



August 4, 2026

*By electronic submission to <https://www.regulations.gov>.*

ATF Rulemaking Comments  
Mail Stop 6N-518, Office of Regulatory Affairs  
Enforcement Programs and Services  
Bureau of Alcohol, Tobacco, Firearms and Explosives  
99 New York Ave. NE  
Washington, DC 20226

**Re: Docket No. ATF-2026-0071; RIN 1140-AA97  
Comment on Proposed Rule on “Importing Training Rounds”**

**Docket No. ATF-2026-0069; RIN 1140-AA93  
Comment on Proposed Rule on “Firearm Activities in Foreign Trade Zones,  
Customs-Bonded Warehouses”**

**Docket No. ATF-2026-0070; RIN 1140-AA96  
Comment on Proposed Rule on “Importing Dual-Use Frames, Receivers, or  
Barrels”**

**Docket No. ATF-2026-0100; RIN 1140-AA68  
Comment on Proposed Rule on “Converting Temporary to Permanent Imports for  
Defense Articles”**

To Whom It May Concern:

Everytown for Gun Safety Support Fund<sup>1</sup> (“Everytown”) and GIFFORDS Law Center to Prevent Gun Violence<sup>2</sup> submit this comment in response to four notices of proposed rulemaking (“NPRMs”) issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) that would amend regulations relating to imports of firearms and/or ammunition, including regarding importing training rounds (RIN 1140-AA97); firearms activities in foreign trade zones and

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<sup>1</sup> Everytown for Gun Safety Support Fund is the education, research and litigation arm of Everytown for Gun Safety, the largest gun violence prevention organization in the country with nearly 11 million supporters and more than 700,000 donors. The Everytown Support Fund seeks to improve our understanding of the causes of gun violence and help to reduce it by conducting groundbreaking original research, developing evidence-based policies, communicating this knowledge to the American public, and advancing gun safety and gun violence prevention in communities and the courts.

<sup>2</sup> GIFFORDS is committed to advancing commonsense change that makes communities safer from gun violence. Operating out of offices in San Francisco and Washington DC, and states across the country from Florida to Arizona, our staff partners with lawmakers and advocates at the federal, state, and local levels to craft and enact lifesaving gun safety laws, provide expertise in critical gun violence prevention litigation, and educate the public on the proven solutions that reduce gun violence.

customs-bonded warehouses (RIN 1140-AA93); importing dual-use frames, receivers, or barrels (RIN 1140-AA96); and converting temporary to permanent imports for defense articles (RIN 1140-AA68).

**These proposed rule changes would weaken commonsense import regulations and likely allow significantly more firearm and ammunition imports to flood the U.S. civilian market, including parts that can be used to assemble and configure military-style assault weapons and machineguns. These changes are largely designed to provide increased profitability for a small group of firearm import businesses, but they provide no meaningful benefit for Americans' public safety and will likely create harmful public safety costs.**

ATF's proposals would loosen import restrictions and boost firearms imports at a time when there is already a saturated civilian market for firearms in the United States. There are hundreds of millions of civilian-owned firearms in the United States.<sup>3</sup> Imports have long been a significant source of civilian firearm supply; between 2013 and 2023, an average of nearly 5.5 million firearms per year were imported into the United States according to ATF data.<sup>4</sup> By way of comparison, an average of nearly 10.3 million firearms per year were manufactured in the United States in that timeframe.<sup>5</sup>

Reasonable regulation of the importation of firearms, firearms parts, and ammunition helps protect both public safety as well as the competitive position of domestic firearms manufacturers. To that end, the Gun Control Act ("GCA"), at 18 U.S.C. § 922(l), makes it unlawful for any person to knowingly import or bring into the United States any firearm or ammunition except for a list of purposes permitted under 18 U.S.C. § 925(d).<sup>6</sup> The National Firearms Act ("NFA"), at 26 U.S.C. § 5844, similarly limits importation of NFA firearms including machineguns. The Arms Export Control Act ("AECA") further restricts importation of certain defense articles, including firearms, parts, and ammunition that appear on the U.S. Munitions Import List ("USMIL").

Despite the importance of firearm import regulation and ATF's past vigilance in carefully monitoring and limiting the flow of these imports into the civilian market, ATF has now put forward a set of proposals that undermine that regulatory framework. Many of the proposed regulatory changes target their benefits toward a small number of firearm importing businesses while imposing foreseeable costs on public safety and U.S.-based manufacturers. In several of these NPRMs, ATF has barely analyzed the rules' public safety costs or ignored those costs altogether. Because of the substantive and procedural deficiencies in these four NPRMs, We urge ATF not to proceed with the proposed rules or, at minimum, to revise the proposals to close loopholes in accordance with the recommendations in this comment.

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<sup>3</sup> See Jennifer Mascia and Chip Brownlee, "How Many Guns Are Circulating in the U.S.?" The Trace, March 6, 2023, *available at* <https://www.thetrace.org/2023/03/guns-america-data-atf-total/>.

<sup>4</sup> ATF, "Firearms Commerce in the United States, Statistical Update, 2024," at p. 3, Exhibit 3, *available at* <https://www.atf.gov/media/22706/download>.

<sup>5</sup> *Id.* at p. 1, Exhibit 1.

<sup>6</sup> 18 U.S.C. 925(d) lists allowable purposes for importation such as for research purposes, use in connection with competition or training, firearms that a person took out of the U.S. and is now returning, and for GCA weapons "generally recognized as particularly suitable for or readily adaptable to sporting purposes."

**I. ATF’s proposal to allow general importation of training rounds must at minimum be clarified to avoid loopholes that would compromise public safety, including by defining “training round” in a way that excludes rounds capable of being used in a firearm. (RIN 1140-AA97)**

In the NPRM entitled, “Importing Training Rounds” (RIN 1140-AA97), ATF proposes to amend the regulatory definition of “ammunition” to exclude “any fully assembled training round that is not designed: (1) for offensive or defensive combat; and (2) to be used in a device that is a weapon.”<sup>7</sup> This proposed rule would allow the general importation of such training rounds without the items being subject to ammunition import restrictions, in order to provide convenience and financial benefits for certain ammunition industry importers.<sup>8</sup> We do not object to the importation and use of training rounds for legitimate training purposes, provided that the rounds can only be used in training guns that do not pose a threat to public safety. However, the proposed rule fails to define the term “training round” in a way that ensures public safety is protected, and this is a critical flaw in the NPRM that warrants its withdrawal. At a minimum, ATF should define the term “training round” in order to close loopholes that could facilitate general importation of rounds that are capable of being used in firearms.

