

A banner with a blue and white striped background. The text is written in a white, serif font. It reads: "Surplusrifle.com's FFL 03 Curios & Relics: A Primer".

Surplusrifle.com's FFL 03 Curios & Relics: A Primer

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Article Written by: R. Ted Jeo, Mark Trope, with an Introduction by Jamie Mangrum

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Introduction

Ted really jumped into this subject matter with both feet. This is a controversial subject and you will find that everyone, and I mean everyone has an opinion on what is correct and what is the **LAW** concerning lawful ownership of Curio & Relic firearms. What we are attempting to do in this article is to **first** create a usable resource that is filled with as many facts as possible from the resources that are available to us. Then we take those facts and boil them down into concise and easy steps so you can understand the process you must complete to successfully gain your FFL 03 Curio & Relic License. **Second**, we will continually update the article as best we can with new, updated, or corrected information as it becomes available.

Please understand that we are collectors just like you are. We are not attorneys or employees of the U.S. Bureau of Alcohol, Tobacco and Firearms. We are just trying to make the murky waters a little less murky. The best and most prudent thing for you to do if you have a question is to ask the professionals who enforce the rules, regulations, and the laws related to purchasing and owning Curio & Relic firearms. We have supplied all of the contact information in this article to make it easy for you.

Remember, only **YOU** can keep **YOU** legal.

If you are new to mil-surp collecting and shooting you hear about the "coveted" C&R license that everyone is telling you to get, so that you also can get in on the deals. So, let's take a look at what this piece of paper actually is, how to get it, and what you can do with it.

WHAT IS A C&R LICENSE?

The Bureau of Alcohol, Tobacco and Firearms (*BATF or ATF*) was originally under the control of the Dept. of Treasury, but in 2003, the law enforcement portions of ATF were transferred to the Dept. of Justice. ATF is essentially a tax collecting, law enforcement and regulatory arm of Justice/Treasury dealing in alcohol, tobacco and firearms (*duh*). In terms of firearms, the ATF is the federal government agency that issues so called Federal Firearms Licenses (*FFL*). There are several types of FFLs that one can get. The “full license” that allows the licensee to purchase pretty much any firearm is what is called an “FFL 01” type or dealers license. This is a business type license, not used for collecting, but rather for buying and selling to others. There are other categories that deal with manufacturing and importing firearms. The type of license we will focus on is the “FFL 03 C&R” or simply “C&R”.

WARNING:

In this article we are talking about general license information and personal experiences. The purpose of the article is to give you some idea about what a C&R can do for you and how to get one. You need to contact ATF directly with specific questions and/or your local law enforcement agencies. You can find your local ATF office at:

<http://www.atf.gov/field/index.htm>

The FFL 03 C&R, or Curios and Relics is, simply put, using the words of my wife, a neutered FFL 01 license. The C&R allows you to purchase eligible firearms across state lines, transfer eligible weapons between licensed people, and order eligible weapons through the mail (*UPS or FedEx*). It is NOT a business license; it is purely for your own collecting activities. You have to be careful about that. Yes, you can sell a C&R acquired eligible firearm, but you cannot do it for your “livelihood”. You may sell or “dispose” of a C&R weapon to anyone not prohibited in your state, or to a licensee in another state.

What is a Curio or Relic, ala Title 27, Code of Federal Regulations (CFR) part 178, section 178.11

Curios or Relics: Firearms which are of special interest to collectors by reason of some quality other than is associated with firearms intended for sporting use or as offensive or defensive weapons. To be recognized as curios or relics, firearms must fall within one of the following categories:

- (a)** Firearms that were manufactured at least 50 years prior to the current date, but not including replicas thereof;
- (b)** Firearms which are certified by the curator of a municipal, State, or Federal museum which exhibits firearms to be curios or relics of museum interest; and
- (c)** Any other firearms which derive a substantial part of their monetary value from the fact that they are novel, rare, bizarre, or because of their association with some historical figure, period, or event. Proof of qualification of a particular firearm under this category may be established by evidence of present value and evidence that like firearms are not available except as collector's items, or that the value of like firearms available in ordinary commercial channels is substantially less.

