

January 31, 2006

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Federal Firearms Licensees and National Firearms Act  
Special (Occupational) Taxpayers

SUBJECT: Filing National Firearms Act Transaction Forms by Facsimile Transmission

This is to update information regarding the filing of certain National Firearms Act (NFA) forms by facsimile transmission as the functions of the NFA Branch have been relocated to Martinsburg, West Virginia from Washington, DC. Please note that the contact information for the NFA Branch is:

Bureau of Alcohol, Tobacco, Firearms and Explosives  
NFA Branch  
244 Needy Road  
Martinsburg, WV 25405  
Telephone: (304) 616-4500  
**Facsimile: (304) 616-4501**

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) held in ATF Ruling 89-1, that certain forms required by ATF may be filed by facsimile transmission. This ruling and ATF Industry Circular 89-6 set forth the requirements and procedures.

The NFA Branch had determined that for forms filed under the NFA, the procedure would be available for ATF Form 2, Form 3, Form 9, and for Form 5 in situations where the application is not accompanied by fingerprint cards. The submission of NFA forms may only be done by Federal firearms licensees who have paid the special (occupational) tax to import, manufacture, or deal in NFA firearms.

If you choose to utilize the procedure, each person who will be filing forms on behalf of the licensee must first submit to us (in original) an affidavit declaring, under penalties of perjury, that certain conditions will be met. These conditions are detailed in the attached sample affidavit. The affidavit needs only to be submitted once. If you have previously filed an affidavit with us, there is no need to file another.

**AFFIDAVIT FOR FACSIMILE TRANSMITTAL OF  
NFA NOTICE OR TRANSFER APPLICATION FORMS**

TO: Bureau of ATF  
NFA Branch  
244 Needy Road, Martinsburg, WV 25405

AFFIDAVIT

I, \_\_\_\_\_, doing business as \_\_\_\_\_

\_\_\_\_\_ hereby state:

1. In addition to those applications sent via U.S. mail, I will be filing ATF Forms (2, 3, 5 and/or 9) by facsimile transmission;
2. The signature appearing on the facsimile copies will be mine and is intended as the original signature;
3. I will be submitting the facsimile copies as originals for purposes of approval under the provisions of Title 27, Code of Federal Regulations, Part 479, and that the facsimile copies are to be treated as originals; and
4. I will personally transmit the copies via facsimile machine.

I declare under penalty of perjury under the laws of the United States that the above information is true and correct.

\_\_\_\_\_  
Signature Date

Name \_\_\_\_\_

Title \_\_\_\_\_

Trade name \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

FFL number \_\_\_\_\_

EIN \_\_\_\_\_

**SAMPLE**