



Internal Revenue Service

Alcohol, Tobacco, and Firearms Division
Washington, D.C. 20224

**Industry
Circular**

Industry Circular No. 70-14

April 8, 1970

**IMPORTATION OF FIREARMS, AMMUNITION
AND IMPLEMENTS OF WAR**

Importers of Firearms, Ammunition and
Implements of War

Purpose. The purpose of this industry circular is to announce the issuance of new Treasury Department regulation, Part 180 of Title 26, Code of Federal Regulations, entitled Importation of Arms, Ammunition and Implements of War.

Effective Date. April 8, 1970

Scope. This new regulation implements Executive Order 11432, dated October 22, 1968, which transferred from the Secretary of State to the Secretary of the Treasury control over the importation of arms, ammunition and implements of war pursuant to section 414 of the Mutual Security Act of 1954, as amended (22 U.S.C. 1934). Part 180 will supplement the import provisions contained in Parts 178 (Commerce in Firearms and Ammunition) and 179 (Machine Guns and Certain Other Firearms) of Title 26 CFR. Together they will provide all necessary regulatory procedures in discharge of the Department's import control responsibilities under Chapter 44 of Title 18, U.S.C. (Title I of Gun Control Act of 1968), Chapter 53 of the Internal Revenue Code (National Firearms Act) and section 414 of the Mutual Security Act of 1954. Part 180 supersedes the provisions applicable to imports contained in 22 CFR, Chapter I, Subchapter M, in effect on October 22, 1968, and will also supersede the "Interim Firearms and Ammunition Procedures" (33 F.R. 15732).

The United States Munitions Import List. The new regulation establishes The United States Munitions Import List, a copy of which is attached to this industry circular. The United States Munitions List compiled by the Department of State, Office of Munitions Control, and published at 22 CFR 121.01, with the deletions indicated on the attached list, is adopted as an enumeration of the arms, ammunition and implements of war subject to the import controls under Part 180.

Registration of Importers. Persons engaged in the business, in the United States, of importing articles enumerated on The United States Munitions Import List must register with the Director, Alcohol, Tobacco and Firearms Division, Internal Revenue Service, 1111 Constitution Avenue, N. W., Washington, D. C. 20224. The term "person" includes a partnership, company, association or corporation, as well as a natural person.

Application for registration shall be filed on Form 4587, in duplicate, with the Director at the above address and shall be accompanied by the registration fee at the rate prescribed below. Registration may be effected for periods of from 1 to 5 years at the option of the registrant by identifying on Form 4587 the period of registration desired. Remittance of the registration fee shall be in the form of a money order or a company check made payable to the Internal Revenue Service. The registration fees are as follows: 1 year \$125; 2 years \$250; 3 years \$350; 4 years \$425; and 5 years \$500. No partial refund will be made of any registration fee paid and no registration fee will be refunded unless it is found that the person making application for registration is not engaged in the business of importing arms, ammunition or implements of war and is not required to register or pay the prescribed fee.

As an interim measure, since October 22, 1968, the Director, Alcohol, Tobacco and Firearms Division has accepted a letter of application to register as an Importer under the Mutual Security Act of 1954, when accompanied by a fee of \$75 for one year or \$150 for two years. Persons registered under this interim procedure need not pay an additional registration fee until such time as their current registration expires. However, persons so registered will be requested under separate cover to file a Form 4587 to supplement their letter of application.

Importers of Firearms and Ammunition. In addition to the registration requirement outlined immediately above, persons engaged in the business of importing for sale or distribution in the United States firearms, as defined in 18 U.S.C. 921(a)(3), or ammunition, as defined in 18 U.S.C. 921(a)(17), are required to hold an appropriate valid license as an Importer under 18 U.S.C. 923(a). Additionally, persons engaged in the business of importing or bringing into the United States firearms, coming within the purview of the National Firearms Act (26 U.S.C. 5801, et seq.), are required to register and pay a special (occupational) tax under Chapter 53 of the Internal Revenue Code of 1954, unless such tax is exempted under the provisions contained in 26 U.S.C. 5851.

