OMB No. 1140-0018 (09/30/2027)

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

Application for Federal Firearms License

Part A - Application

1. Applicant's business/activity is: ☐ Individual owner *(Sole proprietor)* ☐ Partnership ☐ Corporation ☐ LLC
☐ Collector *(which can be an individual/partnership/corporation or LLC)* ☐ Other *(specify)* _____

2. Licensee name *(enter name of owner/sole proprietor OR partnership (include name of each partner) OR corporation name OR LLC name)*

3. Trade or business name*(s), if any*	4. Employer Identification Number *(EIN), if any (see definition #17)*	5. Name of county in which business/activity is located

6. Business/activity address *(RFD or street number, city, state, and zip code) (NOTE: this address CANNOT be a P.O. box.)*	7. Mailing address *(if different from address in item #6)*

8. Contact information *(include area code)*
Business/activity phone _____ Fax number _____
Cell phone _____ Business email *(required)* _____

9. Describe the specific activity applicant is engaged in or intends to engage in, which requires a federal firearms license *(sale of ammunition alone does not require a federal firearms license).*

10. This application is for a license under 18 U.S.C. chapter 44 as a: *(place an "X" in the appropriate box(es). You may select multiple application types. See instruction #8. Submit the fee noted next to the box(es) with the application. Licenses are issued for a three-year period. See instruction #5 for payment information.)*

Type	Description of license type	Fee
01	Dealer in firearms other than destructive devices *(includes: rifles, shotguns, pistols, revolvers, gunsmith activities, and National Firearms Act (NFA) weapons) (see instruction #10)*	$200 ☐
02	Pawnbroker in firearms other than destructive devices *(includes: rifles, shotguns, pistols, revolvers, gunsmith activities, and National Firearms Act (NFA) weapons) (see instruction #10)*	$200 ☐
03	Collector of curios and relics *(NOTE: this is not a license to conduct business, see instruction #8)*	$30 ☐
06	Manufacturer of ammunition for firearms other than ammunition for destructive devices or armor piercing ammunition *(see instruction #11)*	$30 ☐
07	Manufacturer of firearms other than destructive devices *(see instruction #11)*	$150 ☐
08	Importer of firearms other than destructive devices or ammunition for firearms other than destructive devices, or ammunition other than armor piercing ammunition *(NOTE: importer of handguns and rifles, see instruction #9)*	$150 ☐
09	Dealer in destructive devices *(see instruction #10)*	$3000 ☐
10	Manufacturer of destructive devices, ammunition for destructive devices, or armor piercing ammunition *(see instruction #11)*	$3000 ☐
11	Importer of destructive devices, ammunition for destructive devices, or armor piercing ammunition *(see instruction #9)*	$3000 ☐
	Total fees	$

11. Payment information
You may pay only through *www.pay.gov*. *(for information on submitting by pay.gov, see instruction #5)*

IMPORTANT: Once you have completed the payment process through *pay.gov*, record the *pay.gov* tracking ID number below and print the payment confirmation page. Include a copy of your *pay.gov* payment confirmation page with your application. Your *pay.gov* transaction is only the payment portion of the process. You must still complete the remainder of the application and email or mail in the hard copy *(see address below)*.

Note: ATF will return any payments it receives by email or mail and will not process the application.

Pay.gov tracking ID number: _____ **Include copy of *pay.gov* payment confirmation page with application.**

Pay.gov date of payment: _____ Amount paid: _____

Complete the remainder of the application and submit to FFLapplications@atf.gov or ATF-FFLC; 244 Needy Road; Martinsburg, WV 25405

12. Hours of operation and/or availability of business/activity *(please provide at least one hour in which you can be contacted by ATF personnel)*

	Sun	Mon	Tues	Wed	Thu	Fri	Sat
Hour*(s)*: please indicate AM or PM							

IF YOU ARE APPLYING FOR **ONLY** A TYPE 03 (COLLECTOR OF CURIOS AND RELICS) LICENSE, SKIP ITEMS 13-17 AND GO TO ITEM 18. FOR ALL OTHER LICENSE TYPES, CONTINUE WITH ITEM 13.

