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Washington, DC 20515

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ATF Rulemaking Comments
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The Department of Justice (DOJ) and Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) play a critical role in protecting American communities from violent crime involving the illegal use of firearms. However, in April, the ATF announced over 30 new rules that will make significant changes to federal firearms regulations, threatening decades of progress in advancing public safety, supporting law enforcement, and ensuring the consistent administration of our federal firearms laws. One of these proposed rules entitled “Removing CLEO Notification Under the National Firearms Act” (RIN 1140-AA65, Docket No. ATF-2026-0004)¹ would eliminate the longstanding requirement that applicants seeking to make or transfer a firearm regulated under the *National Firearms Act* provide notice of their application to the Chief Law Enforcement Officer (CLEO) with jurisdiction over their residence. These notifications provide local law enforcement agencies with valuable information about the presence of highly regulated firearms within their jurisdictions and support officer safety by ensuring agencies are aware when such weapons are transferred to individuals in their communities. Eliminating this fundamental notification requirement would remove an important mechanism for information sharing between local and federal law enforcement. We urge the ATF to carefully consider the significant legal, public safety, and practical consequences of these proposed actions and retain the CLEO notification requirement.

¹ Removing CLEO Notification Under the National Firearms Act, 91 Fed. Reg. 24471 (proposed May 6, 2026) (to be codified at 37 C.F.R. pt. 479).

Congress enacted the *National Firearms Act* (NFA) in 1934 to regulate particularly dangerous weapons, including short-barreled rifles and shotguns, silencers, machine guns, and destructive devices.² Following the enactment of the NFA, ATF's implementing regulations required individuals seeking to make or acquire NFA-regulated firearms to obtain certification from the CLEO with jurisdiction over their residence. This certification confirmed that the CLEO had no information indicating the applicant's possession of the firearm would violate state or local law – or that it would be used for unlawful purposes. This long-standing certification process was designed to ensure that local law enforcement was aware of individuals seeking to manufacture or acquire these highly regulated firearms and to provide an opportunity to identify information relevant to an applicant's eligibility that might not otherwise be available to federal authorities.

In 2016, the CLEO certification was eliminated after determining that a notification-based process along with a mandatory background check could reduce the burden while still protecting public safety.³ The ATF concluded that this notification – combined with mandatory background checks – would continue to ensure the primary public safety objectives, i.e., that local law enforcement would remain aware of prospective NFA transfers and could provide ATF with important information that might not be available to the federal background checks system. Even the gun industry's trade association, the National Shooting Sports Foundation, agreed, encouraging the ATF to “consider shifting to a notification process” to “remove the unnecessary burden from CLEO without sacrificing security.”⁴ However, under the newly proposed rule, the ATF would eliminate even this longstanding notification, removing the safeguard the ATF had previously concluded was necessary to support local law enforcement and protect communities from harm.

The value of CLEO notification extends beyond the application process itself. Advance awareness of the lawful acquisition of an NFA-regulated firearm provides local law enforcement with important situational awareness when responding to emergencies or conducting investigations. For example, if officers are responding to a domestic violence call, executing a search warrant, or confronting a high-risk situation at a residence, knowledge that an individual has lawfully acquired a short-barreled rifle or other NFA-regulated weapon can inform decision making and planning.⁵ The importance of this awareness is highlighted by incidents such as a

² See generally 26 U.S.C. §5845 (defining different types of firearms).

³ *Background Checks for Responsible Persons (Final Rule 41F)*, BUREAU OF ALCOHOL, TOBACCO, FIREARMS & EXPLOSIVES, <https://www.atf.gov/rules-and-regulations/laws-alcohol-tobacco-firearms-and-explosives/national-firearms-act/final-rule-41f-background-checks-responsible-persons-effective-july-13> (last visited July 1, 2026).

⁴ See Greg Lickenbrock, *ATF to End Police Notifications for Deadly NFA Weapons*, The Smoking Gun (Oct. 30, 2025), <https://smokinggun.org/atf-to-end-police-notifications-for-deadly-nfa-weapons/>.

⁵ Everytown for Gun Safety Support Fund, Comment on eCollection Request for Application To Make and Register NFA Firearm, ATF Form 5320.1 (“Form 1”); Application To Transfer and Register NFA Firearm (Tax-Paid), ATF Form 5320.4 (Form 4); and Application To Transfer and Register NFA Firearm (Tax-Exempt), ATF Form 5320.5 (Form 5) (Dec. 1, 2025), <https://omb.report/icr/202601-1140-005/doc/165486200>.

shooting in Pennsylvania last year, during which three police officers were killed and two others were wounded while serving a warrant during a domestic violence investigation; the shooter used an AR-15-style rifle equipped with a silencer.⁶

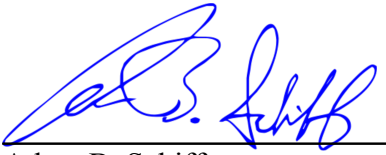
Many NFA-regulated firearms present a risk to public and officer safety because they combine enhanced lethality mechanisms that can complicate the law enforcement response. Machine guns are capable of firing multiple rounds with the single pull of a trigger, increasing the volume of fire. Short-barreled rifles and shotguns are more maneuverable in close quarters and easily concealed, and silencers suppress the sound and flash of gunfire, making it more difficult for officers and individuals to recognize an active shooting and provide timely information to responding law enforcement. That's what makes the CLEO notification requirement so critical: it enables officers to better assess potential risks, take appropriate precautions, and improve coordination to protect both responding personnel and the public.

While federal authorities would continue to maintain records of NFA-regulated weapons, local law enforcement agencies would lose access to information that has long helped them understand which individuals within their jurisdiction possess, or about to come into possession of, these highly regulated firearms. **For decades, the CLEO notification requirement has promoted transparency, strengthened coordination between federal and local law enforcement, and served as an important safeguard for both public and officer safety.** Removing this longstanding notification process would diminish local law enforcement's situational awareness and limit their ability to effectively assess potential public safety concerns involving NFA-regulated firearms within the communities they serve. In other words, this proposed rule would "hinder public safety."⁷ At a time when coordination among all levels of law enforcement is more important than ever, the ATF should not eliminate a commonsense information-sharing requirement that has existed for nearly a century and that ATF itself previously determined was essential to the objectives of the NFA. **We strongly urge the ATF to withdraw this proposed rule and retain the CLEO notification to help our local law enforcement and communities.**

Sincerely,

⁶ Rhian Lubin, *Suspect Named: Everything We Know about the Pennsylvania Shooting That Left Three Cops Dead*, THE INDEPENDENT, (Sep. 18, 2025), <https://www.the-independent.com/news/world/americas/crime/pennsylvania-police-shooting-suspect-b2829317.html>.

⁷ Removing CLEO Notification, *supra* note 1 at 24475.



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