Import Permit Requirements. Articles on The United States Munitions Import List may not be imported into the United States until a permit has been issued by the Director, Alcohol, Tobacco and Firearms Division, or unless covered by an exemption provision contained in 26 CFR, Part 180. Applications to import such articles shall be filed on Form 6 (Firearms), in triplicate, with the Director, Alcohol, Tobacco and Firearms Division, Internal Revenue Service, 1111 Constitution Avenue, N. W., Washington, D. C. 20224, ATTENTION: CP:AT:EO. On approval of the application by the Director, the original will be returned to the applicant and the approved application will serve as the permit to import the articles described thereon. Import permits issued are valid for six months from their issuance date unless a different period of validity is stated on the permit.

Application Forms Source. Copies of Form 6 (Firearms) will be furnished upon request by this office or by the office of the Assistant Regional Commissioner, Alcohol, Tobacco and Firearms nearest you. The addresses of the Assistant Regional Commissioners are listed as follows:

Assistant Regional Commissioner
(Alcohol, Tobacco and Firearms)
Internal Revenue Service
550 Main Street
Cincinnati, Ohio 45202

Assistant Regional Commissioner
(Alcohol, Tobacco and Firearms)
Internal Revenue Service
275 Peachtree Street, N. E.
Atlanta, Georgia 30303

Assistant Regional Commissioner
(Alcohol, Tobacco and Firearms)
Internal Revenue Service
2 Penn Center Plaza
Philadelphia, Pennsylvania 19102

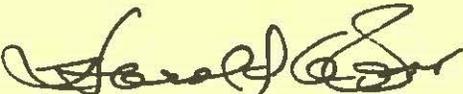
Assistant Regional Commissioner
(Alcohol, Tobacco and Firearms)
Internal Revenue Service
1114 Commerce Street
Dallas, Texas 75202

Assistant Regional Commissioner
(Alcohol, Tobacco and Firearms)
Internal Revenue Service
35 E. Wacker Drive
Chicago, Illinois 60601

Assistant Regional Commissioner
(Alcohol, Tobacco and Firearms)
Internal Revenue Service
870 Market Street
San Francisco, California 94102

Assistant Regional Commissioner
(Alcohol, Tobacco and Firearms)
Internal Revenue Service
90 Church Street
New York, New York 10007

Reference. Part 180 of Title 26, Code of Federal Regulations, was published in the Federal Register,


Harold A. Serr, Director
Alcohol, Tobacco and Firearms Division

Attachment

THE UNITED STATES MUNITIONS IMPORT LIST

Category I -- Firearms 1/

(a) Nonautomatic and semiautomatic firearms, to caliber .50 inclusive, shotguns with barrels less than 18 inches in length, and all components and parts therefor.

(b) Automatic firearms and all components and parts therefor to caliber .50 inclusive.

(c) Insurgency-counterinsurgency type firearms or other weapons having a special military application regardless of caliber; and all components and parts therefor.

(d) Firearms silencers.

(e) Bayonets and specifically designed components therefor.

(f) Riflescopes (except sporting type sights including optical) and specifically designed components therefor.

1/ Rifles, carbines, revolvers, and pistols, to caliber .50 inclusive, and shotguns with barrels less than 18 inches in length, are included under Category I(a). Machineguns, submachineguns, machine pistols and full automatic rifles to caliber .50 inclusive are included under Category I(b).

(a) As used in this Category, the term "firearm" denotes a weapon not over .50 caliber which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; but shall not include BB and pellet guns or firearms covered by Category I(a) and (e) established to have been manufactured before 1898.

(b) A "rifle" is a shoulder firearm discharging bullets through a rifled barrel at least 16 inches in length, including combination and drilling guns.

(c) A "carbine" is a lightweight shoulder firearm with a short barrel, under 16 inches in length.

(d) A "pistol" is a hand-operated firearm having a chamber integral with, or permanently aligned with, the bore.

(e) A "revolver" is a hand-operated firearm with a revolving cylinder containing chambers for individual cartridges.

(f) A "machinegun," "machine pistol" or "submachinegun" is a firearm originally designed to fire, or capable of being fired fully automatically by a single pull of the trigger.

(g) A "sporting type sight including optical" denotes a telescopic sight suitable for daylight use on a rifle, shotgun, pistol or revolver for hunting or target shooting.

Category II -- Artillery and Projectors

(a) Guns over caliber .50, howitzers, mortars, and recoilless rifles.

(b) Military flame throwers and projectors.

(c) Components and parts including, but not limited to, mounts and carriages for the articles in paragraphs (a) and (b) of this Category.