13. Was the business obtained from someone else? *(if "yes," please provide the name of the previous business and their FFL number)* ☐ Yes ☐ No

Name of previous business

Federal firearms license number

14. Indicate type of business premises

Zoned residential:
- ☐ Single-family dwelling
- ☐ Condominium/apartment
- ☐ Hotel/motel
- ☐ Public housing

Zoned commercial:
- ☐ Store-front
- ☐ Office
- ☐ Rod and gun club
- ☐ Military installation *(see instruction #13)*
- ☐ Other *(specify)* _____

15. Applicant's business premises is:

- ☐ Owned premises
- ☐ Military installation
- ☐ Rented/leased premises - provide name, telephone number, and address **of the property owner**:

Name

Street address

Telephone number *(with area code)*

City, state, and zip code

16. Do you intend to sell firearms at gun shows and/or conduct internet sales? ☐ Yes ☐ No

17. Do you intend to use your license ONLY to acquire firearms to enhance your personal collection? ☐ Yes ☐ No

18. Name of chief law enforcement officer *(CLEO) (please print the name of the CLEO to whom you provided a copy of this application. See instruction #4 and definition #1.)*

19. Address of CLEO *(include number, street, city, county, state, and zip code*

County:

ATTENTION chief law enforcement officer *(CLEO)*: This form provides notification of a person's intent to apply for a federal firearms license *(FFL)*. It requires no action on your part. However, should you have information that may disqualify the person from obtaining a federal firearms license, please contact the Federal Firearms Licensing Center toll free at 1-866-662-2750. Issuing an FFL in no way guarantees the business or activity is not in violation of state and/or local law.

20. **Applicant certification *(please read AND INITIAL each box)***

☐ a. The business/activity to be conducted under the federal firearms license is not prohibited by state or local law at the premises shown in item 6. This includes compliance with zoning ordinances. ***(please contact your local zoning department PRIOR TO submitting application)***

☐ b. Within 30 days after the application is approved, the business/activity will comply with the requirements of state and local law applicable to conducting the business/activity.

☐ c. Business/activity will not be conducted under the license until the requirements of state and local law applicable to the business/activity have been met.

☐ d. A completed copy of this application has been sent *(emailed, mailed, or delivered)* to the chief law enforcement officer *(CLEO)* of the locality in which the premises listed in item 6 is located *(see instruction #4 and definition #1).*

☐ e. As required by 18 U.S.C. 923(d)(1)(G), I certify that secure gun storage or safety devices will be available at any place in which firearms are sold under this federal firearms license to persons who are not licensees. *(see definition #4) (if applying for a type 03, collector of curios and relics license ONLY, write "N/A" instead of initialing this certification box.)*

☐ f. Part B of this application has been completed and will be submitted for EACH responsible person *(RP) (see definition #3)*

21. Certification: Under the penalties imposed by 18 U.S.C. 924, I declare that I have examined this application in its entirety and the documents submitted in support thereof, and to the best of my knowledge and belief, they are true, correct, and complete. This signature, when presented by a duly authorized representative of the U.S. Department of Justice, will constitute consent and authority for the appropriate U.S. Department of Justice representative to examine and obtain copies and abstracts of records and to receive statements and information regarding the applicant's background. Specifically, I hereby authorize release of the following data or records to ATF: Military information/records, medical information/ records, police and criminal records. This certification must be signed by a responsible person *(see instruction #2 and definition #3).*

Applicant's printed name | **Applicant's signature** | **Date**

FOR ATF USE ONLY – Application status ☐ Approved ☐ Abandoned ☐ Withdrawn ☐ Denied

Reason denied: _____

Licensing official's signature: _____ Date: _____

ATF Form 5310.12 ("Form 7")
Revised September 2026

Part B - Responsible Person Questionnaire

1. **EACH RESPONSIBLE PERSON MUST COMPLETE AND SIGN A SEPARATE RESPONSIBLE PERSON QUESTIONNAIRE (use ATF Form 5310.12B, Supplemental FFL Responsible Person Questionnaire, for additional RPs).** If you need to add an additional responsible person to your FFL at any time, the responsible person being added must complete an ATF Form 5310.12B. *(see instruction #7)*
2. Issuing your license or adding a responsible person will be delayed if this form or Form 5310.12B is incomplete or otherwise improperly prepared.
3. IMPORTANT! All new responsible persons must submit a properly prepared FD-258 *(fingerprint card)* with this questionnaire. The fingerprints must be clear for accurate classification and taken by someone properly equipped to take them. The FD-258 should include "WVATF1100 ATF-FFLC, MARTINSBURG, WV" in the ORI block to facilitate fingerprint processing.
4. List any given, married, and maiden names in item 4, *e.g.,* "Mary Alice (Smith) Jones," not "Mrs. John Jones." *(if you need additional space, attach a separate sheet. See instruction #1)*

