



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Office of the Director

Washington, DC 20226

April 30, 2018

ATF RULING 2018-1

Revoking Certain Guidance Documents

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is revoking several guidance documents; specifically 7 rulings, 1 procedure, and 59 open letters.

It has been determined that the following list of guidance documents are unnecessary, either in whole or in part, to the appropriate application of current law and regulations. Therefore, these guidance documents are hereby revoked.

These documents are listed below, in the order in which they were issued.

Document	Status
Revenue Ruling 69-114	Ruling states that the Massachusetts laws meet the requirements of title 18, United States Code (U.S.C.), section 922(b)(3)(A), and title 26, Code of Federal Regulations (CFR), section 478.96(c), concerning the sale of rifles and shotguns to nonlicensed residents of contiguous states. Ruling is obsolete in light of amendments to the laws and regulations concerning contiguous state firearm sales.
ATF Ruling 75-30	Ruling states that daily summary of magazine transaction records may be maintained at a central location on the licensee's or permittee's premises. Ruling is obsolete in light of amendments to 27 CFR 555.127.
ATF Ruling 77-13	Ruling states that all persons possessing explosive materials must report a theft or loss of such within 24 hours of discovery to ATF and to local authorities. Ruling is obsolete in light of amendments to 27 CFR 555.30.
ATF Ruling 77-25	Ruling states which officials are authorized to certify National Firearms Act (NFA) firearms application and identification forms. Ruling is obsolete in light of amendments to the regulations that no longer require certification.
ATF Ruling 77-26	Ruling lists ammunition that is interchangeable between rifles and pistols or revolvers. Ruling is obsolete in light of

	amendments to the laws and regulations that no longer require Federal firearms licensees (FFLs) to maintain ammunition records (except armor piercing ammunition).
ATF Ruling 80-22	Ruling states that previously approved mobile magazines may be moved and acquired without additional approval. Ruling is obsolete in light of amendments to 27 CFR 555.63.
ATF Ruling 80-23	Ruling states the electrical lighting requirements in explosives magazines. Ruling is obsolete in light of amendments to 27 CFR 555.217.
ATF Procedure 80-7	Procedure for obtaining one-time approval of mobile explosives magazines. Procedure is obsolete in light of amendments to 27 CFR 555.63. It is also referenced in ATF Ruling 80-22 (which is also up for removal).
53 Open Letters dated February 1994	In February 1994, ATF sent open letters to all FFLs in each State and the U.S. territories of Guam, Puerto Rico, and the Virgin Islands. The letters explained the requirements for FFLs to comply with the 1993 Brady Law, including the requirement to abide by a 5-day waiting period before transferring a handgun, to transmit the necessary forms to the Chief Law Enforcement Officer of the State (and identifying them), and to report multiple sales of handguns to ATF. However, in 1997, the Supreme Court declared the interim Brady Law unconstitutional. Additionally, on November 30, 1998, the permanent provisions of the Brady Law became effective, which mandated implementation of the National Instant Criminal Background Check System (NICS) to replace interim Brady. Although the interim Brady Law, 18 U.S.C. 922(s), was never repealed by Congress, these letters are obsolete.
Open Letter to all federally licensed importers and manufacturers dated August 22, 2001	Open letter to all federally licensed importers and manufacturers announcing amendments made to the firearm marking regulations requiring minimum depth of .003 of an inch. Since this letter simply announces changes to 27 CFR 478.92, and have been in effect for almost two decades, this open letter is not necessary.
Open Letter to all Federal firearms and explosives licensees dated November 20, 2001	Open letter to all Federal firearms and explosives licensees requesting that licensees not resubmit paper applications to the NFA Branch due to decontamination, and providing phone numbers for various ATF offices. This letter is obsolete, and the contact information is outdated.
Open Letter to all Federal Explosives Licensees and Permittees dated February 12, 2003	Open letter to all Federal explosives licensees and permittees announcing the issuance of a rulemaking proposing amendments to the explosives regulations relating to fireworks and alternate construction standards for explosive materials. Since those standards are now in place, this open letter is obsolete.

Open Letter to all FFLs dated August 31, 2006	Open letter to all FFLs regarding an FFL Murder-Robbery. On August 12, 2006, a murder-robbery occurred at Fast Cash Pawn Shop in Greenville, South Carolina. The owner of the business was killed, and 96 firearms were stolen. This open letter was issued on August 31, 2006, in an effort to locate the firearms. However, the ATF criminal case was closed after the perpetrator was convicted in State court of murder. According to the case agent, this open letter no longer serves any purpose and is obsolete.
Open Letter to all FFLs dated November 4, 2008	Open letter to all FFLs setting a mandatory must-use date for the August 2008 version of ATF Form 4473. This letter is obsolete.
Open Letter to Washington FFL's dated August 12, 2011	Open letter to all FFLs in the State of Washington advising that Washington State concealed pistol licenses (CPLs) issued after July 22, 2011, qualify as alternatives to the NICS check required by the Brady Law. However, Washington State law, RCW 9.41.090(2b), requires FFLs to conduct NICS background checks on persons who hold CPLs, regardless of the date of issuance. Because the 2011 Open Letter may mislead Washington FFLs into believing that no background check is required when transferring pistols to individuals presenting a valid CPL, this letter should be removed.

Held, that the 7 rulings, 1 procedure, and 59 open letters listed in this ruling are hereby revoked.

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Deputy Director