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Department of Justice

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Monday, January 3, 2022

Justice Department Announces New Rule to Help Enhance Safe and Secure Storage of Firearms; Publishes Best Practices Guide for Federal Firearms Licensees

The Department of Justice today announced a new rule to help enable the safe and secure storage of firearms and published a *Best Practices Guide* for federal firearms licensees (FFLs). This new rule implements the existing Gun Control Act requirement that federal firearms licensees that sell firearms to the general public (non-licensees) must certify that they have available secure gun storage or safety devices. The Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) *Best Practices Guide* for FFLs is an important resource and reference guide about federal laws and regulations.

"Today's announcements build on the department's efforts to reduce the risk of firearms falling into the wrong hands," said Attorney General Merrick B. Garland. "Gun safety is a Department of Justice priority, and we will continue to take all appropriate steps to help reduce the number of people killed and injured by the misuse of firearms."

The Department of Justice has submitted to the Federal Register for publication a final rule, which will take effect Feb. 3, requiring FFLs to certify that they have secure gun storage devices available to their customers for purchase. Secure gun storage or safety device, as defined by statute and regulation, includes a safe, gun safe, gun case, lock box or other device that is designed to be or can be used to store a firearm and that is designed to be unlocked only by means of a key, a combination or other similar means. Not all devices are compatible with varying types of firearms. Therefore, integral to the new rule is the requirement that FFLs have available secure gun storage options that are compatible with the firearms they are selling.

The final rule, published in the electronic reading room today, can be viewed here: <https://www.federalregister.gov/public-inspection/2021-28398/secure-gun-storage-and-definition-of-antique-firearm>.

In addition, today, the ATF published a *Best Practices Guide* for FFLs. The ATF's *Best Practices Guide* is designed to assist FFLs in complying with all required firearm laws and regulations that are designed to ensure public safety and the traceability of firearms.

The *Best Practices Guide* also encourages FFLs to provide customers with ATF publications to help firearms owners better understand their legal obligations, as well as practical steps they can take to help keep firearms out of the hands of prohibited persons and facilitate the safe storage of firearms. Links to ATF publications addressing the following topics are included in the *Best Practices Guide*: procedures for FFLs to assist unlicensed firearms owners in conducting background checks for private party transfers; compliance with the Youth Handgun Safety Act; records firearms owners should maintain that can assist law enforcement if the owner's firearms are ever lost or stolen; and the legal consequences and public safety dangers of straw purchasing – which involves purchasing a gun for someone who is prohibited by law from possessing one or for someone who does not want his or her name associated with the transaction.

To view ATF's *Best Practices Guide*, see: <https://www.atf.gov/firearms/federal-firearms-licensee-quick-reference-and-best-practices-guide>.

Component(s):

Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
Office of Legal Policy
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