1. License or applicant name *(from block 2 of part A)*	2. Federal firearms license number *(if being added to an existing FFL)*

3. Name of responsible person *(last, first, middle)*	4. Aliases *(include given, married, maiden names)*	5. Position/title

6. Social Security number	7. Birthdate *(MM/DD/YYYY)*	8. Birthplace *(city and state OR foreign country)*

9. Current residence address	10. Telephone number *(personal contact # with area code)*
	11. Email address

12. Previous address*(es)* - Please provide every address you have had in the last five years and dates which you lived at the address*(es) (if you need additional space, attach a separate sheet. See instruction #1)*

13. Sex
☐ Male
☐ Female

14. Height
_____ feet
_____ inches

15. Weight
(lbs)

16. Eye color
☐ Black
☐ Blue
☐ Brown
☐ Gray
☐ Green
☐ Hazel
☐ Maroon
☐ Multiple
☐ Pink
☐ Other _____

17. Hair color
☐ Bald
☐ Black
☐ Blond
☐ Brown
☐ Gray
☐ Red
☐ Sandy
☐ White
☐ Other _____

18. Ethnicity
Hispanic or Latino ☐ Yes ☐ No

19. Race *(please check one or more boxes)*
☐ American Indian or Alaska Native
☐ Black or African American
☐ Native Hawaiian or Other Pacific Islander
☐ Asian ☐ White

For the following questions, give full details on a separate sheet for all "yes" answers *(see instruction #1)*	Yes	No
20. Have you ever held a federal firearms license? *(if so, please include FFL#)* _____		
21. Have you ever been a responsible person on a federal firearms license? *(if so, please include FFL#)* _____		
22. Have you ever been an officer in a corporation holding a federal firearms license? *(if so, please include FFL#)* _____		
23. Have you ever been an employee of a federal firearms licensee?		
24. Have you ever been denied a federal firearms license?		
25. Have you ever had a federal firearms license revoked?		
26. Are you **under indictment or information** in any court for a felony, or any other crime, for which the judge could imprison you for more than one year, or are you a current member of the military who has been charged with violation(s) of the Uniform Code of Military Justice and whose charge(s) have been referred to a general court-martial? *(see definition #10)*		
27. Have you ever been **convicted** in any court, including a military court, for a **felony**, or any other crime, for which the judge could have imprisoned you for more than one year, even if you received a shorter sentence, including probation? *(see definition #10)*		
28. Are you a **fugitive** from justice? *(see definition #11)*		
29. Are you **under 21 years** of age?		
30. Are you an **unlawful user** of, or addicted to, marijuana or any depressant, stimulant, narcotic drug, or any other controlled substance? **Warning: using or possessing marijuana remains unlawful under federal law regardless of whether it has been legalized or decriminalized for medicinal or recreational purposes in the state where you reside.**		
31. Have you ever been adjudicated as a **mental defective** OR have you ever been committed to a mental institution? *(see definitions #12 and #13)*		
32. Have you been discharged from the Armed Forces under **dishonorable** conditions?		
33. Are you subject to a **court order restraining** you from harassing, stalking, or threatening your child or an intimate partner or child of such partner? *(see definitions #5 and #6)*		
34. Have you ever been convicted in any court of a **misdemeanor crime of domestic violence**? *(see definitions #6 and #7)*		

35. Citizenship country: *(check/list more than one, if applicable. Nationals of the United States may check U.S.A.)*

☐ United States of America ☐ Other country/countries *(specify)*: _____

	Yes	No
36. Have you ever **renounced** your United States citizenship?		
37. Are you an **alien illegally or unlawfully** in the United States?		
38. a. Are you an alien who has been admitted to the United States under a non-immigrant visa? *(see definition #8)*		
b. If you are such an alien, do you fall within any of the exceptions stated in definition #9? Attach supporting documentation to the application. *(U.S. citizens/nationals leave 38b blank)*		

39. If you are an alien, record your U.S.-Issued Alien or Admission number *(AR#, USCIS#, or I94#)* _____

40. Under the penalties imposed by 18 U.S.C. §§ 924 and 1001, I declare that I have examined any related documents submitted in regard to this questionnaire/ATF Form 5310.12 Part B, and to the best of my knowledge and belief, they are true, correct and complete. This signature, when presented by a duly authorized representative of the U.S. Department of Justice, will constitute consent and authority for the appropriate U.S. Department of Justice representative to examine and obtain copies and abstracts of records and to receive statements and information regarding my background. Specifically, I hereby authorize release of the following data or records to ATF: Military information/records, medical information/records, police and criminal records.