Category III -- Ammunition 2/

(a) Ammunition for the arms in Categories I and II.

(b) The following components, parts, accessories, and attachments: cartridge cases, powder bags, bullets, jackets, cores, shells (excluding shotgun), projectiles, boosters, fuzes and components therefor, primers, and other detonating devices for such ammunition.

(c) Ammunition belting and linking machines.

(d) Ammunition manufacturing machines, and ammunition loading machines (except hand loading).

2/ Cartridge and shell casings are included under Category III unless, prior to their importation, they have been rendered useless beyond the possibility of restoration for use for the purpose originally produced by means of excessive heating, flame treatment, mangling, crushing, cutting, or popping.

Category IV -- Launch Vehicles, Guided Missiles, Ballistic Missiles, Rockets, Torpedoes, Bombs, and Mines 3/

(a) Launch vehicles, guided missiles, ballistic missiles, bombs, grenades, rockets, torpedoes, rocket torpedoes, depth charges, land and naval mines, and military demolition blocks and blasting caps.

(b) Apparatus, devices, and materials for the handling, control, activation, detection, protection, discharge, or detonation of the articles in paragraph (a) of this Category.

(c) Missile and space vehicle powerplants.

(d) Military explosive excavating devices.

Note: Category IV(e) and (f) of "Munitions List" deleted as inapplicable to imports.

(g) All specifically designed components, parts, accessories, attachments, associated equipment, and specialized production equipment for the articles in this Category.

Note: Category V of "Munitions List" deleted as inapplicable to imports.

3/ The term "military demolition blocks and blasting caps" as used in Category IV(a) does not include the following articles:

- (a) Electric squibs.
- (b) No. 6 and No. 8 blasting caps, including electric.
- (c) Delay electric blasting caps (including No. 6 and No. 8 milli-second).
- (d) Seismograph electric blasting caps (including SSS, Static-Master, Vibrocap SR, and SEISMO SR).
- (e) Oil well perforating devices.

Category IV(b) includes inter alia the following: Fuzes and components thereof, bomb racks and shackles, bomb shackle release units, bomb ejectors, torpedo tubes, torpedo and guided missile boosters, guidance system materials (except those having a commercial application), launching racks and projectors, pistols (exploders), igniters, fuze arming devices, intervalometers, and components therefor, guided missile launchers and specialized handling equipment and hardened missile launching facilities.

Category VI -- Vessels of War and Special Naval Equipment 4/

(a) Warships, amphibious warfare vessels, landing craft, mine warfare vessels, patrol vessels, auxiliary vessels, service craft, floating dry docks, and experimental types of naval ships.

(b) Turrets and gun mounts, missile systems, arresting gear, special weapons systems, protective systems, submarine storage batteries, catapults and other components, parts, attachments, and accessories specifically designed for combatant vessels, including but not limited to, battleships, command ships, guided missile ships, cruisers, aircraft carriers, destroyers, frigates, escorts, minesweepers, and submarines.

(c) Submarine and torpedo nets, and minesweeping equipment. Components, parts, attachments and accessories specifically designed therefor.

(d) Harbor entrance magnetic, pressure, and acoustic detection devices, controls and components thereof.

(e) Naval nuclear propulsion plants, their land prototypes and special facilities for their construction, support, and maintenance, including any machinery, device, component, or equipment specifically developed or designed for use in such plants or facilities.

4/ The term "vessels of war" includes, but is not limited to, the following:

(a) Combatant:

(1) Warships (including nuclear-powered versions)

Aircraft carriers (CVA, CVE, CVHE, CVL, CVS).

Battleships (BB, BBG).

Command Ships (CBC, CLC).

Cruisers (CA, CAG, CB, CG, CLAA, CLG).

Destroyers (DD, DDC, DDE, DDG, DDR, DL, DLG).

Submarines (SS, SSB, SSG, SSK, SSR).

(2) Amphibious warfare vessels:

Amphibious assault ship (LPH).
Amphibious force flagship (AGC).
Assault helicopter aircraft carrier (CVHA).
Attack cargo ship (AKA).
Control escort vessel (DEC).
Cargo submarine (AK(SS)).
Inshore fire support ship (IFS).
Landing ships (LDS, LSMR, LST, LPD).
Transport submarine (AP(SS)).