**A. Prior to 2025, ATF treated training rounds as ammunition in accordance with federal law and carefully regulated their importation.**

Longstanding federal law provides for careful regulation of ammunition imports. The AECA requires those seeking to import defense articles, including ammunition, to obtain a license,<sup>9</sup> and the GCA prohibits importing ammunition into the United States<sup>10</sup> unless the importation is for the use of a government agency<sup>11</sup> or is for one of a specific list of purposes enumerated in 18 U.S.C. § 925(d) (e.g., for scientific or research purposes, for use in connection with competition or training, or if the ammunition is particularly suitable for sporting purposes).<sup>12</sup>

Ammunition is defined in 18 U.S.C. § 921(a)(17)(A) as “ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.” Training ammunition, such as marking rounds, often meets this definition because it contains all of these components and is designed for use in firearms, particularly those converted to fire training ammunition but that may be readily restored to firing conventional ammunition.<sup>13</sup> Prior to 2025, ATF correctly determined that training rounds met the definition of “ammunition,” and thus training rounds have been subject to the general prohibition on importation except for the purposes listed in 18 U.S.C. § 925(d). In June 2025, then-Deputy Director Cekada changed course and issued a ruling letter stating that ATF “authorizes the importation of certain marking rounds (‘training rounds’) because these training rounds do not meet the definition of ‘ammunition.’”<sup>14</sup> ATF noted in its

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<sup>7</sup> 91 Fed. Reg. 24408.

<sup>8</sup> 91 Fed. Reg. 24404.

<sup>9</sup> 22 U.S.C. § 2278(b)(2).

<sup>10</sup> 18 U.S.C. § 922(l).

<sup>11</sup> 18 U.S.C. § 925(a)(1).

<sup>12</sup> 18 U.S.C. §§ 925(d)(1), (3).

<sup>13</sup> See, e.g., advertisement for Simunition 5.56mm FX marking cartridge, available at <https://simunition.com/wp-content/uploads/2025/12/400000281-SIM-556-FX-Marking-Cartridge-202512.pdf>.

<sup>14</sup> ATF Ruling 2025-2, June 23, 2025, available at <https://www.atf.gov/media/19186/download>.

ruling letter and in this NPRM that this change came after ATF received inquiries from firearm industry members “on the importability of training rounds that contain ammunition components such as cartridge cases, primers, or propellant power” if the training rounds were to be used for purposes that fall outside the existing statutory exceptions to the importation prohibition.<sup>15</sup>

Prompted by these industry inquiries, ATF reviewed its determination that training rounds constitute “ammunition” and decided that “its initial analysis is flawed and that training rounds do not come within the statutory definition of ‘ammunition’ because training rounds are not ‘designed for use in any firearm’ which is an element of the definition under 18 U.S.C. 921(a)(17)(A).”<sup>16</sup>

**B. ATF’s justifications for not treating training rounds as “ammunition” rely upon misrepresentations, and the proposed rule does not define “training rounds” in a way that ensures the rounds will not be used in firearms.**

In explaining its decision to exclude training rounds from the definition of “ammunition” and to allow their general importation, ATF provides several rationales which do not comport with federal law and are not reflected in the actual text of ATF’s proposed rule. The proposed rule must be withdrawn unless it is significantly modified, including by providing a definition of “training rounds” that reflects the specific characteristics that ATF has relied upon in making its determination that training rounds are not ammunition. Such characteristics include the following:

- “Training round” should be defined not just by what it is *not* designed to do, but by what it is designed to do. ATF’s proposed rule states that the definition of “ammunition” does *not* include a “fully assembled training round that is not designed (1) for offensive or defensive combat; and (2) to be used in a device that is a weapon.” This articulation creates ambiguity. It leaves it unclear what a training round is (for example, as distinguished from other types of less-than-lethal ammunition), and whether the definition of “ammunition” would apply to a training round that is not *designed* to be used in a weapon or for offensive or defensive combat but that is still *capable* of being used (or misused) in those ways. General importation of such rounds would undermine the longstanding system of careful regulation of ammunition imports.

This ambiguity should be reduced by providing a definition of “training round” that, among other things, identifies what the round *is* designed to do. The NPRM says that training rounds “are designed to be fired from specially adapted training guns, which usually consist of a conversion kit (including special slide or bolt, barrel, or assembly and other components) that is placed on the firearm frame or receiver.”<sup>17</sup> This requirement that a training round be “designed to be fired from a specially adapted training gun” should be part of a definition of “training round” in the NPRM.

Further, ATF notes in the NPRM that training guns are not mentioned in the GCA’s definition of “firearm” and do not fall within that definition because training guns “are generally not capable of being readily converted to expel a projectile by the action of an

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<sup>15</sup> 91 Fed. Reg. 24401.

<sup>16</sup> 91 Fed. Reg. 24401.

<sup>17</sup> 91 Fed. Reg. 24401-2.

explosive.”<sup>18</sup> However, ATF concedes in a footnote that training guns can be designed or be made able to incorporate components that make them readily convertible to expel a projectile by the action of an explosive. In Footnote 7 of the NPRM, ATF says that “[s]hould a training gun be designed or be able to incorporate components that make it readily convertible to expel a projectile by the action of an explosive, a separate analysis would be necessary to determine if it [is] a weapon and thus a ‘firearm’ under 18 U.S.C. 921(a)(3)(A).”<sup>19</sup> Such a critical distinction should not be buried in a footnote, as ATF knows many training guns are readily convertible to firing conventional ammunition and are thus “firearms” under the law, and it is unclear if ATF plans to perform that “separate analysis” with further rulemaking or individual classifications hidden from the public. The NPRM’s definition of training round should therefore make clear that the round is designed to be used in a training gun that is not able to incorporate components that make it readily convertible to expel a projectile by the action of an explosive.

- “Training round” should also be defined as an inert, marking, or simulated-projectile product used for training. In a social media post discussing this NPRM dated July 15, 2026, ATF stated, “ATF is proposing to clarify that ‘training rounds,’ including inert, marking, and simulated-projectile products used for training, do not meet the statutory definition of ‘ammunition’ under the Gun Control Act...The change provides clear regulatory certainty for manufacturers, importers, and law enforcement suppliers.”<sup>20</sup> ATF should provide the same clarity in the proposed rule text as it does in this social media post by specifically mentioning in the definition of “training round” that the round must be “an inert, marking, or simulated-projectile product used for training.”