Applicant's printed name **Applicant's signature** **Date**

EACH RESPONSIBLE PERSON MUST COMPLETE AND SIGN A SEPARATE RESPONSIBLE PERSON QUESTIONNAIRE (ATF FORM 5310.12B)

Attach a 2" X 2" photograph here

If you are ONLY applying for a Type 03, a photograph is not required.

1. Photo must have been taken within the last six months.
2. Photo must have been taken in full face view without a hat or head covering that obscures the hair or hairline.
3. On back of photograph, print full name, last 4 of SSN, and business address.

Full printed name

If applying for a NEW FFL:
Send application, fingerprint card(s), photograph(s), *pay.gov* payment confirmation page, and a separate Supplemental FFL Responsible Person Questionnaire (Form 5310.12B) for EACH responsible person, to:

FFLapplications@atf.gov
(if emailing, ensure ALL attachments are in PDF format)

OR

ATF - FFLC
244 Needy Road
Martinsburg, WV 25405

If only adding a RP to an existing FFL:
Each responsible person being added must complete separate Supplemental FFL Responsible Person Questionnaire and send it, along with their fingerprint card and photograph, to: FFLC@atf.gov or ATF-FFLC, 244 Needy Road, Martinsburg, WV 25405. The questionnaire(s) must be accompanied by a signed written request from a current/existing RP on the license giving permission to add the responsible person(s). If emailing, ensure ALL attachments are in PDF format.

Type 03 Applicants:
A photograph and fingerprint card are not required if you are ONLY applying for a Type 03 collector of curios and relics license.

Questions:
If you have any questions relating to this form, please contact the ATF Federal Firearms Licensing Center at 1-866-662-2750, or your local ATF Industry Operations Office.

Instructions/Definitions for ATF Form 5310.12 (Form 7)
(Do not return this sheet when submitting your application)

Issuing your license will be delayed if the application fee is not paid in full or if the application is incomplete/improperly prepared.

Instructions

Please obtain your downloadable forms from atf.gov to ensure you are using the most current version.

1. **Completing application -** TYPE or PRINT with ball-point pen. Any attached sheets should:
   a. be identified at the top of each page with your name and Employer Identification number or Social Security number.
   b. refer to the item/question(s) being answered.

2. **Person who signs the application** - The certification in part A, item #21 must be signed by a responsible person *(see definition #3)*.

3. **Releasing information -** This application package requires you to authorize the release of certain information to ATF such as medical information/records *(see part A, item #21 and part B, item #40)*. This information is used to determine, for example, whether the applicant has ever been adjudicated as a mental defective or committed to any mental institution. This information is protected by the Privacy Act of 1974.

4. **Chief law enforcement officer *(CLEO)*** - Applicants must submit a copy of the completed application to the chief law enforcement officer (CLEO) of the locality in which the premises sought to be licensed is located *(see definition #1)*. This copy may be sent electronically. Part A, item #20d requires certification that a completed copy of the application has been sent.

5. **Payment** - You MUST submit payment for the total application fee via *www.pay.gov.* At the *pay.gov* home page, enter "FFL" into the search field at the top right corner of the page. Then select "ATF Form 7: Application for Federal Firearms License." Once you locate the proper form, please follow the instructions within *pay.gov* to complete the payment process. *Pay.gov* will accept various forms of payment, including, but not limited to, credit cards and debit cards. You must record the *pay.gov* tracking ID number in item 11 on the front of this application. **IMPORTANT:** Once you have completed the payment process, please download or print a copy of the payment confirmation page from *pay.gov* to include with your application. Please keep a copy of the *pay.gov* payment confirmation page for your records as well. Email your application, all supplemental documents, and *pay.gov* payment confirmation page to FFLapplications@atf.gov (if emailing, ensure ALL attachments are in PDF format) OR mail to ATF-FFLC; 244 Needy Road; Martinsburg, WV 25405.
   ATF will return applications emailed or mailed with physical payment (such as credit card information, check, or money order) without processing. Licenses are issued for a period of three years. ATF will not refund any part of a license fee when the licensed operations are, for any reason, discontinued during the three-year period.