A C&R license allows you to purchase rifles, pistols, shotguns and machineguns (*yep, there are some of them too*) that are on the ATF C&R list. Basically, these are weapons that are at least 50 years or older. HOWEVER, just because a weapon is 50 or more years old, does not make it an automatic C&R eligible weapon. ATF has a web page that lists all of the C&R eligible weapons at:

<http://www.atf.gov/firearms/curios/index.htm>

Some listings of interest are:

- All Original military bolt action and semiautomatic rifles mfd. between 1899 and 1946.
- All properly marked and identified semiautomatic pistols and revolvers used by, or mfd. for, any military organization prior to 1946.
- All shotguns, properly marked and identified as mfd. for any military organization prior to 1946 and in their original military configuration only
- U.S. Rifle, caliber .30, M1, original issue only, produced prior to 1958.

The key word in these lists are “original”. That is, if the rifle was altered as a sporter, it no longer is eligible as a C&R rifle. One has to be careful about that. The question is, at what point is it considered “altered”? There is also some debate about rifles that were altered by the military into another military rifle, such as a 7mm 1916 Spanish Mauser into a 7.62 NATO “Guardia Civil”. There are some that argue that it was altered and is therefore not eligible. I had sent in that specific question to ATF. Here is the reply:

“You also asked if the “Modelo 1916 Spanish Short rifle Mauser” rifle is classified as a curio or relic. Any Spanish Model 1916 military rifles in original military configuration quality as curios or relics as that term is defined in Title 27, Code of Federal Regulations, part 178, section 178.11 {NOTE: See insert above}. This classification includes the FR7 and FR8 variations chambered for the 7.62 Cetme cartridge. These curios or relics may be transferred to federally licensed collections as provided in 18 U.S.C. Chapter 44 and 27 CFR part 478. They are still firearms as defined in 18 U.S.C. section 921(a)(3).”

Okay...as ***I*** read the ATF reply, the “Guardia Civil” and the FR7/8 rifles ARE C&R eligible rifles being that they are “original” rifles, HOWEVER, they must have be at least 50 years old (*first requirement listed*). I suppose you may argue that these rifles, regardless of when they were converted, would be covered under the “...novel, rare, bizarre, or because of their association with some historical figure, period, or event.” part of section 178.11.

If you have a specific example that you are wondering if it is a C&R eligible firearm, you need to contact ATF Technical Division directly (*in writing only*) and send them specific information on the weapon and photos if you can. They will make a ruling on the weapon and contact you back. DO NOT BOTHER to call a local ATF region office with a firearms ruling. They will only steer you back to the ATF Technical people. The local ATF is good for general questions about the C&R and help in filling out the forms.

The address to submit a letter of ruling and eligibility of a firearm is:

**Bureau of Alcohol, Tobacco, Firearms and Explosives
Firearms Technology Branch**

**244 Needy Road
Martinsburg, WV 25401**

On that note, you must also realize that there are federal firearms laws and also state and local laws. You are required to follow both. To help you out in your local state, ATF sends a copy of current state laws (*all the states*) in your welcome license kit. A C&R is NOT a license to carry a concealed weapon nor overwrites your local firearms regulations and laws! In some cases, some sellers will require a C&R for ammo purchase. This is more for proof of age.

HOW DO I GET A C&R?

You have to meet some minimum qualifications first:

- 21 years or more of age;
- You cannot be prohibited from shipping, transporting, receiving or possessing firearms or ammunition; (*i.e., you are not a convicted felon, also, you have to be a US citizen or permanent resident or have special dispensation*)
- You have not willfully violated the Gun Control Act (GCA) or its regulations;
- You have not willfully failed to disclose material information or willfully made false statements concerning material facts in connection with his application (*in other words, you did not lie on your application!*)

If you think you are eligible for the license, then there are a couple of ways to get the required forms.

You USED to be able to download the forms or get them sent from your local ATF office. That is no longer the case. Now you need to either contact their central distribution center via online or phone. There is no charge to get the forms.

Online: go to <http://www.atf.treas.gov/dcof/index.htm> and request (*on the right side of the screen*)

“F7CR 5310.16 Application for License (*Collector of Curios and Relics*) Under 18 U.S.C. Chapter 44, Firearms”

They will ship the forms to you in a week or two.

Phone: Call (703) 455-7801 and put in your request for a “Form 7CR, Curio or Relic application kit” Again, it will take a week or two to get the forms.