Thus, the NPRM should, at minimum, be revised to include in 27 C.F.R. § 478.11 a definition of “training round” that provides as follows:

***Training round.* A round that is an inert, marking, or simulated-projectile product used for training and that is designed to be fired from a training gun, provided that the training gun is not able to incorporate components that make it readily convertible to expel a projectile by the action of an explosive.**

This definition will help ensure that the NPRM does not create ambiguity or loopholes that allow general importation of rounds that are in fact capable of being used in a firearm and that would undermine ammunition import regulations and put public safety at risk.<sup>21</sup> ATF should modify its NPRM to include this definition, and should withdraw the NPRM if such a definition is not incorporated.

## **II. ATF’s proposal to exempt firearms, firearm barrels, and ammunition brought into customs bonded warehouses from Gun Control Act and National Firearms Act import limitations and to allow such items to be brought into into customs bonded**

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<sup>18</sup> 91 Fed. Reg. 24402.

<sup>19</sup> 91 Fed. Reg. 24402, fn 7.

<sup>20</sup> ATFHQ post on X, July 15, 2026, available at <https://x.com/ATFHQ/status/2077407931776008447>.

<sup>21</sup> To further reduce the possibility of ambiguity, ATF should also consider defining “less-than-lethal ammunition,” which ATF says falls within the definition of ammunition, in order to avoid confusion between training rounds (which are designed to be non-lethal) and less-than-lethal ammunition.

**warehouses and foreign trade zones for purposes beyond “storage” are unjustified handouts to a small subset of firearms importers with foreseeable negative impacts on public safety and domestic firearms manufacturers. (RIN 1140-AA93)**

In its NPRM entitled, “Firearms Activities in Foreign Trade Zones, Customs-Bonded Warehouses” (RIN 1140-AA93), ATF seeks to:

- Create an exclusion from GCA and NFA import requirements for firearms and ammunition brought into a customs bonded warehouse (“CBW”) similar to the GCA and NFA exclusions in current law for foreign trade zones (“FTZs”);
- Create a new exclusion from GCA and NFA requirements for firearm barrels brought into both CBWs and FTZs; and
- Remove the current condition that such items may be brought into FTZs (and, under the proposed rule, into CBWs as well) only “for storage.”

These proposed changes appear crafted purely for the benefit of a small subset of firearms import businesses, and provide no identifiable benefit to other stakeholders. It is also foreseeable that these changes would have negative consequences for public safety and for domestic firearms manufacturers, yet the NPRM does not adequately consider or address these consequences. This NPRM should be withdrawn, for the reasons discussed below.

**A. Background on foreign trade zones, customs bonded warehouses, and relevant firearms import regulations.**

FTZs are designated areas located in or near U.S. ports of entry into which businesses may import goods duty-free for warehousing or production purposes. FTZs are established by the Department of Commerce’s Foreign-Trade Zones Board (“FTZ Board”), and are considered outside of U.S. customs territory for purposes of duty payment but not outside of U.S. legal jurisdiction.<sup>22</sup> FTZs are under the supervision of U.S. Customs and Border Protection (“CBP”), and foreign and domestic merchandise may be moved into FTZs, subject to FTZ Board and CBP regulations, for purposes such as storage, exhibition, assembly, manufacturing, and processing.<sup>23</sup> The merchandise may then be imported from the FTZ into the United States with duties collected, or exported to foreign countries. There were 199 FTZs active in 2024, receiving over \$374 billion in merchandise for warehouse/distribution operations and nearly \$590 billion for production operations.<sup>24</sup>

Currently, GCA and NFA regulations provide an exclusion from their definitions of “importation” for the bringing of firearms and ammunition into FTZs “for storage” while the items are pending shipment to a foreign country or subsequent importation to the United States.<sup>25</sup> Thus, firearms and ammunition may be brought into FTZs “for storage” without being constrained by the GCA’s and NFA’s general import restrictions which only allow importation

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<sup>22</sup> 19 U.S.C. §§ 81a - 81u; 15 C.F.R. § 400.1(c).

<sup>23</sup> See FTZ Board, “86th Annual Report of the Foreign-Trade Zones Board to the Congress of the United States,” at p. 2, available at <https://www.trade.gov/sites/default/files/2025-12/AR-2024%20%28002%29.pdf?v=1785038878989>.

<sup>24</sup> *Id.* at 6.

<sup>25</sup> 27 C.F.R. § 478.11; 27 C.F.R. § 479.11.

for specific limited purposes.<sup>26</sup> In 2024, according to the FTZ Board’s annual report, arms and ammunition production accounted for \$17 million in FTZ merchandise, and arms and ammunition warehousing/distribution accounted for \$5 million, representing small fractions of the hundreds of billions of dollars of merchandise overall moved into FTZs in that year.<sup>27</sup>

CBWs are warehouse buildings supervised by CBP in which imported goods may be stored, manipulated (e.g., repacked, sorted, or cleaned), or held in bond for up to five years until the goods are exported to a foreign country, imported into the United States after payment of a duty, or destroyed.<sup>28</sup> There are over 1,700 CBWs in the United States.<sup>29</sup> CBWs are currently not exempted from the definition of “importation” under the GCA and NFA, so firearms must qualify for an exception to the general importation prohibitions of the GCA (18 U.S.C. § 925(d)) and NFA (26 U.S.C. § 5844) in order to be moved into a CBW.

Despite current law’s application of importation restrictions on the bringing of firearms into CBWs, “[s]ome firearms industry members have historically conducted firearms activities such as storage, manipulation, or destruction in CBWs rather than in FTZs” and ATF was compelled to publish an Open Letter to FFLs in October 2024 emphasizing that GCA and NFA regulations permit an importer to bring firearms and ammunition into FTZs, but not CBWs, for storage.<sup>30</sup> This 2024 Open Letter made clear that some firearms importers needed to transfer their operations from CBWs to FTZs, which appears to have prompted industry members to ask ATF to change course and issue this proposed rule.

**B. The proposed rule would seek to benefit a subset of firearms importers by exempting CBWs and firearm barrels from GCA and NFA importation restrictions and by removing the “for storage” requirement to allow firearms, barrels, and ammunition to be brought into FTZs and CBWs for any purpose not prohibited by Customs and Border Protection or by the FTZ Board.**

ATF’s proposed rule would: (1) exempt CBWs from the importation definitions, thus allowing firearms and ammunition to be brought into CBWs on an equivalent basis with FTZs; (2) allow firearm barrels to be brought to FTZs and CBWs without being subject to GCA and NFA importation restrictions; and (3) remove the “for storage” limitation on firearms, barrels and ammunition brought into FTZs (and, under the proposed rule, into CBWs as well), apparently in order to allow manufacturing, manipulation, and any other activities involving those items if the activities are not specifically prohibited by CBP or the FTZ Board. ATF stresses in the NPRM that these changes would provide benefits to certain firearms importers, although, as discussed below, the NPRM raises questions about the full extent of activities it would allow in FTZs and CBWs.