6. **Fingerprint cards and photographs** - The following items must accompany this application. Failing to submit these items will delay processing and may result in ATF denying the application. **NOTE:** A fingerprint card and photograph are NOT required if applying for only a type 03 license.
   a. ATF Form 5310.12 part B, Responsible Person Questionnaire, must be completed and submitted for ALL responsible persons *(see definition #3).* If you have more than one RP, the additional RPs must use the stand-alone version, ATF Form 5310.12B, Supplemental FFL Responsible Person Questionnaire. If you need to add an additional responsible person to your FFL in the future, the responsible person being added must complete ATF Form 5310.12B. *(see instruction #7)*
   b. A properly prepared fingerprint card (form FD-258) must be submitted for ALL responsible persons, unless they have previously submitted one as an RP for another FFL. The fingerprints must be clear for accurate classification and taken by someone properly equipped to take them. To facilitate fingerprint processing, the FD-258 should list "WVATF1100 ATF-FFLC, MARTINSBURG, WV" in the ORI block.
   c. A 2-inch by 2-inch photograph of EACH responsible person. The photograph should be attached to the back of their ATF Form 5310.12 part B, Responsible Person Questionnaire or ATF Form 5310.12B. Please ensure that each photograph is clearly identified on the reverse with the full name of the responsible person to whom the photograph applies.

7. **Adding additional responsible person(s)** - Each responsible person being added must complete a separate Supplemental FFL Responsible Person Questionnaire (ATF Form 5310.12B) and email or mail it, along with their fingerprint card and photograph, to: FFLapplications@atf.gov (if emailing, ensure ALL attachments are in PDF format) or ATF-FFLC; 244 Needy Road; Martinsburg, WV 25405. The questionnaire(s) must be accompanied by a signed written request from a current/existing RP on the license giving permission to add the responsible person(s).

8. **License types** - A type 03 license issued under 18 U.S.C. chapter 44:
   a. Is NOT a license to carry, use, or possess a firearm.
   b. Confers NO right or privilege to conduct an activity contrary to state or other law.
   c. Will entitle you to acquire firearms, classified as curios or relics, in interstate or foreign commerce. You may dispose of curios and relics to any person, not otherwise prohibited by the Gun Control Act of 1968, residing within your state, and to any other federal firearms licensee in any state. ATF emphasizes that a collector's license pertains exclusively to firearms classified as curios and relics, and its purpose is to facilitate a personal collection. You may NOT engage in the business of buying and selling any type of firearm with a type 03 license. Applicants intending to engage in the firearms business should apply for a license other than a type 03, collector of curios and relics, license.

Type 01, 02, 06, 07, 08, 09, 10, and 11 licenses issued under 18 U.S.C. chapter 44:

   a. Are NOT licenses to carry, use, or possess a firearm.
   b. Confer NO right or privilege to conduct business or activity contrary to state or other law. State laws or local laws or ordinances may have requirements affecting your proposed firearms business. Contact your state and local authorities for specific information on their requirements.
   c. Are business licenses and will NOT be issued to an applicant solely intending to enhance a personal firearm collection.
   d. Are NOT licenses to sell ammunition only.

NOTE: Multiple licenses - You can apply for more than one license if the business is to be conducted at the same location, by checking more than one type of license in part A, item #10. If business is to be conducted at multiple locations, a separate application and license fee is required for each business location.

9. **Imports -** Applicants intending to import firearms and/or ammunition may need to register with ATF under the provisions of the Arms Export Control Act. Contact the Firearms and Explosives Imports Branch at (304) 616-4550 for further information on registration.

10. **National Firearms Act (NFA)/Special Occupational Tax (SOT) -** Applicants intending to deal in, import, or manufacture weapons subject to the NFA *(e.g., machine guns, short-barreled shotguns, silencers, destructive devices, etc.)* are required to pay a Special Occupational Tax *(SOT). (see definition #18)* Contact the NFA Division at (304) 616-4500.