(3) Landing craft (LCM, LCU, LCVP, ATC, CCB).

(4) Landing vehicle, tracked (LVT).

(5) Mine warfare vessels:

Minehunter, coastal (MHC).
Mine countermeasures support ship (MSC).
Minelayers (DM, MMA, MMC, MMF).
Minesweepers (DMS, MSC, MSC(O), MSF, MSO, MSI, MSB, MDA, YMS, MSL, Ub/MS).

(6) Patrol vessels:

Escort vessels (DE, DER, PCS, PCER, PF, DEG).
Gunboats (PCM, PR).
Submarine chasers (PC, PCS, SC).

(b) Auxiliary vessels and service craft:

(1) Advanced aviation base ship (AVB).

(2) Auxiliary submarine (AG(SS)).

(3) Drone aircraft catapult control craft (YV).

(4) Guided Missile ship (AVM).

(5) Harbor utility craft (YFU).

(6) Icebreaker (AGB).

(7) Logistic support ships (AE, AF, AK, AKS, AO, ACE, AOG, AOR, AO(SS), AVS).

(8) Miscellaneous auxiliary (AG, IX, YAG).

(9) Patrol craft (PT, YP).

(10) Target and training submarine (SST).

(11) Ocean radar picket ship (AGR).

(12) Submersible craft (X). (See Category XX.)

(13) Utility aircraft carrier (CVU).

(c) Coast Guard patrol and service vessels and craft:

(1) Submarine repair and berthing barge (YRB).

(2) Labor transportation barracks ship (APL).

(3) Coast Guard cutter (CGC).

(4) Gunboat (WPG).

(5) Patrol craft (WPC, WSC).

(6) Seaplane tender (WAVP).

(7) Icebreaker (WAGB).

(8) Radio Ship (WAGR).

(9) Special Vessel (WIX).

(10) Auxiliary vessels (WAG, WAGE).

(11) Other Coast Guard patrol or rescue craft (i) of over 300 horsepower when equipped with a gas turbine engine or engines, and (ii) of over 600 horsepower when equipped with an engine or engines of the internal combustion, reciprocating type.

Category VII -- Tanks and Military Vehicles 5/

(a) Military type armed or armored vehicles, military railway trains, and vehicles fitted with, designed or modified to accommodate mountings for arms or other specialized military equipment.

(b) Military tanks, tank recovery vehicles, half-tracks and gun carriers.

(c) Self-propelled guns and howitzers.

Note: Category VII (d) and (e) of "Munitions List" deleted as inapplicable to imports.

(f) Amphibious vehicles.

(g) All specifically designed components, parts, accessories, attachments, and associated equipment, including military bridging and deep water fording kits for the articles in this Category.

5/ As used in Category VII(f), the term "amphibious vehicles" includes, but is not limited to, automotive vehicles or chassis embodying all-wheel drive and equipped to meet special military requirements, with adaptation features for deep water fording and sealed electrical systems.

Category VIII -- Aircraft, Spacecraft, and Associated Equipment 6/

(a) Aircraft including helicopters designed, modified, or equipped for military purposes, including but not limited to the following: Gunnery, bombing, rocket, or missile launching, electronic surveillance, reconnaissance, refueling, aerial mapping, military liaison, cargo carrying or dropping, personnel dropping, military trainers, drones, and lighter-than-air aircraft.

Note: Category VIII (b) through (l) and Categories IX through XIII of "Munitions List" deleted as inapplicable to imports.

6/ (a) The term "aircraft" used in Category VIII means aircraft designed, modified, or equipped for military purpose as specified in Category VIII, including so-called "demilitarized" aircraft.

(b) Regardless of demilitarization, all aircraft bearing an original military designation are included in Category VIII, except the following aircraft which have not been specifically equipped, reequipped, or modified for military operations:

(1) Cargo aircraft bearing "C" designations C-45 through C-118 inclusive, and C-121.

(2) Trainer aircraft bearing "T" designations and using reciprocating engines only.

(3) Utility aircraft bearing "U" designations and using reciprocating engines only.

(4) All liaison aircraft bearing an "L" designation.

Category XIV -- Toxicological Agents and Equipment,
Radiological Equipment 7/

(a) Chemical agents, including lung irritants, vesicants, lachry-

mators, and tear gases, sternutators and irritant smoke, and nerve gases and incapacitating agents.

