



Department of Treasury

Bureau of Alcohol, Tobacco, Firearms

Washington, DC 20226

January 18, 2001

Open Letter to All Federally Licensed Collectors of Curio or Relic Firearms

The purpose of this letter is to apprise Federally licensed collectors of pertinent regulations of the Gun Control Act of 1968 (GCA). A licensed collector is a collector of curios and relics only and is licensed and regulated under the provisions of 27 CFR Part 178. To be considered a curio or relic, a firearm must 1) have been manufactured at least 50 years ago; or 2) be certified as a curio or relic of museum interest by the curator of a municipal, State, or Federal museum that exhibits firearms; or 3) derive a substantial amount of its monetary value from the fact that it is novel, rare, bizarre, or associated with some historical event, period, or figure. Below are some major "Do's" and "Don'ts" for collectors that are based on these provisions:

Prohibited

- Cannot "engage in the business" of buying and selling curios and relics. The term "engaged in the business" refers to a person or entity that devotes time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms. A collector's license only enables the collector to obtain curio or relic firearms interstate.
- Cannot acquire firearms other than curios or relics using a collector's license. Licensed collectors have no special privileges with regard to firearms that are not curios or relics.

Authorized

- May acquire and dispose of curios or relics at any location.
- May dispose of curios and relics to a licensee or a nonlicensee residing in the same State, who is not otherwise prohibited by the GCA, and to any other Federal firearms licensee in any State.

Required

- Must prepare an acquisition and disposition (A/D) record as prescribed by 27 CFR 178.125(f). The A/D record shall be kept with the collection.
- Must enter into the A/D record all curios and relics acquired after receipt of the collector's license.
- Must provide a written notification as specified in ATF I 5300.2, Youth Handgun Safety Act Notice, when delivery of a handgun is made to a nonlicensee.
- Must prepare ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers, whenever the collector sells or otherwise disposes of--at one time or

during any five consecutive business days--two or more pistols or revolvers or any combination thereof, to an unlicensed person.

- Must report the theft or loss of a firearm within 48 hours of discovery, by telephoning 1-800-800-3855. Also, ATF Form 3310.11, Federal Firearms Theft/Loss Report, will be prepared in accordance with the instructions on the form.

Reminder

To ensure compliance with recordkeeping requirements, any ATF officer may inspect the inventory and records of a licensed collector once during any 12-month period. At the election of the collector, the inspection may be performed at the ATF office nearest the place where the inventory and records of the collector are maintained.

Correction Notice

Please make a correction to ATF P 5300.4 (01-00), Federal Firearms Regulations Reference Guide. In the format for "Firearms Collectors Acquisition and Disposition Record," at the bottom of page 70, under "Disposition," please delete "if licensee" immediately following "Driver's license No." The correct caption should read as follows: "Driver's license No. or other identification if nonlicensee."

If you have any questions about these requirements, please contact your local ATF office.

A handwritten signature in black ink that reads "John P. Malone". The signature is written in a cursive style with a large initial "J" and "M".

John P. Malone
Assistant Director
Firearms, Explosives and Arson