

EXHIBIT N



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Washington, DC 20226

www.atf.gov

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Franklin Armory
2246 Park Place, Suite B
Minden, Nevada 89423

Mr. Jacobson:

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has become aware that information listed on your website regarding the transfer and interstate transport of your Reformation firearm do not accurately reflect the provisions required for the transfer and interstate transport of a short barreled shotgun as required under 18 U.S.C. § 922(a)(4) and 18 U.S.C. § 922(b)(4).

As you know, the Reformation has been classified by the ATF Firearms and Ammunition Technology Division (FATD) as a short barreled shotgun (SBS) as defined by the Gun Control Act (GCA) but was found not to be a firearm regulated under the National Firearms Act (NFA). Such firearm will be referred to as GCA/SBS.

The GCA has two provisions that add additional requirements for short barreled shotguns;

- 1) 18 U.S.C. § 922(a)(4) generally requires that an individual wishing to transport an SBS in interstate or foreign commerce obtain approval by the Attorney General to transport the firearm.
- 2) 18 U.S.C. § 922(b)(4) generally requires authorization from the Attorney General consistent with public safety and necessity prior to the sale or delivery of an SBS to an individual by a Federal firearms licensee (FFL).

Pursuant to regulation promulgated under 27 C.F.R. Part 479, the above requirements are fulfilled for an SBS regulated under the NFA by the completion and approval of an ATF Form 5320.4 (Application for Tax Paid Transfer and Registration of Firearm) and by the ATF Form 5320.20 (Application to Transport Interstate or to Temporarily Export Certain National Firearms

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(NFA) Firearms). Use of these forms, however, is limited to NFA firearms; the regulations do not provide for their use for GCA firearms, including GCA/SBSs.

Other than the Reformation firearms now produced by Franklin Armory®, ATF is unaware of any other firearm manufacturer having produced or sold a GCA/SBS. Because GCA/SBS firearms have not previously been available in the marketplace, existing federal firearm regulations do not provide a mechanism to process requests regarding GCA/SBSs submitted pursuant to Sections 922(a)(4) or (b)(4).

ATF is currently developing the procedures and forms to address this gap in the federal firearm regulations. Once promulgated, these new procedures and forms will provide the mechanism necessary for FFL holders and owners of GCA/SBS firearms to request the statutorily required approvals. Until such time, you should be aware of the following:

- 1) A GCA/SBS, such as the Reformation, may lawfully be sold / transferred to the holder of an appropriate FFL (a GCA/SBS cannot be transferred to the holder of a type 06 or type 03 FFL).
- 2) There is currently no mechanism for an FFL to be granted authorization from ATF to transfer a GCA/SBS, such as the Reformation, to a non-licensee. Therefore, an FFL may not lawfully transfer the Reformation to a non-licensee.
- 3) There are currently no provisions for an unlicensed individual who owns a GCA/SBS, such as the Reformation, to submit a request to transport the GCA/SBS across state lines. Therefore, the owner of a GCA/SBS, such as the Reformation, may not lawfully transport the firearm across state lines.

As soon as the necessary forms and procedures have been finalized and approved your company will be notified.

Sincerely,

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Michael S. Knapp
Acting Chief, Firearms Industry Programs Branch