(b) Biological agents adapted for use in war to produce death or disablement in human beings or animals or to damage crops and plants.

(c) Equipment for dissemination, detection, and identification of, and defense against the articles in paragraphs (a) and (b) of this Category.

(d) Nuclear radiation detection and measuring devices, except such devices as are in normal commercial use.

(e) Components, parts, accessories, attachments, and associated equipment specifically designed or modified for the articles in paragraphs (c) and (d) of this Category.

Note: Category XV of "Munitions List" deleted as inapplicable to imports.

7/ (See Category XIV(a).) A chemical agent is a substance useful in war which, by its ordinary and direct chemical action, produces a powerful physiological effect. The term "chemical agents" includes but is not limited to the following chemical compounds:

1. Lung irritants:

- (a) Diphenylcyanorarsine (DC).
- (b) Fluorine (but not fluorene).
- (c) Trichloronitro methane (Chlorpicrin PS).

2. Vesicants:

- (a) B Chlorvinylchlorarsine (Lewisite, L).
- (b) Bisdichlorethyl sulphide (Mustard gas, HD or H).
- (c) Ethyldichloroarsine (ED).
- (d) Methyldichloroarsine (MD).

3. Lachrymators and tear gases:

- (a) Brombenzylcyanide (BBC).
- (b) Chloroacetophenone (CN).
- (c) Dibromodimethyl ether.
- (d) Dichlorodimethyl ether (CLCL).
- (e) Ethyldibromoarsine.
- (f) Phenylcarbylamine chloride.
- (g) Tear gas solutions (CNB and CNS).
- (h) Tear gas orthochlorobenzalmalonitrile (CS).

4. Sternutators and irritant smokes:

- (a) Diphenylaminechloroarsine (Adamsite, DM).
- (b) Diphenylchlorarsine (BA).
- (c) Liquid pepper.

5. Nerve gases. These are toxic compounds which affect the nervous system, such as:

- (a) Dimethylaminoethoxycyanophosphine oxide (GA).
- (b) Methylisopropoxyfluorophosphine oxide (GB).
- (c) Methylpinacolyloxyfluorophosphine oxide (GD).

6. Antiplant chemicals:

- (a) Cutyl, 2,4-dichlorophenoxyacetate (LNA).
- (b) 2,4,5-trichlorophenoxyacetate (LNB).
- (c) Butyl 2-chloro-4-fluorophenoxyacetate (LNF).

Category XVI -- Nuclear Weapons Design and Test Equipment

(a) Any article, material, equipment, or device, which is specifically designed or specifically modified for use in the design, development, or fabrication of nuclear weapons or nuclear explosive devices.

(b) Any article, material equipment, or device, which is specifically designed or specifically modified for use in the devising, carrying out, or evaluating of nuclear weapons tests or any other nuclear explosions except such items as are in normal commercial use for other purposes.

(c) Cold cathode tubes such as krytrons and sprytrons.

Note: Categories XVII and XVIII of "Munitions List" deleted as inapplicable to imports.

Category XIX -- (Reserved)

Category XX -- Oceanographic and Associated Equipment 9/

(a) Submersible vessels, manned and unmanned, designed for military purposes or having independent capability to maneuver vertically or horizontally at depths below 1,000 feet.

(b) Submersible vessels, manned or unmanned, designed in whole or in part from technology developed by or for the U. S. Armed Forces.

(c) Any of the articles in Categories VI, IX, XI, XIII and elsewhere in this list that may be used with submersible vessels.

(d) Equipment, components, parts, accessories, and attachments designed specifically for any of the articles in paragraphs (a) and (b) of this Category.

Category XXI -- (Reserved)

Category XXII -- Miscellaneous Articles

Any article not enumerated herein having significant military applicability, determined by the Director, Office of Munitions Control, Department of State, in consultation with appropriate agencies of the Government and having the concurrence of the Department of Defense.

9/ Any oceanographic and associated equipment assigned a military designation shall constitute an article on the U. S. Munitions List, whether expressly enumerated therein.

Forgings, castings, and machined bodies

Items in a partially completed state, such as forgings, castings, extrusions, and machined bodies of any of the articles enumerated on the Import List which have reached a stage in manufacture where they are clearly identifiable as arms, ammunition, and implements of war are considered to be such articles for the purposes of §414 of the Mutual Security Act, as amended.