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400 N. Capitol Street NW, Suite 475, Washington, D.C. 20001

November 12, 2025

Meghan Tisserand
National Firearms Act Division
Bureau of Alcohol, Tobacco, Firearms and Explosives
244 Needy Road
Martinsburg, WV 25405

**RE: Comment on Proposed Information Collection Activities Revising NFA Application Forms:
OMB 1140-0011 (ATF Form 1); OMB 1140-0014 (ATF Form 4); OMB 1140-0015 (ATF Form 5)**

Ms. Tisserand,

On behalf of the National Shooting Sports Foundation (NSSF), I am writing to submit comments regarding proposed information collection (IC) activities, which relate to proposed revisions to the following Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF) Forms:

- OMB 1140-0011; Application to Make and Register NFA Firearm (ATF "Form 1")¹;
- OMB 1140-0014; Application to Transfer and Register NFA Firearm (Tax-Paid) (ATF "Form 4"); and
- OMB 1140-0015; Application to Transfer and Register NFA Firearm (Tax-Exempt) (ATF "Form 5")

We appreciate the opportunity to provide feedback on these proposed revisions, and would take this opportunity to emphasize our support for the many improvements being made to these forms through the proposed revisions, which will serve to remove unnecessary administrative burdens, improve the efficiency of the submission process, and provide greater security to applicants.

Removal of CLEO Notification Requirement

NSSF is first of all pleased to see the proposed removal from these applications of the Chief Law Enforcement Officer (CLEO) notification requirement. This change will significantly reduce the administrative burden on applicants and local law enforcement (who largely take no action on these notifications), without negative impact on public safety, or the ATF's law enforcement mission.

¹ In addition to the comments herein, NSSF would note one typographical error at line 10.b of the draft revision to ATF Form 1, where "ar" should be removed between "or" and "a."

Prior to 2016, ATF required each application for the making or transfer of an NFA item to be “certified” by the CLEO of the applicant’s or transferee’s jurisdiction before it would be approved by ATF. In prior comments made to ATF in 2013, NSSF raised concerns about this process, both on the basis of a lack of statutory authority, as well as knowledge that some CLEOs had been refusing to issue certifications due to fears of potential liability should an NFA item subsequently be used improperly.

In 2016, ATF rightly eliminated the CLEO certification requirement in favor of a “notification” process, whereby CLEOs are notified of approved NFA applications, and can advise ATF if they are aware of any disqualifying factors that were not caught in the background check process. It is NSSF’s understanding from the ATF that these notifications are largely discarded by local law enforcement without action, and supplementary background checks are rarely performed by these agencies. In the nearly ten years since this change was implemented, NSSF is not aware of any instance in which a CLEO has notified ATF that an NFA application should not have been approved due to disqualifying factors not known to ATF.

This is no surprise, as the NFA background check process is robust and checks each applicant’s or transferee’s record for disqualifying factors across multiple national databases. Since 2016, the strength of these databases has only increased, in large part due to NSSF’s efforts through our FixNICS® campaign. This campaign has successfully seen passage of the bipartisan Fix NICS Act of 2017 to ensure federal agencies appropriately report disqualifying information to the FBI National Instant Criminal Background Check System (NICS), as well as the passage of state legislation to similarly increase reporting to these databases from sixteen separate states, which previously were not reporting disqualifying records.

The strength of the FBI’s background check resources, and the continued improvements thereto, have rendered the CLEO notification process redundant, as shown by the complete lack of contradictory information being reported in its near ten years of existence. Today, the CLEO notification process is nothing more than an administrative burden for local law enforcement, diverting state and local resources away from meaningful public safety activities, with no perceptible benefit. Accordingly, NSSF fully supports ATF’s determination to remove this step from the NFA application process, which will have no effect on the ATF’s public safety and law enforcement missions, but will instead provide further efficiency, reduce administrative burden on applicants and local law enforcement, and reduce the proliferation of the sensitive information of NFA applicants and transferees.

Additional Updates Also Improve Efficiency

NSSF is likewise pleased to see the multiple other updates that ATF is proposing to Forms 1, 4, and 5, which will reduce the regulatory burden on applicants and increase the efficiency of

form submission. Particularly notable among these changes are the option for applicants to provide copies of photo IDs rather than passport photos, and the allowance for a broader use of electronic signatures.

These forms each currently require the attachment of a passport-sized photograph, for identification purposes of individual applicants. This specific requirement is particularly cumbersome for paper submitters, and oftentimes necessitates that applicants find a third-party photo service to obtain the correct photograph format – a service which is becoming harder to find. The allowance for applicants to instead upload a copy of a photo ID will relieve this burden and will not in any way reduce ATF's ability to effectively identify applicants, or hamper ATF's law enforcement activities.²

Likewise, the broadened allowance for electronic signatures will increase efficiency in our modern age, as more people use electronic signature tools such as DocuSign, Adobe Sign, and others to sign and complete documents without the need for additional printing, scanning, and copying. As with the allowance for a broader range of photographs, allowing for these alternative signatures will not burden ATF's law enforcement activities, as these signature solutions often include more forensic evidence or markers allowing for the verification of a signature's authenticity than a mere ink signature. Further, ATF already accepts electronic signatures when applicants submit these forms through the eForms system, which has not resulted in any increase in fraudulent submissions to NSSF's knowledge.

Complementary Updates to ATF Form 5320.23; Request for agency guidance if necessary

On August 15, 2025, ATF published the 60-day notice for its request to revise OMB 1140-0107, (ATF Form 5320.23, the National Firearms Act (*NFA*) Responsible Person Questionnaire), the OMB approval for which is scheduled to expire on December 31, 2025. It does not appear that ATF has yet published the 30-day notice for this revision.

It is NSSF's understanding that ATF will be removing the CLEO notification requirement from this form as well, which is appropriate for maintaining consistency across all required NFA application documentation. However, NSSF understands that the process for revising this form has been, and may further be, delayed as a result of the recent government shutdown.

If, as a result of this delay, ATF's updates to Forms 1, 4, and 5 are finalized and published prior to the updates to the Responsible Person Questionnaire, NSSF requests that ATF consider issuing clear guidance to all NFA applicants that the CLEO notification requirement on

² NSSF would however suggest a technical amendment to these forms, to include a notice of the requirement to attach a photo or copy of photo ID, along with required fingerprint cards, within the main form bodies, rather than solely within the form instructions.

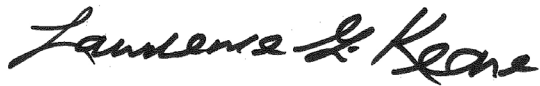
Responsible Person Questionnaires submitted after the effective date of the updated Forms 1, 4, and 5, is no longer in effect, and that such notifications need not be made.

Conclusion

NSSF is encouraged by the various actions that ATF has recently taken and continues to take to reduce the regulatory burden on FFLs and lawful firearm owners in general. NSSF hopes ATF will continue to review and evaluate additional policies and regulations for streamlining and improvement. The proposed revisions that ATF has put forward in the IC approval requests discussed herein are perfect examples of the seemingly minor, yet impactful changes that ATF can make to increase efficiency and reduce the burden the American people face in exercising their Second Amendment rights.

NSSF looks forward to further working with ATF on identifying additional opportunities to improve the regulatory system, in the interest of efficiency for industry, while maintaining the integrity and effectiveness of ATF's law enforcement mission.

Sincerely,

A handwritten signature in black ink, reading "Lawrence G. Keane". The signature is written in a cursive, flowing style with a large initial 'L' and 'K'.

Lawrence G. Keane