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<sup>26</sup> AECA regulations do not exempt firearms stored in FTZs from the definition of importation, so FFLs still must obtain ATF approval prior to bringing firearms into FTZs. See 27 C.F.R. § 447.11, § 447.41.

<sup>27</sup> See FTZ Board, “86th Annual Report of the Foreign-Trade Zones Board to the Congress of the United States,” *supra* note 22, at p. 13, Appendix B.

<sup>28</sup> 19 U.S.C. § 1555(a).

<sup>29</sup> Richa Naidu and Arriana McLymore, “US importers race to create bonded warehouses amid Trump tariffs” Reuters, May 21, 2025, available at <https://www.reuters.com/world/china/importers-race-turn-us-warehouses-into-tariff-free-zones-2025-05-21/>.

<sup>30</sup> 91 Fed. Reg. 25238; ATF Open Letter to All Federal Firearms Licensees, “Allowable Activities for Firearms Brought into Customs Bonded Warehouses and Foreign Trade Zones,” Oct. 31, 2024, at p. 5, available at <https://www.atf.gov/media/16846/download>.

With respect to allowing importation of firearms and ammunition into CBWs without GCA and NFA import restrictions, ATF says that firearms importers will benefit from this change because they can choose between using FTZs and CBWs “based on, for example, the availability of such facilities near their place of business, or differences in applicable customs regulations that may impact business operations.”<sup>31</sup> ATF also discusses how this change would spare some importers that had conducted storage, manipulation, or destruction of firearms in CBWs to avoid having to move their activities from CBWs to FTZs as required by current regulations.<sup>32</sup>

With respect to removing the “for storage” limitation on FTZs and, as a result of the proposed rule, CBWs, ATF asserts that the change would benefit industry members because “[t]he storage limitation currently prohibits an importer from bringing firearms into an FTZ or CBW and performing manufacturing or manufacturing-type activities on them before selling the firearm overseas.”<sup>33</sup> ATF also notes in the NPRM that it had “previously denied requests from importers who have sought permission to first bring nonsporting weapons (which generally cannot be imported under the GCA) into an FTZ or CBW in order to reconfigure or reassemble them into sporting configurations before bringing them into the United States.”<sup>34</sup> ATF argues that allowing activities like these to occur within FTZs and CBWs would provide “flexibility” to firearms industry members for activities they can do using U.S. labor.<sup>35</sup>

The full range of manufacturing and manufacturing-type activities that could be done under the proposed rule if firearms are permitted to be brought into CBWs and FTZs for purposes besides storage is unclear, partly because this range depends on CBP and FTZ Board decisionmaking. CBP and the FTZ Board currently impose certain restrictions on firearm manufacturing activities. For example, the NPRM notes that for CBWs, CBP regulations only permit manufacturing in certain designated warehouses and the manufacturing must be solely for purposes of exporting articles that are made in whole or in part out of imported materials or materials subject to internal-revenue tax.<sup>36</sup> Thus, the end recipients of firearms that might be manufactured or assembled in CBWs would be foreign. However, for FTZs, the picture is more muddled. ATF stated in its 2024 Open Letter that:

The FTZ Act at 19 U.S.C. § 81c(a) prohibits manufacturing firearms in an FTZ, because the manufacturer, producer, or importer is subject to excise taxes under the Internal Revenue Code at 26 U.S.C. § 4181. Accordingly, FFLs cannot manufacture firearms or engage in other activities beyond the scope of storing or destroying them in FTZs. For instance, reconfiguring non-sporting firearms into a sporting configuration to render the firearms suitable for use and subsequent import into the U.S. is not permitted in an FTZ. This also means that non-importable firearms, and receivers or barrels of non-importable firearms, cannot be brought into FTZs for purposes of manipulation into a configuration

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<sup>31</sup> 91 Fed. Reg. 25238.

<sup>32</sup> *Id.*

<sup>33</sup> 91 Fed. Reg. 25239.

<sup>34</sup> *Id.*

<sup>35</sup> *Id.*

<sup>36</sup> 19 C.F.R. § 19.1(a)(6).

(e.g., sporting) that would otherwise be importable under the GCA or NFA.<sup>37</sup>

It is unclear if ATF's proposed elimination of "for storage" in the GCA and NFA regulatory definitions of "importation" is intended to (or able to) change the status quo described in the 2024 Open Letter and permit manufacturing activities in FTZs such as reconfiguring non-sporting firearms into a sporting configuration for subsequent import into the United States. As discussed above, the NPRM indicates that "because of the regulatory [for storage] restriction, ATF has previously denied requests from importers who have sought to first bring nonsporting weapons (which generally cannot be imported under the GCA) into an FTZ or CBW in order to reconfigure or reassemble them into sporting configurations before bringing them into the United States, as permitted by applicable customs laws and regulations."<sup>38</sup> ATF claims in the NPRM that "[r]emoving the storage restriction and allowing other permitted activities like these to occur within CBWs and FTZs. . . would provide greater flexibility to businesses..."<sup>39</sup> However, in its 2024 Open Letter, ATF indicated that the FTZ Act imposed statutory restrictions that blocked such activities in FTZs (and, as the NPRM notes, CBP regulations state that manufacturing activities in CBWs can only be for purposes of exporting the products). The NPRM does not explain or reconcile these statements, so the full scope of activities intended to be allowed in FTZs and CBWs under the proposed rule is not clear. However, we strongly urge ATF not to assist industry members in circumventing the GCA by allowing them to bring nonsporting firearms like AK-47s into FTZs or CBWs and convert them into sporting firearms to comply with 18 U.S.C. § 925(d)(3) and § 922(r).

ATF does not provide any discussion or explanation of its proposal to include "firearm barrel" among items that would not be considered imported if brought to an FTZ or CBW, beyond saying that the addition "more faithfully aligns with the statute at 18 U.S.C. 925(d)(3)."<sup>40</sup> Presumably the addition of "firearm barrel" is intended to further the goal of helping the firearms industry facilitate assembling or reconfiguring of firearm parts within FTZs or CBWs, including dual-use firearm barrels for which ATF is simultaneously proposing to loosen import restrictions.<sup>41</sup> ATF should provide more clarity on the reason for this change and its intended effects.

