



## Clarifying Machine Gun Repair?

ATF recently published its first ruling of 2014. 2014-1 sought to clarify several issues regarding the differences between conveyance and transfer, as well as codifying the allowed process commonly referred to as "chaperoning." While ATF certainly accomplished some of their goals with this ruling, it absolutely managed to create even more confusion and uncertainty in this contentious subject.

First, the good news. ATF has, indeed, put in writing the approval of the chaperoning process: "To preclude a transfer under the GCA, a manufacturer, including an authorized employee, may deliver the machineguns to the other licensed manufac-



turer's business premises, remain with the machineguns during the performance of another process, and return with the machineguns to the first manufacturer's premises. If the process takes longer

than a day, the machineguns must be stored in such a manner so that only the registrant has access to them during the overnight period. No work may be conducted on the

machineguns without the registrant's employees being present to maintain dominion and control over them."

Unfortunately, 2014-1 has also revealed an apparent conflict between the Gun Control

Act (GCA) and the National Firearms Act (NFA) that has a direct impact on the ability of FFL/SOT's in lawful possession of so-called post-sample machineguns that impacts their ability to obtain repairs of their property. It is uncertain how this conflict will be resolved and under what terms. The NFATCA is working closely with senior

ATF officials to achieve a satisfactory conclusion. Until such time, it is recommended that all repairs of machineguns be accompanied by an approved Form 5.



"Experience should teach us to be most on our guard to protect liberty when the Government's purposes are beneficent. Men born to freedom are naturally alert to repel invasion of their liberty by evil-minded rulers. The greatest dangers to liberty lurk in the insidious encroachment by men of zeal, well meaning but without understanding."

~ Justice Louis Brandeis

## Brown Nominated for NRA Board

John Brown has been selected by the NRA's nominating committee as a candidate for the Board of Directors in 2015. All members of the NRA with Life Member or higher status, or 5+ consecutive years of membership, are eligible to vote in the upcoming election. John has tirelessly supported the NFA community in his unpaid role as NFATCA President and deserves your vote.

The NRA has evolved over the past few decades. Rather than the mislabeled "sportsmen" group, the NRA is fighting for all gun rights. John has been instrumental in providing insight and inform-



ing the NRA through the NRA's Institute for Legislative Action on all matters related to NFA ownership and use. He has been a leader in collaborative efforts that now see the NRA actively participating in the expansion of NFA opportunities at the federal and state levels. He will continue to advocate that NFA retains a primary focus position within the NRA and deliver results for all members.

John K. Brown, III is a lifetime firearms enthusiast. He

serves as the Chief Executive Officer of NorthPoint Response Group, an enterprise devoted to the global training and logistics needs of first responders and that provides specialized consulting services in the complex world of compliance and best practices for heavily regulated organizations. In this role, he currently serves as a Senior Advisor to no less than a dozen corporations in the navigation of firearms regulatory concerns. John has also held a federal firearms license and special occupational taxpayer status for 30+ years through his Battlefield Sports LTD company. In addition, John has served for eleven years as the unpaid President of the

## NFATCA Upcoming Events

- ◆ SHOT Show, January 20-23, 2015, Las Vegas NV
- ◆ NRA Annual Meeting, April 10-12, 2015, Nashville TN
- ◆ Knob Creek Shoot, April 10-12, 2015, West Point KY



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## Gun Control Dishonesty by Charles Cooke, National Review

### Online Processing

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[www.nfatca.org/join.htm](http://www.nfatca.org/join.htm)



AK-47 from the movie *Red Dawn* (1984), owned by original NFATCA Board Member, Dan Shea.

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Publisher: John K. Brown, III  
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Photography: Oleg Volk  
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Earlier in the year, as the gun-control movement tried clumsily to transform an abomination into a cudgel, the Washington Post’s Kathleen Parker distilled its problem into a single sentence. “Nothing proposed in the gun-control debates would have prevented the mass killing of children at Sandy Hook Elementary School,” Parker contended plainly, “and everybody knows it.”

This was abundantly clear at the time, and it is even more so in retrospect. And yet I must nitpick ever so slightly with Parker’s excellent contention, for it is missing the crucial word “almost.” Almost everybody knows it. The public seems to know it. Legislators seem to know it. But, judging by the abundance of vexed anniversary columns, a significant cabal of journalists and activists have never got the message. A year later, their cry is as it was at the outset: Why won’t we act?