11. **Manufacturing -** Generally, persons holding a manufacturer's license (FFL Type 06, 07 or 10) must register as a manufacturer with the Department of State unless exempted by the Directorate of Defense Trade Control (DDTC), regardless of whether the manufacturer actually exports any of the items manufactured. Therefore, applicants intending to manufacture and/or export defense articles, as defined on the United States Munitions List (part 121 of the ITAR), may need to register with Directorate of Defense Trade Controls (DDTC). Direct questions to the DDTC at 202-663-2980 or www.pmddtc.state.gov.

12. **Denying application -** If you do not qualify for a license, ATF will advise you in writing of the reasons for denying the application and will refund your application fee.

13. **Military installation -** If "Military Installation" was selected in part A, item #14 as the type of business premises, you must attach a copy of written authorization from the base commander to conduct a firearms business on the military installation.

14. Where to send application - Make a copy of your completed application for your records. Then, forward the application (with pay.gov tracking ID number listed), one completed part B questionnaire for the RP and one ATF Form 5310.12B Responsible Person Questionnaire for EACH additional responsible person - with properly identified photo attached and fingerprint card(s) - and pay.gov payment confirmation page, to:

FFLapplications@atf.gov (if emailing, ensure ALL attachments are in PDF format)
OR
ATF-FFLC
244 Needy Rd
Martinsburg, WV 25405

15. **Contact us -** If you have any questions relating to this application, please contact the ATF Federal Firearms Licensing Center; 244 Needy Road; Martinsburg, WV 25405, Toll free 1-866-662-2750, or your local ATF Industry Operations Office. Contact information for your local office can be found at www.atf.gov.

Definitions

1. **Chief law enforcement officer** - The chief of police, sheriff, or an equivalent designee of such individual, of the locality in which the premises sought to be licensed, is located.

2. **Licensed collector** - A collector of curios and relics only and licensed under the provisions of 18 U.S.C. 923. You may not use the license to obtain firearms that are not classified as curios and relics. Collectors are not licensed to conduct any business.

3. **Responsible person (RP)** - Any individual possessing, directly or indirectly, the power to direct or cause the direction of the management and policies of a sole proprietorship, corporation, company, partnership, or association, insofar as they pertain to firearms.

4. **Secure gun storage or safety device** - (A) a device that, when installed on a firearm, is designed to prevent the firearm from being operated without first deactivating the device; (B) a device incorporated into the design of the firearm that is designed to prevent the operation of the firearm by anyone not having access to the device; or (C) a safe, gun safe, gun case, lock box, or other device that is designed to be or can be used to store a firearm and that is designed to be unlocked only by means of a key, a combination, or other similar means.

5. **Restraining order** - Under 18 U.S.C. § 922(g)(8), firearms may not be possessed or received by persons subject to a court order that: (A) was issued after a hearing of which the person received actual notice and had an opportunity to participate in; (B) restrains such person from harassing, stalking, or threatening an intimate partner 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.

6. **Intimate partner** - With respect to a person, the spouse of the person, a former spouse of the person, an individual who is a parent of a child of the person, or an individual who cohabitates or has cohabitated with the person.

7. **Misdemeanor crime of domestic violence** - A Federal, including a general court-martial, State, local, or tribal offense that is a misdemeanor under Federal, State, or tribal 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 cohabitating with, or has cohabitated with the victim as a spouse, parent, or guardian, or by a person who has a current or recent former dating relationship with the victim (as defined in 18 U.S.C. § 921(a)(37)). The term includes all misdemeanors that have as an element the use or attempted use of physical force or the threatened use of a deadly weapon (e.g., assault and battery), if the offense is committed by one of the defined parties. (See Exception in the definition of "Prohibited Person"). A person who has been convicted of a misdemeanor crime of domestic violence also is not prohibited unless; (1) the person was represented by a lawyer or gave up the right to a lawyer; or (2) if the person was entitled to a jury, was tried by a jury, or gave up the right to a jury trial. Persons subject to this exception should mark "no" in the applicable box.

8. **An alien admitted to the United States under a non-immigrant visa** - Includes, among others, persons visiting the United States temporarily for business or pleasure, persons studying in the United States who maintain a residence abroad, and certain temporary foreign workers. The definition does NOT include permanent resident aliens, nor does it apply to non-immigrant aliens admitted to the United States pursuant to either the Visa Waiver Program or to regulations otherwise exempting them from visa requirements.