**C. The proposed rule's changes give unjustified handouts to a small subset of firearm importers, and ATF has not conducted a cost-benefit analysis that shows that the benefits of these handouts outweigh their foreseeable negative impacts on public safety and domestic firearms manufacturers.**

Executive Order 12866 requires agencies that propose a significant regulatory action to first conduct a cost-benefit analysis that makes a credible effort to quantify costs and benefits to the extent feasible and then pursue a regulatory approach that maximizes benefits while minimizing costs.<sup>42</sup> ATF notes that the Office of Management and Budget has determined that

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<sup>37</sup> ATF Open Letter to All Federal Firearms Licensees, "Allowable Activities for Firearms Brought into Customs Bonded Warehouses and Foreign Trade Zones," *supra* note 29., at p. 5..

<sup>38</sup> 91 Fed. Reg. 25239 (emphasis added).

<sup>39</sup> *Id.* (emphasis added).

<sup>40</sup> *Id.*

<sup>41</sup> See Part III of this comment letter below.

<sup>42</sup> Executive Order 12866, Sept. 30, 1993, available at <https://www.archives.gov/files/federal-register/executive-orders/pdf/12866.pdf>.

this proposed rule would be a “significant regulatory action” under Executive Order 12866..<sup>43</sup> However, the cost-benefit analysis that ATF provides in the NPRM is inadequate in multiple respects:

- It fails to explain why the benefits the proposed rule would provide for a small subset of importers justify the full extent of its changes.
- It fails to analyze the costs and benefits of the removal of the “for storage” requirement.
- It makes no effort to quantify or even estimate the proposed rule’s impact on public safety and on domestic firearms manufacturers.

ATF cannot proceed with a proposed rule that has been inadequately justified, especially if it is foreseeable that the rule’s costs to the general public and to domestic manufacturers will broadly outweigh its benefits, which, themselves, seem to be concentrated among a small group of industry importers.

In conducting its purported cost-benefit analysis, ATF claims that the primary beneficiaries of the proposed rule are “an unknown subset” of 1,666 current FFL importers who may have been using CBWs instead of FTZs for firearms activities.<sup>44</sup> ATF makes the assumption that 10 percent of the current population of FFL importers, or 167 importers, have been using CBWs for their activities and would benefit from the proposed rule because, in the rule’s absence, they would have to transition their operations to an FTZ.<sup>45</sup> However, ATF does not explain why it is necessary to change the regulatory definition of importation under the GCA and NFA to accommodate and provide a competitive advantage to 10 percent of importers who were not following the regulations when the other 90 percent of importers were following the regulations and were properly using FTZs for their activities. Further, ATF has done no analysis to see what types of activities these 10 percent of importers are currently engaged in within CBWs and whether those activities would be more appropriately suited for a CBW than an FTZ. ATF can only point to “anecdotal information from the industry” to claim that there would be cost savings under the proposed rule, and ATF is forced to now ask commenters for basic information, such as “What benefits or savings would a business realize by bringing firearms into a CBW rather than an FTZ?” and “Are there other incidental services that make it more advantageous to bring firearms into a CBW compared to an FTZ?”<sup>46</sup> This meager effort to identify quantifiable benefits from the proposed rule falls far short of the required process.

Further, ATF has done no cost-benefit analysis at all on the proposed rule’s elimination of “for storage” from the GCA and NFA definitions of importation, which has the potential to be the most impactful change in the rule. The removal of “for storage” would apparently allow the bringing of firearms, firearm barrels, and ammunition into FTZs and CBWs for any purpose not prohibited by CBP or by the FTZ Board. However, ATF does not explain what activities it expects businesses will use and why allowing those activities in FTZs and CBWs would produce a net-positive benefit. ATF merely claims that eliminating the “for storage” requirement provides “greater flexibility to businesses in terms of the types of activities they can do within these

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<sup>43</sup> 91 Fed. Reg. 25240.

<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

<sup>46</sup> *Id.*

spaces on their firearms” and then asks commenters for information about what those activities might be, i.e., “What additional activities, not presently performed on firearms, does a business anticipate performing in an FTZ or CBW if the ‘for storage’ requirement is removed as proposed?”<sup>47</sup> ATF also does not explain why the proposed rule takes the approach of striking “for storage” and seemingly allowing any other purpose regardless of its benefits or costs, rather than supplementing “for storage” by including a discrete list of other approved activities that ATF has determined would bring positive benefits if conducted in FTZs or CBWs. Such an approach would do more to reduce ambiguity about permissible activities in FTZs and CBWs than the current proposed rule, and reducing ambiguity is one of ATF’s claimed goals in this rulemaking.<sup>48</sup>

ATF also acknowledges that the proposed rule raises concerns about risks to public safety and negative impacts on domestic firearms manufacturers, but ATF makes no effort to quantify or even estimate those risks. ATF asserts its view that there would be “no additional safety risks” from extending the FTZ exemption from the GCA and NFA to CBWs<sup>49</sup> and also claims that it does not believe removing the “for storage” limitation will negatively impact public safety or undermine the GCA and NFA.<sup>50</sup> But ATF makes no effort to assess the practical impact of the proposed rule’s changes, such as how many more firearms would likely be imported into the United States and how many additional firearms would be “manipulated in FTZs (or CBWs) before being imported.”<sup>51</sup> For example, since the NPRM indicates that the proposed rule’s changes would enable significantly more activity in FTZs and CBWs, including reconfiguring or reassembling nonsporting weapons or parts into sporting configurations before bringing them into the United States,<sup>52</sup> there would be foreseeable public safety impacts from this increase in imported firearms into the civilian market. Those impacts would include increased risk of diversion of parts and assembled weapons from inadequately-monitored CBWs to illicit users. ATF must evaluate and estimate the risks and impact of such activity, but the NPRM does not do so. Additionally, ATF admits that “there are approximately 21,499 domestic manufacturers of firearms (Type 07 FFL manufacturers) that may be indirectly and negatively affected by this proposed rule due to increased competition from importers potentially now being able to expand imports of foreign firearms.”<sup>53</sup> Indeed, the accommodation that the proposed rule gives to a small subset of firearms importers would logically impact those importers’ competitive position in the domestic manufacturing market. Yet ATF does not even try to quantify this impact of the proposed rule on the U.S. domestic manufacturing industry, saying it is “unable to assess” the impact and instead requesting comment on it.<sup>54</sup> In these ways, the NPRM’s cost-benefit analysis is untenably deficient.

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For these reasons, ATF should not proceed further with its NPRM and, instead, should withdraw this proposed rule. The changes the proposed rule would make in an attempt to

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<sup>47</sup> *Id.*

<sup>48</sup> 91 Fed. Reg. 25239.

<sup>49</sup> 91 Fed. Reg. 25240.

<sup>50</sup> 91 Fed. Reg. 25239.

<sup>51</sup> *Id.*

<sup>52</sup> *Id.*

<sup>53</sup> 91 Fed. Reg. 25242.