Note:

The web addresses and phone numbers can change at any time. If you cannot get through to order the forms, call your local ATF office and ask them how to get the forms.

You can find your local ATF office at: <http://www.atf.gov/field/index.htm>

Or contact them via email: ATFMail@atf.gov

(Be forewarned that the email address is NOT for specific questions on technical or legal issues, you have to hard copy mail them your questions on these topics)

Or mail at:

**Bureau of Alcohol, Tobacco, Firearms and Explosives
Office of Public and Governmental Affairs
650 Massachusetts Avenue, NW.
Room 8290
Washington, DC 20226**

In about a week or two, you will receive a packet in the mail that has a couple of forms in it. I would highly recommend that you photocopy the forms and use the copies to “practice and edit” with before you fill out the ones to be sent in. When I requested a packet recently (2004) I got two forms, one was the actual ATF F7CR form (*two copies*), the other was a newer form with the title of “Certification of Compliance with 18 USC”, basically a certification of citizenship.

In about a week or two, you will receive a packet in the mail that has a couple of forms in it. I would highly recommend that you photocopy the forms and use the copies to “practice and edit” with before you fill out the ones to be sent in.

The new form is four pages long, instead of the two from before. As in previous versions, there are two copies to each form, Copy 1 goes to ATF and Copy 2 gets submitted to your CLEO (*Chief Law Enforcement Officer*) for you area. An easy way to figure out who your CLEO, answer the questions, “who would come to your door when you dial 911?”.

New to this form:

- The ability to pay via credit card, information filled out on the form
- Additional space to list names of people for multi person (*corporate, partnership*) licenses
- Country of citizenship block
- Race and Ethnicity information (*check boxes*)
- Residence phone number
- Addition of the 18 USC 922 (g)(5)(B) Certification of Compliance information on the form
- Previous FFL license information requests

- Signature block has additional statements on release of information.

Note:
I mentioned above that the Certification of Compliance information was added into the F7CR form. In my packet, ATF sent the SEPARATE Certification form as well. I contacted ATF and they said to ignore the additional form.

Let's go through it step by step:

F7CR Form items:

(use a ball point ink pen and print or type to fill out the form)

Items 1-6: Self explanatory. Use full names and do not use abbreviations in addresses.

Item 7: The majority of us will check "individual". When I asked ATF about other category examples they gave museums as a corporation and a partnership as being held by several friends. It still lacks distinct clarity.

Item 8: If you want to pay via credit card, fill this section out. Make sure that you use the billing address of the credit card if it is different from where you want the license address to go to. Make sure that you sign the authorization to allow ATF to charge the card.

Item 9: For each person

1. Make sure you use your FULL name, no initials.
2. Social Security number and position. In the case of an individual, you can use "owner". I would think that "collector" would work also.
3. Give your FULL mailing address. If you can, do not use abbreviations at all. If you lived at other addresses in the past 5 years, you will need to note them as well.
4. Give country of citizenship. Note: if you are a nonimmigrant alien, you will need to complete items in #10. For a definition of nonimmigrant alien, see the back of the form. If you are a US citizen, you will not need to complete ALL of Item #10
5. Give place of birth
6. Date of birth
7. Check your race/ethnicity. It appears this is MANDATORY, not simply requested.
8. Sex (yes please!)

9. Residence phone number, with area code.

Item 10: Fill in "A." with your name (*if you are a US citizen*) then skip to Item 11. If you have nonimmigrant status you will need to fill out parts B and C as well.

Item 11. This is a new section that asks about previous FFL issuances. If you mark any YES, you will need to supply a separate sheet answering the question in detail.

Item 12&13. Make sure you check EACH of the line items either Yes or No. You may need to attach a separate explanatory page if required.

Item 14. Make sure that you check EACH of the boxes. This is where you agree that you will check on your local laws, you will follow your local laws and also contact your local Chief Law Enforcement Officer (CLEO) (*sheriff, chief etc.*), which you will have to provide the NAME of and ADDRESS of.

Item 15. This certification is different and much more in depth compared to the old form. Whereas before you were simply stating you certify that the application was true to the best of your knowledge, the new form goes on to give ATF authorization to perform a background check as well as access employment, military, medical and police records. MAKE SURE YOU SIGN AND DATE THE FORM.

