Bureau of Alcohol, Tobacco, Firearms and Explosives. If someone has specific delegated authority to sign on behalf of the Chief of Police, Sheriff, etc., this fact must be noted by printing the Chief's, Sheriff's, or other authorized official's name and title, followed by the word "by" and the full signature and title of the delegated person. The certificate must be dated no more than one year prior to the date of receipt of the application.

f. **Photographs and Fingerprints.** An individual transferee, except if licensed as a manufacturer, importer, or dealer under the GCA, must (1) attach to Item 16, a 2 inch x 2 inch photograph of the frontal view of the transferee taken within 1 year prior to the date of the application and (2) attach two properly completed FBI Forms FD-258 *(Fingerprint Card with blue lines)* to the application. The fingerprints must be clear for accurate classification and taken by someone properly equipped to take them.

g. **Signatures.** All signatures required on ATF Form 4 must be original in ink on both copies.

h. **Remittance.** A check or money order, made payable to the Bureau of Alcohol, Tobacco, Firearms and Explosives, in the amount for the appropriate rate of tax *(see instruction 2i)* must be submitted with the ATF Form 4. Do not send cash.

i. **Rate of Tax.** The tax on the transfer of any NFA firearm is $200.00, except that the tax is $5.00 on the transfer of a firearm classified as "any other weapon."

j. **Photocopies, Computer Generated Versions, or Downloaded Version from ATF Website.** The ATF Form 4 may be photocopied, computer-generated *(as long as it is in the same format and contains all required information)* , or downloaded from the ATF website *(www.atf.gov)* . Please note the instructions on the website.

k. **Estates.** If the firearm is being transferred from an estate, item 3a shall reflect: the executor's name, title *administratrix)* of the estate of *(name)) (executor (or executrix, administrator,* , and the executor's address. Item 3c shall reflect the address of the decedent and the date of death. *(see the ATFInternet website at www.atf.gov for additional information about transfers from estates.)*

l. **Submission.** All requested informtion must be entered in blue or black ink and must be legible. Send both copies of the ATF Form 4 and attachments to the address located in the upper right hand corner on the face side of the ATF Form 4. The return of the application or sending it to any other address will only delay the processing.

m. **State or Local Permit.** If a State or local permit or license is required for the transferee prior to acquisition of the firearm, a copy of the permit must be included with the application.

3. **Approval of Application.** Upon approval of an application, the NFA Branch will affix the appropriate NFA transfer tax stamp, cancel it, and return the approved copy with the stamp affixed to the transferor for delivery with the firearm to the transferee. Since the approval of the application effectuates registration of the firearm to the transferee, the physical transfer of the firearm must be completed immediately; however, the transferor must not transfer the

firearm until the application has been approved and received. If the physical transfer of the firearm cannot be completed immediately, the transferor must contact the NFA Branch with the specifics.

4. **Withdrawal of Application.** The transferor may withdraw an application prior to approval subsequent to a written request. The NFA Branch will arrangefor a refund of the taxpaid.

5. **Cancellation of Approved Application.** The transferor may cancel an approved application only if the physical transfer of the firearm has not been completed. The transferor must return the approved application with the tax stamp affixed with a written request for cancellation, citing the need and that the physical transfer of the firearm did not take place. The NFA Branch will arrange for a refund of the tax paid.

6. **Disapproval of Application.** If the application is disapproved, the NFA Branch will note the reason for disapproval on the application and return one copy of the ATF Form 4 to the transferor. The NFA Branch will arrange for a refund of the tax paid.

7. **Reasons for Disapproval.** 26 U.S.C. § 5812 provides that applications shall be denied if the transfer, receipt, or possession of the firearm would place the transferee in violation of law.

   a. **State or Local Law.** If State or local law prohibits the receipt or possession of the firearm being transferred, the application will be disapproved

   b. **Persons Prohibited from Receiving a Firearm.** The application will be disapproved if the transferee is a person prohibited from receiving a firearm by 18 U.S.C. § 922(g), which provides that it shall be unlawful for any person—

      (1) who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year;
      (2) who is a fugitive from justice;
      (3) who is an unlawful user of or addicted to any controlled substance;
      (4) who has been adjudicated as a mental defective or who has been committed to a mental institution;
      (5) who, being an alien, is illegally or unlawfully in the United States or except as provided in 18 U.S.C. 922(y)(2), has been admitted to the United States under a non-immigrant visa *(as that term is defined in 8 U.S.C. 1101(a)(26))* ;
      (6) who has been discharged from the Armed Forces under dishonorable conditions;
      (7) who, having been a citizen of the United States, has renounced his citizenship;
      (8) who is subject to a court order that—

         (A) was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;

         (B) restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and

         (C) (I) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or (II) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury, or

      (9) who has been convicted in any court of a crime of domestic violence; to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

8. **Status Inquiries and Questions.** Information relating to the NFA and other firearms laws is available at the ATF Internet website at **www.atf.gov** . Any inquiry relating to the status of an application to transfer an NFA firearm or about procedures in general should be directed to the NFA Branch at (304) 616-4500. Please be aware that any dissemination by ATF of information relating to the application to register an NFA firearm must conform with the restrictions in 26 U. S.C. § 6103. The opportunity provided in item 8 to authorize ATF to disclose information is intended to enable ATF to respond to inquiries by the transferee regarding the application. The failure to complete item 8 will be considered a declination of authorization to release the information.

9. **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.

10. **Compliance with the Gun Control Act.** All provisions of the GCA must also be complied with, including the recordkeeping requirements for licensees and the retention of ATF Form 4473 (5300.9) by licensees for dispositions to non-licensees.

Privacy Act Information

The following information is provided pursuant to Section 3 of the Privacy Act of 1974 (5 U.S.C. § 552(e)(3)):

1. **Authority.** Solicitation of this information is made pursuant to the National Firearms Act (26 U.S.C. § 5812). Disclosure of this information by the applicant is mandatory for transfer of an NFA firearm, unless the transfer is otherwise exempt from tax.

2. **Purpose.** To insure payment of the tax imposed by 26 U.S.C. § 5811; to insure that the transfer would not be in violation of law; and to effect registration of the firearm.

3. **Routine Uses.** The information will be used by ATF to make the determinations set forth in paragraph 2. In addition, to effect registration of the firearm, information as to the identification of the firearm, date of registration, and the identification and address of person entitled to possess the firearm will be entered into the National Firearms Registration and Transfer Record. No information obtained from an application, registration, or records required to be submitted by a natural person in order to comply with any provision of the National Firearms Act or regulations issued thereunder, shall, except in connection with prosecution or other action for furnishing false information, be used, directly or indirectly, as evidence against that person in any criminal proceeding with respect to a violation of law occurring prior to or concurrently with the filing of the application. The information from this application may only be disclosed to Federal authorities for purposes of prosecution for violation of the National Firearms Act.

4. **Effects of not Supplying Information Requested.** Failure to supply complete information will delay processing and may cause denial of the application.

Paperwork Reduction Act Notice

This information request is in accordance with the Paperwork Reduction Act of 1995. The information your provide is used in applying to transfer serviceable firearms taxpaid to persons other than special taxpayers qualified to deal in NFA firearms or government entities. Data is used to identify transferor, transferee, and firearm, and to ensure legality for transfer under Federal, State and local laws. The furnishing of this information is mandatory. *(26 U.S.C. § 5812)*

The estimated average burden associated with this collection of information is 4 hour(s) 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.