<sup>54</sup> *Id.*

accommodate and advantage a small subset of firearms importers are unjustified, and ATF's inadequate cost-benefit analysis shows that the benefits of the proposed rule are unclear and its potential detrimental impacts on public safety and domestic manufacturers have been ignored.

**III. ATF's proposal to allow importation of dual-use firearm barrels, frames, and receivers capable of being used on both sporting and non-sporting firearms circumvents the longstanding sporting purposes importation test and will make it cheaper and easier for the gun industry to flood the U.S. market with assault weapons made with imported AR- and AK-style receivers. (RIN 1140-AA96)**

In the NPRM entitled, "Importing Dual-Use Frames, Receivers, or Barrels" (RIN 1140-AA96), ATF proposes to make it easier for FFLs to import firearm frames, receivers, and barrels that can be used both in sporting firearms and also non-sporting firearms, such as AR- or AK-style rifles. This proposal would undermine the current decades-old "sporting purposes" requirement for imports as well as ATF's own precedent regarding such imports. Under the proposed rule, if an importer is seeking to import a firearm part, ATF would no longer assess if the firearm part actually came from a nonsporting firearm or if the part is most likely to be assembled or configured into a nonsporting firearm. Rather, ATF would only look at whether the part is capable of being configured in a permitted sporting firearm.

If the proposed rule takes effect as written, it could potentially have a dramatic impact on the market for assault weapons, flooding the market with cheaper imported parts that would increase the supply of tactical-style builds. For example, firearms companies would likely use this proposed rule to import more AK-47 barrels and receivers to then build complete assault weapons in the United States after importation – with some of the parts being made domestically in order to comply with 18 U.S.C. § 922(r).

Given the harms caused by assault weapons in mass-casualty shootings over the years,<sup>55</sup> the public safety risks and impacts of this proposed rule are likely to be significant. However, in issuing this proposed rule, ATF has given no consideration whatsoever to public safety impacts in its cost-benefit analysis and does not even mention public safety once in the NPRM. Because of these deficiencies and potential harmful effects, we strongly urge that this proposed rule be withdrawn.

**A. Background on importation of nonsporting firearms and dual-use barrels.**

As discussed above, federal law prohibits the knowing importation of firearms except in accordance with exceptions listed in 18 U.S.C. § 925(d). Under section 925(d)(3), a firearm can be imported if ATF determines the firearm "is generally recognized as particularly suitable for or readily adaptable to sporting purposes" and if the firearm is not an NFA firearm or surplus military item. Section 925(d)(3) also prohibits importing "any frame, receiver, or barrel of such firearm which would be prohibited if assembled." The GCA was drafted in part to prevent the importation of military-style weapons, like the Italian rifle used in the assassination of President

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<sup>55</sup> See, e.g., Tannuja D. Rozario, Paige Tetens, "Report: Assault Weapons and High-Capacity Magazines," Everytown, last updated June 24, 2026, available at <https://everytownresearch.org/report/assault-weapons-and-high-capacity-magazines/>.

John F. Kennedy.<sup>56</sup> After a gunman used a Chinese-made AK-47 to kill five children and wound 30 others at a schoolyard in Stockton, California, in January 1989, President George H.W. Bush banned the importation of certain military-style semiautomatic rifles, first temporarily and then permanently following an ATF study that determined they were nonsporting arms.<sup>57</sup> ATF conducted another such study in 1998 and extended the prohibition to include more semiautomatic rifles that accept large-capacity magazines.<sup>58</sup> A final ATF study, conducted in 2011, prohibited the importation of certain non-sporting semiautomatic shotguns.<sup>59</sup> Thus, ATF has a long track record of enforcing the GCA's import restrictions that the agency now seeks to undo.

Additionally, in 2005, under the George W. Bush administration, ATF issued an open letter clarifying that under section 925(d)(3), dual-use barrels that may be used on both sporting and non-sporting firearms were importable only if used to assemble importable firearms.<sup>60</sup> In other words, the 2005 Open Letter specified that such barrels were not permitted to be imported unless the importers represented that neither they nor subsequent purchasers of the barrels would use them to assemble nonimportable firearms such as non-sporting or NFA firearms.

However, in June 2025, ATF changed direction and issued a ruling determining that dual-use barrels are “particularly suitable for sporting purposes,” under the rationale that the market now includes more modular frames, barrels, and receivers that can be used in both sporting and non-sporting configurations.<sup>61</sup> The 2025 ruling also stated that once dual-use barrels are determined to have a legitimate sporting use and are imported, they may then be used to assemble firearms including non-sporting firearms and NFA firearms.<sup>62</sup>

**B. The proposed rule would codify ATF's 2025 ruling into regulations and extend it beyond barrels to also cover frames and receivers in order to boost firearm importers' income and make more Gun Control Act and National Firearm Act firearms available for the public.**

ATF's proposed rule would amend regulations to reflect ATF's 2025 ruling on dual-use barrels and also dramatically expand that ruling to treat dual-use frames and receivers with the same approach. ATF's 2025 ruling on barrels was a major change in ATF's regulatory approach to dual-use imports, and this NPRM takes an even more significant step by proposing to treat

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<sup>56</sup> See National Archives, JFK Assassination Records, Chapter 4, at p. 118, *available at* <https://www.archives.gov/research/jfk/warren-commission-report/chapter-4.html>.

<sup>57</sup> See Department of the Treasury / ATF, “Report and Recommendation on the Importability of Certain Semiautomatic Rifles,” July 6, 1989, *available at* <https://web.archive.org/web/20250304085459/https://www.atf.gov/file/61761/download>.

<sup>58</sup> See Department of the Treasury / ATF, “Study on the Sporting Suitability of Modified Semiautomatic Assault Rifles,” April 1998, *available at* <https://rkba.org/federal/batf/assault-rifles-suitability-complete-1998.pdf>.

<sup>59</sup> See ATF, “Study on the Importability of Certain Shotguns,” Jan. 2011, *available at* <https://www.cpsa.co.uk/userfiles/files/012611-study-on-importality-of-certain-shotguns.pdf>.

<sup>60</sup> ATF, “Open Letter to Federally Licensed Firearms Importers and Registered Importers of U.S. Munitions Import List Articles,” Nov. 22, 2005, *available at* <https://www.atf.gov/media/18291/download>.

<sup>61</sup> ATF Ruling 2025-1, June 23, 2025, *available at* <https://www.atf.gov/media/19181/download>.