NOW GO BACK AND TRIPLE CHECK YOUR FORM!

The license costs \$30 for 3 years. If you did not authorize the use of a credit card, MAKE SURE YOU ENCLOSE A CHECK OR MONEY ORDER payable to ATF. Write your SSN on your check or money order as well.

Fill out the second copy of the F7CR exactly as you did the first and photocopy the entire form (*front and back*) of both the ATF and CLEO copies for your records.

Note:
The lists of instructions given were for 2005. These requirements or the forms may change, so make sure you look at your specific form(s) and fill them out completely. READ the back of the forms also!!!

AND FINALLY:

Send the ATF form and payment to the address listed on the back of the form. You can mail out the CLEO copy the same time you send your form to ATF, you do not need to wait on any response from the CLEO. It is their duty to contact ATF if they have an issue with your application. The CLEO copy does not need payment information attached.

AGAIN, before you send off the forms to the ATF and your CLEO, make copies for yourself. MAKE SURE YOU COPY THE BACK SIDE OF THE FORMS AS WELL for your records. There are contact numbers and addresses on the back.

Note:
Again, the lists of instructions given were for 2005. These requirements or the forms may change, so make sure you look at your specific form(s) and fill them out completely.

READ the back of the forms also!

In addition to the two forms, I also got a copy of "Firearms Curios and Relics List" (revised April 2004) in the packet. This booklet lists all the firearms that are regarded as C&R eligible PLUS it lists the laws that govern C&R licenses. The publication number is ATF P 5300.11 Revised April 2004. I would highly recommend that when you order the forms from the distribution center, you request one of these books as well. In the past, this book has been part of the "welcome package" that typically shows up before they ship your license copy, but it never hurts to make sure that you have one on hand.

WHAT TO DO ONCE YOU GET THE LICENSE?

If all goes well, your license should be mailed to you in 6 to 8 weeks. These times vary by quite a bit. If it seems like it is taking too much time, you may contact ATF about it. The number is on the back of the F7CR form. For sure, your check will be cashed sooner than later!

ATF will send you ONE copy of the license. **DO NOT SIGN THE ORIGINAL!!!** The VERY first thing to do to is make clear photocopies of the license. Make like a dozen or more. Then put the original in a safe place where you can find it again. You will use the COPIES when you buy/sell C&R weapons. You will need to sign copies in INK prior to using them.

ATF will also send you a "welcome" kit that will contain a current copy of State firearm laws and some other info. This will come separate from your license. When you get the kit, do not freak out. There is a LOT of extra stuff there that actually does not pertain to C&R licensees. It seems they send out generic kits to all new licensees.

For some more general information on your license, see the ATF FAQ list at:

<http://www.atf.gov/firearms/faq/index.htm>

Now, that you have that half sheet of paper what do you do? What else?!? You start to BUY!!! Many companies will only sell to licensed people, so you need to send them a copy of the license (*signed*) and request to be put on their list. They have to have a signed license on file before they will ship a firearm. What I did was make a form letter requesting I be put on their mailing list, that they file my license and also offer me any discounts that they offer and sent them to various companies with a license signed copy.

My list included:
AIM Surplus (<i>firearms/ammo seller</i>), P.O. Box 556, Springboro, OH. 45066
Allan's Armory , P.O. Box 331, Graham, FL 32042
Aztec International , PO Box 771569, Ocala, FL 34477-1569, (352) 629-6290
Brownells Inc (<i>gun parts etc.</i>), 200 South Front Street, Montezuma, IA 50171
Centerfire Systems , 102 Fieldview Dr, Versailles, KY 40383
Century Arms (<i>firearms/ammo</i>), 1161 Holland Dr., Boca Raton, FL 33487
Cole Distributing (<i>firearms/ammo seller</i>), P.O. Box 247, Scottsville, KY 42164
Empire Arms , P.O. Box 2068, Ormond Beach, FL 32175
FAC of America , 8035 Ranchers Road, Fridley, MN 55432, Phone: 1.800.486.5971
Graf and Sons, Inc (<i>ammo, reloading, supplies etc.</i>), 4050 S. Clark, Mexico, MO 65265
Huntingtons (<i>ammo, reloading</i>), P.O. Box 991, Oroville, CA 95965

