



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Washington, DC 20226

May 20, 2004

Open Letter to Federally Licensed Firearms Importers and Registered Importers of U.S. Munitions Import List Articles

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is committed to keeping industry members informed of regulatory and statutory developments affecting them. In furtherance of this commitment, we have prepared this open letter, which contains information about recent changes that may affect your day-to-day operations and/or long range plans. We hope you find this letter helpful in your business pursuits.

Background

By letter dated April 5, 1996, the Department of State (DOS) advised the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) it has removed Russia from the list of countries from which defense articles and defense services were prohibited from being imported. The DOS letter was issued pursuant to the execution of an agreement, effective April 3, 1996, between the United States and the Russian Federation on exports of firearms and ammunition from the Russian Federation to the United States. The letter from the DOS further directed ATF to process applications for permit to import firearms and ammunition in accordance with the terms and limitations of the above referenced agreement, which identifies in Annex A of the agreement a list of firearms which may be exported from the Russian Federation (Russia) to the United States. By letter dated May 6, 2004, the DOS notified ATF of an amendment to Annex A of the Voluntary Restraint Agreement (VRA).

The Addition of Firearms to Annex A

A decision was agreed upon to amend Annex A between Russian and the United States. In addition, on March 4, 2004, a decision was agreed upon to amend the list by adding 74 types of firearms to the list. Please see the attached list of additional firearms. Please note, that even though these 74 firearms have been added to Annex A, ATF will still need to determine the importability of some of these firearms. Applications to import any of the 74 firearms might only be approved conditionally. Some of the firearms will need to be examined and classified by the Firearms Technology Branch to determine their importability.

Importing Sporting Firearms into a Customs Bonded Warehouse (CBW)

Due to a recent increase in the number of applications to import sporting and sporting surplus military curio or relic firearms into CBWs, ATF would like to clarify two new issues that importers should be aware of.

Importers may now apply for permits to import firearms, firearms parts and sporting ammunition into a CBW. Any applications to import **sporting surplus military curio or relic firearms into a CBW must be supported by the documentation and certification as follows:**

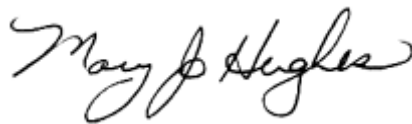
1. Original documentation (such as a warehouse receipt or other document which provides the required history of storage) attesting to where the firearms have been located for the past five years. The firearms must not have been in a proscribed country or area for a five-year period immediately preceding the importation. The information may be obtained from the foreign source from which you purchased the firearms. All documents must be dated within six months of our receipt date.
2. Licensed importer's signed and dated original certification under the penalties of perjury as follows:

"I declare under the penalties of perjury that the _____ (insert type of document such as statement, certificate, application or other documents) including the documents submitted in support thereof has been examined by me and, to the best of my knowledge and belief, is true, correct and complete."

Withdrawing Sporting Firearms, Firearm Parts and Sporting Ammunition from the Customs Bonded Warehouse (CBW)

Prior to withdrawal of sporting firearms, firearm parts and sporting ammunition from the Customs bonded warehouse, you must submit a new ATF Form 6 application describing the specific firearm or parts and/or ammunition you wish to withdraw. **A copy of the approved permit authorizing the article into the Customs bonded warehouse must accompany the new permit application.**

Maintaining open lines of communications is vital to the successful future of ATF's partnership with the import community. The Firearms and Explosives Import Branch is available to answer your questions about the issues addressed in this letter. You may reach us at (202) 927-8320 or by fax at (202) 927-2697.



Mary Jo Hughes
Chief, Firearms and Explosives Services Division

[Attachment](#)