<sup>62</sup> This ruling stems from ATF's interpretation of 18 U.S.C. § 922(r), which makes it unlawful “for any person to assemble from imported parts any semiautomatic rifle or any shotgun which is identical to any rifle or shotgun prohibited from importation under section 925(d)(3) of this chapter as not being particularly suitable for or readily adaptable to sporting purposes,” as only prohibiting “foreign disassembly; importation of the component parts; and subsequent domestic reassembly of non-sporting firearms.” See 91 Fed. Reg. 25194.

frames and receivers similarly. Under the proposed rule, if *any* sporting configuration has been identified for the frame, receiver, or barrel, then the item may be imported — even if it had been previously configured on non-sporting, military surplus, or NFA firearms. Additionally, the proposed rule would allow imported dual-use frames, receivers, and barrels to be used to assemble non-sporting firearms and NFA firearms such as machineguns in the United States after importation for subsequent use and sale.

This appears to contradict the GCA in several respects, and would reverse longstanding ATF interpretation and enforcement. As ATF knows, frames and receivers are themselves considered “firearms” under federal law. Additionally, the Act prohibits not only the importation of nonsporting firearms themselves, but also the parts used to create them as a way to prevent circumvention of the “sporting purposes” test.<sup>63</sup> The Act makes it “unlawful to import any frame, receiver, or barrel of such firearm which would be prohibited if assembled.”<sup>64</sup>

ATF candidly states in its NPRM that the objective of the proposed rule is to “streamlin[e] requirements to allow dual-use frames, receivers, or barrels to be imported for use on GCA or NFA firearms” in order to “reduce the regulatory burden on importers and the public.”<sup>65</sup> In other words, ATF is putting its thumb on the scale in favor of importing more firearm parts that can be used to assemble GCA firearms, including semiautomatic assault weapons, as well as NFA firearms including machineguns. ATF also states that ATF seeks to “increase the types of frames, receivers, or barrels available to the public, which would also benefit importers with more range and sources for income, and consumers with more options.”<sup>66</sup>

**C. Amending importation regulations in an effort to flood the U.S. market with imported assault weapon parts creates public safety risks, and ATF’s cost-benefit analysis impermissibly ignores those risks.**

Concerns of rewriting federal law aside, there is no legitimate civilian need for the importation of more assault weapons into our nation’s already-saturated civilian firearms market, and public safety is only more endangered by the further proliferation of these imported weapons.<sup>67</sup> Military-style assault weapons have been used in many of our nation’s most horrific mass-fatality shootings, and an Everytown study analyzing 10 years of mass-fatality shootings found that those involving assault weapons and/or firearms equipped with high-capacity magazines resulted in twice as many people killed and more than 13 times as many people

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<sup>63</sup> 18 U.S.C. § 922(r).

<sup>64</sup> 18 U.S.C. § 925(d)(3).

<sup>65</sup> 91 Fed. Reg. 25196.

<sup>66</sup> *Id.*

<sup>67</sup> It is difficult to square ATF’s mission, i.e., to protect the public from violent gun crime, with a proposed rule that would introduce even more assault weapons into the U.S. market when such firearms have been used time and again in mass shootings across the United States. This outcome poses greater risks to public safety in light of other regulatory changes that ATF is pursuing in tandem with this proposed rule, including two other rules in which ATF specifically and explicitly acknowledges possibilities of “potential mass casualty events” (91 Fed. Reg. 25182) and “mass casualties” (91 Fed. Reg. 25439) as a result of the changes ATF seeks to make. In other words, read together, ATF’s attempt to allow more assault weapons imports heightens the mass shooting risk – an unacceptable consequence that is the exact antithesis of ATF’s mission.

nonfatally injured.<sup>68</sup> Another 2021 study found that the federal prohibition on assault weapons and high-capacity magazines was associated with a significant decrease in public mass shootings and related casualties, preventing at least 11 public mass shootings during the 10 years it was in effect.<sup>69</sup> The researchers also estimated that had the law remained in effect from 2005 through 2019, it would have prevented 30 mass shootings that resulted in the death of 339 people and wounded 1,139 more.<sup>70</sup> Loosened restrictions on dual-use frame, receiver, and barrel imports also creates risk of increased diversion and illicit trafficking of those parts and the assault weapons that they can be used to assemble. More assault weapons illicitly trafficked into dangerous hands, both domestically and internationally, means more risk to the civilian population as well as to law enforcement, given that the rifle-caliber rounds used in assault weapons can pierce the handgun-rated bulletproof vests that law enforcement officers commonly wear.<sup>71</sup>

Because ATF's proposed rule has been determined by the Office of Management and Budget to be a "significant regulatory action," ATF is required under Executive Order 12866 to conduct a cost-benefit analysis that makes a credible effort to quantify costs and benefits to the extent feasible and then to pursue a regulatory approach that maximizes benefits while minimizing costs.<sup>72</sup> Given the known public safety risks involving the proliferation of assault weapons such as AR- and AK-style rifles in civilian hands, it is indefensible that ATF's cost-benefit analysis in the NPRM does not even mention public safety, let alone analyze the proposed rule's foreseeable public safety impacts and any increased risks to and burdens on law enforcement. ATF solely considers the impact of its proposed rule on firearms manufacturers, importers, and purchasers — not any Americans whose safety would be affected by the potential flood of imports that ATF's proposed rule would invite. This failure to consider public safety impacts at any level compromises ATF's cost-benefit analysis, as it undermines the credibility of any claim that the proposed rule's benefits clearly outweigh its costs.

In short, ATF's proposed rule would open the import floodgates and significantly increase the domestic proliferation of firearms, including assault weapons and NFA machineguns, that are assembled using dual-use frames, receivers, and barrels, and the proposed rule provides zero assessment of the potential public safety impact of doing so. ATF cannot ignore the public safety impacts of its actions and brush off Executive Order 12866's requirement that the agency produce a credible cost-benefit analysis. This proposed rule represents a massive risk to public safety that must be carefully assessed, and accordingly we urge ATF to withdraw this NPRM for its failure to do so.

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<sup>68</sup> See Rozario and Tetens "Assault Weapons and High-Capacity Magazines," *supra* note 54 ("These weapons also cause a disproportionate share of woundings and killings in mass shootings: Our analysis of data on mass shootings shows that assault weapons are used in at least 18 percent of mass shootings but account for 32 percent of all mass-shooting deaths and 77 percent of all mass-shooting injuries."); see also The Smoking Gun, "Guns Used in the Deadliest U.S. Mass Shootings," available at [smokinggun.org/guns-used-in-the-deadliest-u-s-mass-shooting/](https://smokinggun.org/guns-used-in-the-deadliest-u-s-mass-shooting/).