9. **Exceptions to prohibition on aliens admitted under a non-immigrant visa -** An alien admitted to the United States under a non-immigrant visa is not prohibited from purchasing, receiving, or possessing a firearm if the alien: (1) is in possession of a hunting license or permit lawfully issued by the federal government, a state, or local government, or an Indian tribe federally recognized by the Bureau of Indian Affairs, which is valid and unexpired; (2) was admitted to the United States for lawful hunting or sporting purposes; (3) has received a waiver from the prohibition from the Attorney General of the United States; (4) is an official representative of a foreign government who is accredited to the United States Government or the Government's mission to an international organization having its headquarters in the United States; (5) is an official representative of a foreign government who is en route to or from another country to which that alien is accredited; (6) is an official of a foreign government or a distinguished foreign visitor who has been so designated by the Department of State; or (7) is a foreign law enforcement officer of a friendly foreign government entering the United States on official law enforcement business.

10. **Prohibited person -** Generally, 18 U.S.C. 922(g) prohibits the shipment, transportation, receipt, or possession in or affecting interstate commerce of a firearm by one who: has been convicted of a felony in any federal, including a general court-martial, state or local court, or any other crime, punishable by imprisonment for a term exceeding one year; is a fugitive from justice; is an unlawful user of, or addicted to, marijuana or any depressant, stimulant, or narcotic drug, or any other controlled substance; has been adjudicated as a mental defective or has been committed to a mental institution; has been discharged from the Armed Forces under dishonorable conditions; is subject to certain restraining orders; convicted of a misdemeanor crime of domestic violence under federal, including a general court-martial, state or tribal law; has renounced his/her U.S. citizenship; is an alien illegally in the United States or an alien admitted to the United States under a non-immigrant visa. Furthermore, section 922(n) prohibits the shipment, transportation, or receipt in or affecting interstate commerce of a firearm by one who is under indictment or information for a felony in any federal, including a general court-martial, State or local court, or any other crime, punishable by imprisonment for a term exceeding one year. An information is a formal accusation of a crime verified by a prosecutor.
A member of the Armed Forces must answer "yes" to question 26 if charged with an offense that is referred to a general court-martial. A current or former member of the Armed Forces must answer "yes" to question 27 if convicted under a general court-martial.
Discharged "under dishonorable conditions" means separation from the Armed Forces resulting from a dishonorable discharge or dismissal adjudged by a general court-martial. That term does not include any other discharge or separation.
EXCEPTION - A person is not prohibited from receiving or possessing a firearm if that person: (1) has been convicted of any federal or state offense pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices; (2) has been convicted of a State misdemeanor punishable by imprisonment of two years or less; or (3) following conviction of a felony or other crime for which the judge could have imprisoned the person for more than one year, or a misdemeanor crime of domestic violence, has received a pardon, an expungement or set aside of the conviction, or has lost and regained civil rights (the right to vote, sit on a jury, and hold public office) in the jurisdiction in which the conviction occurred, **AND** the law of the convicting jurisdiction does not prohibit the person from receiving or possessing firearms. A person subject to any of these exceptions, or who received relief from disabilities under 18 U.S.C. 925(c), should answer "no" to the applicable question**.**

11. **Fugitive from justice -** Any person who has fled from any state to avoid prosecution for a felony or a misdemeanor, or any person who leaves the State to avoid giving testimony in any criminal proceeding. The term also includes any person who knows that misdemeanor or felony charges are pending against such person and who leaves the state of prosecution.

12. **Adjudicated as a mental defective -** A determination by a court, board, commission, or other lawful authority that a person, as a result of marked subnormal intelligence, or mental illness, incompetency, condition, or disease: (1) is a danger to himself or to others; or (2) lacks the mental capacity to contract or manage his own affairs. This term shall include: (1) a finding of insanity by a court in a criminal case; and (2) those persons found incompetent to stand trial or found not guilty by reason of lack of mental responsibility.

