



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Washington, DC 20226

April 14, 2011

Open Letter to Any Person Submitting ATF Form 4 or Form 5

The purpose of this letter is to provide guidance to any person submitting [ATF Form 4](#), Application for Tax Paid Transfer and Registration of a Firearm, or with [ATF Form 5](#), Application for Tax Exempt Transfer and Registration of a Firearm.

Pursuant to Title 27, Code of Federal Regulations, Section 479.21, the Director is authorized to prescribe all forms required by Part 479. Furthermore, all information called for in each form must be furnished as indicated in the headings on the form and in the instructions on or pertaining to the form. When the transferee of a National Firearms Act firearm is an individual, [ATF Form 5330.20](#), Certification of Compliance with 18 U.S.C. 922(g)(5)(B), is completed by the transferee to certify his or her citizenship and submitted along with ATF Form 4, Application for Tax Paid Transfer and Registration of a Firearm, or with ATF Form 5, Application for Tax Exempt Transfer and Registration of a Firearm. Pursuant to the instructions on ATF Forms 4 and 5, applicants must submit ATF Forms 4 and 5 in duplicate.

ATF received an inquiry asking whether ATF Form 5330.20 must also be submitted in duplicate by an individual seeking transfer of a firearm regulated by the National Firearms Act. The questioner noted that the instructions on the ATF Forms 4 and 5 require that the forms be submitted in duplicate, and asked whether the requirements are the same for ATF Form 5330.20.

No law, regulation, or instruction requires that [ATF Form 5330.20](#) be submitted in duplicate to ATF. Accordingly, submissions of ATF Form 5330.20 require only one copy be submitted for each ATF Form 4 or Form 5 application.

If you have any questions about this matter or other NFA requirements, please contact the NFA Branch at (304) 616-4500. Information relating to the NFA can also be found on ATF's website (www.atf.gov).

Sincerely yours,

Arthur Herbert
Assistant Director
Enforcement Programs and Services