J&G Sales (<i>firearms, ammo, accessories</i>), 440 Miller Valley Rd, Prescott AZ 86301
InterOrdnance , 3305 Westwood Industrial Dr., Monroe, NC 28110
L.C. Enterprises (<i>firearms, ammo seller</i>), S. 1093 Country Road G, Wonewoc, WI 53968
Numrich Gun Parts (<i>gunparts Offers DISCOUNT</i>), 226 Williams Lane, W. Hurley, NY 12491
SARCO Inc. (<i>firearms/ammo, gunparts, accessories</i>), P.O. Box 98, 323 Union Street, Stirling, NJ 07980
Southern Ohio Guns (SOG) (<i>firearms/ammo</i>), 240 Harmon Ave P.O. Box 590, Lebanon, OH 45036
Wholesale Guns (<i>firearms/ammo</i>), P.O. Box 289, Calverton, NY 11933
Midway USA (<i>parts, ammo, reloading, books etc.</i>), Dealer Sales, 5875 W. Van Horn Tavern Rd., Columbia, MO 65203
Samco (<i>firearms/ammo</i>), 6995 NW 43 rd St, Miami, FL 33166

There are LOTS of other companies. The one thing is that you may become your mailman's worst nightmare. Figure that you will be getting flyers and catalogs nearly every month. This could be good or bad, depending on how you want to purchase your collection. I also sent a copy of my license to my gun collecting friends and relatives in case we needed to do some transfers. Being a C&R licensee, you may also purchase eligible firearms through on line auction sites (gunbroker.com, gunsamerica.com, etc.) One thing you should consider is to carry an unsigned copy with you in your wallet. That way, when you get to the "once in a lifetime deal" you are ready. You can even "haggle" at gun shows and shops because you have a license, and therefore require less paperwork on C&R eligible purchases. This, however, does not extend to buying non C&R firearms.

Special note. The **Civilian Marksmanship Program** (CMP) sells surplus US firearms (*Garands, Springfields, etc*). As a C&R licensee, you may purchase these directly without shooting qualifications; HOWEVER, you will still need to fill out all of the required paperwork. Info at:

http://www.odcmp.com/Services/Rifles/eligibility_requirements.htm

WHAT ELSE SHOULD I KNOW?

Renewals: ATF will contact you a few months prior to your license running out. They will send you renewal forms and you will have to go through the same process again.

Moving/Change of address: The address listed on your license is the ONLY address that companies should be shipping firearms to. If you move or have some other address change, you will need to contact ATF for a new license and send out new copies.

IF you have a change of address, you need to download and submit form 5300.38 "Application for an Amended Federal Firearms License". You can download the form at

www.atf.treas.gov/forms/pdfs/f530038.pdf. Realize that this form is used by ALL types of licenses if there is an address change and there are many parts that do not pertain to the C&R license. Fill out the parts that are geared toward more the individual rather than

a business. Questions on zoning, hours of operation, business numbers, etc do not need to be filled out. Remember, the 03 license is ONLY for individual collecting.

I would find it prudent to send with the form a short note that explains that you have a C&R and have moved. They will issue a new C&R. There is NO fee for this form.

What? A NEW C&R number?

Yep, if you move there is a good chance that you will get a brand new number. Why? Because the license number issued is dependent on where you live. Let's take a look at a C&R number.

A typical number would be:

1-23-456-78-9A-00000

Broken down as follows:

Position 1 represents= ATF region you are in

Position 2,3 represents= State the license is in

Position 4,5,6 represents= County the license is in

Position 7,8 represents= FFL type (*in the C&R it would be 03*)

Position 9A represents= digit is year of expiration, letter is the month (*A=Jan, B=Feb, etc*)

Position 00000= unique number to your license

That is why your number may change if you move. Because sellers are only supposed to ship to the address listed on the FFL, you can see why you need to update the records.

Non C&R purchased firearms: Basically, for non C&R firearms, your ability to purchase these remains the same as if you did not have the license. You do not record non C&R firearm purchases/sales in your bound book. It is a good idea, however, to record sales of C&R firearms to eligible but non-licensed buyers in the book. You really cannot keep enough records; it is always better to have too much, than too little recorded. In the end, a book for ALL purchases is a good idea, if only for insurance purposes.