Michael Bloomberg delivered a speech in which he utilized what I have come to regard as the Newtown Template. Having established the tragedy in the audience’s mind — December 14 “will mark a very somber anniversary,” Bloomberg noted, correctly — he went on to claim that “unlicensed sellers of firearms” were “illegally flooding the Internet with weapons,” causing “a massive online, unregulated, second-hand firearms market that threatens public safety.” Then, for good measure, he took a swipe at the government for “doing nothing.”

As in the various columns of the same bent, Bloomberg’s purpose

here was obvious: To suggest that, by failing to crack down on the private sales of firearms, the federal government has dishonored the memory of the victims at Newtown. Something that abhorrent happened, this argument goes, and we did nothing.

To wish to prevent another Sandy Hook is an admirable and human instinct. But to chase placebos? That is infinitely less commendable. Typically, when government inaction is the complaint, it is beneficial to eschew emotion in favor of a couple of hard questions. The first is “What is it that you want the state to do?”; the second, “How would the state’s doing this affect the problem?” In this case, the “what” was the Toomey-Manchin bill, which would have forced all the states to run background checks on all private transfers and sales of firearms. And the answer to “What would it have done?”: Nothing.

As a few of the more honest advocates of gun control acknowledged at the time, it is just about possible to argue with a straight face that universal background checks could help to prevent or diminish the general rate of gun crime. But it is certainly not possible to claim that they would prevent or even diminish the number of mass shootings. In fact, to argue that such a requirement would have done anything whatsoever to stop recent massacres isn’t just wrong — it’s deeply dishonest. Those who have been chastising Congress for not reacting to massacres by passing legislation that has nothing to do with massacres should

be ashamed of themselves.

The left-wing blog ThinkProgress has compiled a list of massacres perpetrated between 1999 and 2012. Let’s have a look at the most recent ten:

\*In December of last year, Jacob Tyler Roberts stole a Stag Arms AR-15 semiautomatic rifle and killed two people in Portland, Oregon.

\*In September of 2012, Andrew John Engeldinger went on a shooting rampage in Minneapolis after he had been fired. Engeldinger used a Glock 19 handgun that he had bought legally from a licensed dealer. He passed the background check that is mandatory for all commercial sales.

\*In August last year, Wade Michael Page killed six members of a Sikh Temple in Oak Creek, Wisconsin. Page was an Army veteran, and because his discharge was “general” not “dishonorable” he was legally allowed to buy firearms. This he did, buying the handgun that he used in the shooting at a gun shop in West Allis, Wisconsin, and passing the background checks without a hitch.

\*In July, James Holmes killed 12 people at a movie theater in Aurora, Colorado. Over a period of time, Holmes legally purchased two Glock 22 pistols, a Remington 870, and Smith & Wesson M&P15 semiautomatic rifle. All the weapons were purchased from licensed dealers, and Holmes passed background checks on each occasion.

(to be continued in the next edition of *The Partisan*)

## NRA Board, (continued)

National Firearms Act Trade and Collectors Association. He has been responsible for developing relationships at the highest levels of ATF and other departments and agencies to bridge the gap between industry and its regulators. John has been responsible for hosting and speaking at no less than three dozen senior meetings with ATF to assist the industry in interpreting and following regulatory issues.

John’s business and association efforts require him to work closely with various government bureaus and agencies. John has always taken

a two-pronged approach to the charged world of legislative and regulatory challenges: work tirelessly to change or eliminate needless restriction and find better ways to work within the law until those restrictions are lifted. He continues to open and develop relationships with federal and state regulators and his efforts have been recognized as crucial by many both within government and the general firearms community. John’s publications regularly appear online and in print in such periodicals as *Small Arms Review* and include the creation of the

original, plain-English NFA Handbook, now adopted as an official BATF publication.

John is a passionate firearms collector and is determined to make certain that future generations will enjoy even more opportunities than he enjoys today.

Again, Lifetime Members (and above) and those who have maintained their NRA memberships in good standing for five or more consecutive years are eligible to vote in the upcoming election. The NFATCA and John Brown would appreciate your vote.