



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Washington, DC 20226

www.atf.gov

903010:DLH

801056

18 U.S.C. 921(a)(24)
27 CFR 479.11, 479.68,
479.102, 479.103

5300

Jeffrey E. Folloder
Executive Director
National Firearms Act Trade & Collectors Association
20603 Big Wells Drive
Katy, TX 77449

Re: Marking and Registration of Silencers

Dear Mr. Folloder:

This is in response to your letter to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), National Firearms Act (NFA). This letter has been forwarded to ATF's Firearms Industry Programs Branch for a response.

Specifically, your letter states; "historically, FFL/SOT manufacturers have prepared silencer components in anticipation of future builds and have done so under the proviso that licensed manufacturers who are also SOTs may possess spare silencer components in conjunction with their manufacturing operations. This preparation includes the sizing of outer tubes of silencers which, by definition are NFA items, which are then properly marked and registered on ATF Form 2 within 24 hours of manufacture." You want a confirmation that the above process meets all lawful requirements of manufacturing, marking and record keeping.

Licensed manufacturers who hold a SOT may possess spare silencer components in conjunction with their manufacturing operations. The silencer must be marked in accordance with 27 C.F.R. § 479.102. The regulations require that the markings be conspicuous and legible; meaning that the markings may be placed on any external part, such as the outer tube or end cap. ATF strongly recommends that manufacturers place all required markings on the outer tube of the silencer, as this is the accepted industry standard. Moreover, this practice eliminates the need to re-mark in

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the event an end cap bearing the markings is damaged and requires replacement. In accordance with 27 C.F.R. §479.103, a manufacturer must prepare an ATF Form 2, Notice of Firearms Manufactured Or Imported and file it with ATF's National Firearms Act Branch no later than the next business day. In addition, the licensed manufacturer must comply with all provisions in the Gun Control Act including recording/recordkeeping requirements.

If the manufacturer completes and submits ATF Form 2 not later than the next business day after sizing and serializing the outer tubes, then this would be a correct procedure. There is no regulation regarding a time frame for the manufacturer to have produced a completed product/silencer. The process that you have described does continue to meet all lawful requirements of manufacturing, marking and record keeping.

We trust that the foregoing has been responsive to your request. Please feel free to contact the Firearms Industry Programs Branch at fipb@atf.gov if you have any additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ed Courtney', is centered on the page.

Ed Courtney
Chief, Firearms Industry Programs Branch

Enclosure: Original request