The BOUND BOOK: One requirement of your license is that you must keep a bound book record of your purchases and "dispositions" (*sales/transfers*) of firearms. ATF does not send you a book; you have to buy/make your own. You can download an Adobe PDF version of a sheet of the book at:

<http://www.surplusrifle.com/graphics/boundbookpage.pdf>

The book must be bound as a permanent record. Electronic records are not acceptable without special and specific disposition from ATF.

Quitting: Unlike an 01 dealer license, you do not need to turn in your records to ATF if you decide to quit. You should keep the records though.

So, that is a little info about the C&R license. The process and requirements to get one of the licenses is not for everyone. Whereas gun ownership is a right for most of us, it is also a RESPONSIBILITY. There are a few hoops to go through, but in the end, the license is easy to get and easy to use to your great advantage (*and your wallet's disadvantage!*).

Obviously, you do not need a C&R to buy mil-surp firearms, only to get on mailing lists and buying them through mail order. There are people who will not buy firearms sight un

seen, preferring to pay the (*sometimes*) extra cost to be able to handle and inspect specimens themselves. I am one that gives the sellers a fair chance on their descriptions that they print and I have ordered all but ONE of my mil-surps via mail order (*sight unseen*) and have not had to return any of them, feeling that they were adequate for the description given vs. my cost. In any case, the \$30 fee is a small price to pay to get dealer discounts from the favored shooting supply companies.

Oh by the way....

Since starting this article, I have found out that the added citizen certification form is going to be incorporated into a new version of Form 7CR. Hence, the instructions above are really only pertinent to what the distribution center is sending out right now.

Also, I intend on dropping a letter to the ATF tech people and ask some specific questions of sporterizations and modifications of C&R's. Once (if) we get any viable answers back, and/or the new forms come out, it is our goal here at surplusrifle.com, to keep this article updated.

Mark writes:

As usual, Ted dissected and digested this subject like I do with a medium-rare Black Angus steak! Here are a few more practical tips.

When attending gun shows; you always see fellows walking around with Mil-Surp rifles for sale. If you decide to purchase one of these guns; it is a private transfer. But, as Ted said, you can't have enough documentation. Keep a small pocket notebook handy. Ask to see the fellows drivers license, get his address. Let him know you plan to enter this rifle on your bound book. If he starts to shuffle, gets nervous and backs out of the deal, you know something is very wrong. You *don't* want any part of *that* gun!

Many years ago; I was offered a deal on a very desirable Mil-Surp; at an *extremely* attractive price. I didn't know this fellow. Someone else told him I was interested in Mil-Surp arms. When the owner refused to provide any form of ID, didn't care who I was, and only wanted to see money, I backed out of the deal. Did I want that gun? You bet. However, when a deal "feels" shady, you can bet your bottom dollar it is shady! At gun shows I carry a zipper bag with a shoulder strap. This bag has copies of my C&R license, pens, a bore light, and a pocket notebook. I also keep copies of current sale fliers from a few Internet based companies. The bag is big enough to hold small purchases; like cans of powder, primers, mould handles etc.

Every page in my Bound Book has clear document protectors. I just slide the pages in. In the back of my Bound Book I have additional clear document protectors. I keep a copy of other peoples C&R there. I also keep receipts for guns there. A 3-Ring binder and clear document protectors can be purchased from any department store.

When your new Mil-Surp treasure arrives via UPS, or you bring it home from the gun show, enter it into your book ASAP. The last thing you need to do is forget to enter it.

A C&R license is one of the best deals going! On my first order to MidwayUSA, after faxing them a copy of my C&R, I saved more then the cost of my license!

We hear talk about various groups (*with a political agenda*) launching attempts to add

additional, burdensome restrictions on *lawful* gun owners, and trying to put *honest* gun shops out of business. No one seems too interested in those of us holding C&R licenses!

As a group, we have been *extremely* responsible. So responsible in fact; we seem to have slipped below the radar of individuals and small groups looking to divest us of lawful pursuits. As long as we continue to add to our collections by dealing with reputable mail order houses and honest citizens, maintain our records in a clear, concise and timely manner, we will be collecting Mil-Surp arms on our C&R's for a lifetime.

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