<sup>69</sup> Lori Post *et al.*, "Impact of Firearm Surveillance on Gun Control Policy: Regression Discontinuity Analysis," *JMIR Public Health and Surveillance* 7, no. 4 (2021): e26042, available at <https://doi.org/10.2196/26042>. The study defined mass shooting as four or more victims killed with a firearm at a public location. Familicides and felony killings were excluded.

<sup>70</sup> *Id.*

<sup>71</sup> See Rozario and Tetens "Assault Weapons and High-Capacity Magazines," *supra* note 54.

<sup>72</sup> Executive Order 12866, Sept. 30, 1993, available at <https://www.archives.gov/files/federal-register/executive-orders/pdf/12866.pdf>.

#### **IV. ATF’s proposal to facilitate conversion of temporarily imported firearms to permanent import status is procedurally deficient. (RIN 1140-AA68)**

In its NPRM entitled, “Converting Temporary to Permanent Imports for Defense Articles” (RIN 1140-AA68), ATF proposes to allow firearms importers to bypass current requirements in order to more easily convert temporarily imported firearms into permanent import status so the firearms can then be used or sold in the United States.

Under current federal law and regulations, temporary imports are items brought to the United States with a final destination outside of the country. Firearms temporarily imported under a State Department authorization or under Commerce Department temporary import requirements must be exported within four years or else destroyed. If the importer wishes to convert the temporarily-imported firearms into permanent imports that can be kept in the United States for use or sale, current law requires the importer to first export the firearms and then re-import them in permanent import status.

ATF says in the NPRM, “Industry members have stated that the lack of a process to easily and lawfully convert temporarily imported items to permanently imported ones results in economic harm to businesses, seemingly without any substantial benefit to public safety or the economy.”<sup>73</sup> The proposed rule would allow importers to submit a form to ATF seeking to convert temporarily-imported firearms to permanent imports without having to export and re-import the firearms.

##### **A. ATF has once again failed to credibly evaluate the costs and benefits of its proposed regulatory changes.**

This NPRM puts on stark display how, in 2026, ATF has repeatedly proposed regulatory changes at the firearms industry’s request without doing necessary due diligence on whether the potential benefits of the proposed changes outweigh the potential costs—including costs to public safety. Put more plainly, the ATF is doing the gun industry’s bidding, without any real analysis into what it means for the safety of the American public. In this NPRM, ATF notes that it is required under Executive Order 12866 to conduct a regulatory cost-benefit analysis, but once again fails to do so.<sup>74</sup> Rather than calculating or estimating costs or benefits of its proposed regulatory changes, ATF says that it “does not have sufficient information to calculate monetary savings” and that “[t]herefore, ATF requests more information from the public regarding the economic effects that this rulemaking may have on the public and the regulated industries.”<sup>75</sup> But, at the same time, in explaining why ATF chose to put forward its proposed rule instead of maintaining the status quo, ATF says that “industry has indicated to ATF that the status quo creates significant costs and burdens for them and deters business activity” and that the proposed rule would “establish a clear process by which importers could avoid unnecessary costs.”<sup>76</sup> In other words, ATF did not conduct its own analysis of costs and benefits of the proposed rule compared to the status quo. Instead, ATF took the industry’s word for it and used indications from industry as the basis for its decision to issue the NPRM. ATF cannot delegate to industry the task of conducting a cost-benefit analysis to comply with Executive Order 12866, but that is

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<sup>73</sup> 91 Fed. Reg. 25161.

<sup>74</sup> 91 Fed. Reg. 25162.

<sup>75</sup> *Id.*

<sup>76</sup> *Id.*

precisely what ATF has done with this proposed rule. Further, ATF cannot rely solely upon indications from industry to produce a credible cost-benefit analysis because industry is not in a position to assess the proposed changes' costs or risks to public safety.

Notably, rather than taking the industry's word that regulatory change was needed, ATF could have considered directing importers to use the ATF variance request process to pursue temporary-to-permanent import conversions on a case-by-case basis. Such variance requests would enable ATF to assess the costs and benefits of, and need for, such conversions before considering changing regulations and potentially creating loopholes that result in a flood of new permanent imports. Yet ATF does not even discuss whether the variance request option was considered as an alternative to regulatory changes.

ATF must not proceed with this rulemaking unless it has conducted a credible cost-benefit analysis that fully takes into account potential public safety costs and risks, rather than relying on the industry's word regarding the need for, and impact of, changes to the status quo.

**B. The proposed regulatory change is an accommodation to importers but its public safety impact has not been assessed.**

Furthermore, while this proposed rule is clearly intended to accommodate requests from industry and importers, there has been inadequate consideration of the effects of the regulatory changes on other stakeholders including regulatory agencies, facilities that store temporarily-imported items, and the general public. For example, ATF does not discuss whether this proposed change could lead to a surge in temporarily-imported firearms by importers who expect to later convert the firearms to permanent imports, which could complicate oversight by regulatory agencies of temporary import requirements and require additional monitoring and enforcement resources. Further, the NPRM does not assess if the proposed rule's changes could contribute to a flood of new permanent firearm imports through the temporary-to-permanent conversion process and what the resulting public safety impact would be. With this NPRM as with the others, ATF's cost-benefit analysis primarily focuses on the financial benefits to a small number of import businesses and excludes credible analysis of foreseeable costs and impacts on other stakeholders who would be affected.

ATF should not give an apparent handout to firearms importers without first carefully considering the costs and benefits of the regulatory change as well as the potential public safety impacts that would foreseeably result. ATF should not move forward with this NPRM until it has completed these analyses.

**V. Conclusion**

Regulating firearms imports is important for public safety and for protecting the ability of responsible domestic industry members to compete in the market. But ATF now appears to be prioritizing reforms that accommodate the requests of a subset of firearm importers while undermining the longstanding system of carefully crafted import regulations. The four proposed rules discussed in this comment, both on their own and in combination, weaken import restrictions in ways that would undercut federal law, create foreseeable risks to public safety, and disadvantage responsible domestic industry stakeholders. Too often, ATF has not sought to

minimize the risks and costs that these rules would create, or even credibly analyzed those risks and costs.

In light of the concerns highlighted above, we urge ATF not to proceed with these proposed rules or, at minimum, to revise the proposals as recommended in this comment in order to strengthen protections for public safety and reduce the risk of loopholes and harmful stakeholder impacts.

Thank you for your consideration of this comment.

Sincerely,

*/s/ Justin Wagner*

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Justin Wagner  
Senior Vice President for Law & Policy  
Everytown for Gun Safety Support Fund

*/s/ Lindsay Nichols*

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Lindsay Nichols  
Policy Director  
GIFFORDS Law Center to Prevent Gun  
Violence