13. **Committed to a mental institution -** A formal commitment of a person to a mental institution by a court, board, commission, or other lawful authority. The term includes a commitment to a mental institution involuntarily. The term includes commitment for mental defectiveness or mental illness. It also includes commitments for other reasons, such as for drug use. The term does not include a person in a mental institution for observation or a voluntary admission to a mental institution.
EXCEPTION: Under the NICS Improvement Amendments Act of 2007, a person who has been adjudicated as a mental defective or committed to a mental institution in a state proceeding is not prohibited by the adjudication or commitment if the person has been granted relief by the adjudicating/committing state pursuant to a qualifying mental health relief from disabilities program. Also, a person who has been adjudicated as a mental defective or committed to a mental institution by a department or agency of the federal government is not prohibited by the adjudication or commitment if either: (a) the person's adjudication or commitment was set-aside or expunged by the adjudicating/committing agency; (b) the person has been fully released or discharged from all mandatory treatment, supervision, or monitoring by the agency; (c) the person was found by the agency to no longer suffer from the mental health condition that served as the basis of the initial adjudication/commitment; (d) the adjudication or commitment, respectively, is based solely on a medical finding of disability, without an opportunity for a hearing by a court, board, commission, or other lawful authority, and the person has not been adjudicated as a mental defective consistent with section 922(g)(4) of title 18, United States Code; or (e) the person was granted relief from the adjudicating/committing agency pursuant to a qualified mental health relief from disabilities program. Persons who fall within one of the above exceptions should mark "no" in the applicable box. This exception to an adjudication or commitment by a federal department or agency does **not** apply to any person who was adjudicated to be not guilty by reason of insanity, or based on a lack of mental responsibility, or found incompetent to stand trial, in any criminal case or under the Uniform Code of Military Justice.

14. **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.

15. **Firearm** - The term "firearm" means: (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

16. **Federal Firearms License (FFL) -** A license issued under the provisions of the GCA to manufacture, import, or deal in firearms.

17. **Employer Identification Number (EIN) -** An EIN is also known as a Federal Tax Identification Number and is used to identify a business entity. Generally, businesses need an EIN. For more information on who needs an EIN and how to apply for one, go to www.IRS.gov or refer to 27 CFR § 179.35.

18. **Special Occupational Tax (SOT) -** Required by the National Firearms Act to be paid by a federal firearms licensee engaged in the business of importing, manufacturing, or dealing in NFA firearms. Questions regarding SOT should be directed to the ATF NFA Division at (304) 616-4500.

Privacy Act Information

This information is provided pursuant to Section 3 and 7(b) of the Privacy Act of 1974 (5 U.S.C. § 522a(e)(3)):

1. **Authority**: The Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) is authorized to solicit this information under 18 U.S.C. § 923(a) of the Gun Control Act (GCA) of 1968. ATF is authorized to collect this information to determine eligibility of applicants to obtain a federal firearms license (FFL). The implementing regulations are in 27 CFR part 478.

2. **Purpose**: ATF uses the information collected on ATF forms to determine an applicant's eligibility to engage in the business of importing, manufacturing, or dealing in firearms or ammunition, or to maintain a collector's license. The information identifies responsible person(s), verifies compliance with applicable federal, state, and local laws, and supports ATF's regulatory and public safety responsibilities.

3. **Routine uses**: ATF may disclose the information as permitted by the Privacy Act of 1974 (5 U.S.C. § 552a) and in accordance with the System of Records Notice (SORN) JUSTICE/ATF-008 – Regulatory Enforcement Record System. ATF may share the information with federal, state, local, tribal, and foreign law enforcement or regulatory agencies to verify eligibility, support lawful enforcement and compliance activities, and in administrative and judicial proceedings. The information may also be disclosed to the Department of Justice when it appears that furnishing false information may constitute a violation of federal law, or to the public as permitted by law to confirm license validity.

4. **Disclosure**: Providing this information is mandatory under 18 U.S.C. § 923 to obtain an FFL. Failing to provide complete and accurate information will delay application processing and may result in ATF denying a license.

Paperwork Reduction Act Notice

This information collection request is in accordance with the Paperwork Reduction Act of 1995. ATF uses the collected information to determine location and extent of operations, and to determine whether the operations will conform with federal laws and regulations. The information requested is required to retain a benefit and is mandatory by statute (18 U.S.C. § 923). The average burden associated with this collection is 60 minutes per respondent or record keeper, depending on individual circumstances. Direct comments concerning the accuracy of this burden estimate and suggestions for reducing this burden to Reports Management Officer, Information Technology Coordination Staff, Bureau of Alcohol, Tobacco, Firearms, and Explosives, 99 New York Ave, NE, Washington, DC 20226. An agency may not conduct or sponsor, and a person is not required to respond to a collection unless it displays a currently valid OMB control number.