



**U.S. Department of Justice**  
Bureau of Alcohol, Tobacco,  
Firearms and Explosives

*Office of the Assistant Director  
Enforcement Programs & Services*

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*Washington, DC 20226*

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## **OPEN LETTER TO ALL FEDERAL FIREARMS LICENSEES PROVIDING FIREARM STORAGE FOR INDIVIDUALS**

On March 14, 2023, President Biden issued an Executive Order 14092 on Reducing Gun Violence and Making Our Communities Safer. Among other things, that order emphasized the need for Federal agencies to promote the safe storage of firearms. The Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) is issuing this open letter to assist Federal Firearms Licensees (“FFLs”) in understanding their obligations when they choose to provide firearm storage services to their customers and the public.

Individuals may seek the services of an FFL to store firearms for a variety of reasons. For example, an individual might wish to store a firearm while traveling to a neighboring State or foreign country that does not permit possession of the firearm. Storage of firearms at an FFL’s business premises may also be desirable or convenient for an individual, or may allow an individual to temporarily remove firearms from a home. FFLs can assist in such cases if they adhere to applicable Federal, State, and local laws when storing and returning such firearms.

### **Providing a Storage Locker for Individual Use**

A first method of storage occurs when an individual uses a storage locker provided by an FFL. Under this option, an individual brings the firearm to the FFL’s licensed business premises, personally places the firearm in a storage locker, and locks the firearm in the locker. In this situation, an FFL does *not* “receive” or “acquire” the firearm into its inventory, nor does the FFL assume control of the individual’s firearm. To the contrary, only the individual has the ability to open the locker to retrieve the firearm. Because an FFL has not “received” a firearm into its inventory, the FFL would not record the firearm as an acquisition in its acquisition and disposition (“A&D”) records and would not, upon retrieval of the firearm by the individual, execute a [Firearms Transaction Record, Form 4473](#) (“Form 4473”) or conduct a [National Instant Criminal Background Check System](#) (“NICS”) background check. It should be noted that, if the FFL chooses for any reason to access a firearm within an individual’s locker, such an action would be considered an acquisition and all requirements specified below would apply.

Storage of an [National Firearms Act](#) (“NFA”) firearm, described below, by an individual in a storage locker provided by an FFL does not require the filing of an application for transfer and registration. Because only the individual storing the NFA firearm has the ability to open the locker and retrieve the NFA firearm, no “transfer” of the firearm to the FFL occurs.

### **Taking a Firearm into Inventory for Storage**

A second method of providing firearms storage occurs when an FFL “receives” or “acquires” a firearm. In this situation, an individual physically delivers the firearm into the possession, custody, or control of the FFL. Here, the firearm is “acquired” for storage by the FFL.

When offering this storage method, the FFL must enter the receipt of each firearm into its A&D record, as required by 27 CFR part 478, subpart H. Firearms transferred to an FFL for storage are *not* received for same-day “adjustment or repair.” Therefore, such firearms must be recorded in the FFL’s A&D records; and, if an FFL has questions on whether the acquired firearm is an unmarked privately made firearm that must be serialized in accordance with 27 CFR 478.92 and 479.102, please contact your local ATF office.

In order for the FFL to return the stored firearm to the individual, i.e., a nonlicensee, the FFL must record the transaction on a [Form 4473](#). Additionally, with limited [exceptions](#), the FFL must conduct a [NICS](#) check before returning the firearm. See [18 U.S.C. 922\(t\)](#) and [27 CFR 478.102](#). The FFL must also record the firearm disposition in the A&D record pursuant to 27 CFR [478.122](#), [478.123](#), or [478.125](#).

Notably, firearms regulated under the [NFA](#) may not be transferred to any person for storage purposes, including an FFL, unless the transferor obtains from ATF an approved application for transfer and registration. These types of firearms include:

1. A shotgun having a barrel or barrels of less than 18 inches in length;
2. A weapon made from a shotgun if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 18 inches in length;
3. A rifle having a barrel or barrels of less than 16 inches in length;
4. A weapon made from a rifle if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 16 inches in length;
5. Any other weapon, as defined in subsection (e) of 26 U.S.C. 5845;
6. A machinegun;
7. Any silencer (as defined in 18 U.S.C. 921); and
8. A destructive device.

If the transfer of a firearm regulated under the NFA to an FFL for storage has been approved, the FFL may not transfer that NFA firearm to any person, including the person who requested the storage, unless the FFL seeks and obtains from ATF an approved application for transfer and registration to the proposed transferee.

FFLs may contact their local ATF office should they have questions about this Open Letter. A listing of ATF office phone numbers can be found [here](#). Additionally, there may be State laws that pertain to this activity. FFLs are encouraged to contact State Police units or the applicable Office of the State Attorney General ([www.naag.org](http://www.naag.org)) for information on any such requirements.

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