of this chapter, no military defense article of United States manufacture may be imported into the United States if such article was furnished to a foreign government under a foreign assistance or foreign military sales program of the United States.

(2) The restrictions in paragraph (a)(1) of this section cover defense articles which are advanced in value or improved in condition in a foreign country, but do not include those which have been substantially transformed as to become, in effect, articles of foreign manufacture.

(b) Paragraph (a) of this section will not apply if:

(1) The applicant submits with the ATF Form 6—Part I application written authorization from the Department of State to import the defense article; and

(2) In the case of firearms, such firearms are curios or relics under 18 U.S.C. 925(e) and the person seeking to import such firearms provides a certification of a foreign government that the firearms were furnished to such government under a foreign assistance or foreign military sales program of the United States and that the firearms are owned by such foreign government. (See §478.118 of this chapter providing for the importation of certain curio or relic handguns, rifles and shotguns.)

(c) For the purpose of this section, the term “military defense article” includes all defense articles furnished to foreign governments under a foreign assistance or foreign military sales program of the United States as set forth in paragraph (a) of this section.

(Approved by the Office of Management and Budget under OMB Control No. 1140–0005)


Subpart G—Penalties, Seizures and Forfeitures

§ 447.61 Unlawful importation.

Any person who willfully:

(a) Imports articles on the U.S. Munitions Import List without a permit;

(b) Engages in the business of importing articles on the U.S. Munitions Import List without registering under this part; or

(c) Otherwise violates any provisions of this part;

Shall upon conviction be fined not more than $1,000,000 or imprisoned not more than 10 years, or both.


§ 447.62 False statements or concealment of facts.

Any person who willfully, in a registration or permit application, makes any untrue statement of a material fact or fails to state a material fact required to be stated therein or necessary to make the statements therein not misleading, shall upon conviction be fined not more than $1,000,000 or imprisoned not more than 10 years, or both.


§ 447.63 Seizure and forfeiture.

Whoever knowingly imports into the United States contrary to law any article on the U.S. Munitions Import List; or receives, conceals, buys, sells, or in any manner facilitates its transportation, concealment, or sale after importation, knowing the same to have been imported contrary to law, shall be fined not more than $10,000 or imprisoned not more than 5 years, or both;
and the merchandise so imported, or the value thereof shall be forfeited to the United States.

(18 U.S.C. 545)


PART 478—COMMERCE IN FAMGARMS AND AMMUNITION

Subpart A—Introduction

Sec. 478.1 Scope of regulations.
478.2 Relation to other provisions of law.

Subpart B—Definitions

478.11 Meaning of terms.

Subpart C—Administrative and Miscellaneous Provisions

478.21 Forms prescribed.
478.22 Alternate methods or procedures; emergency variations from requirements.
478.23 Right of entry and examination.
478.24 Compilation of State laws and published ordinances.
478.25 Disclosure of information.
478.25a Responses to requests for information.
478.26 Curio and relic determination.
478.27 Destructive device determination.
478.28 Transportation of destructive devices and certain firearms.
478.29 Out-of-State acquisition of firearms by nonlicensees.
478.30 Out-of-State disposition of firearms by nonlicensees.
478.31 Delivery by common or contract carrier.
478.32 Prohibited shipment, transportation, possession, or receipt of firearms and ammunition by certain persons.
478.33 Stolen firearms and ammunition.
478.33a Theft of firearms.
478.34 Removed, obliterated, or altered serial number.
478.35 Skeet, trap, target, and similar shooting activities.
478.36 Transfer or possession of machine guns.
478.37 Manufacture, importation and sale of armor piercing ammunition.
478.38 Transportation of firearms.
478.39 Assembly of semiautomatic rifles or shotguns.
478.39a Reporting theft or loss of firearms.
478.40 Manufacture, transfer, and possession of semiautomatic assault weapons.

Subpart D—Licenses

478.41 General.
478.42 License fees.
478.43 License fee not refundable.
478.44 Original license.
478.45 Renewal of license.
478.46 Insufficient fee.
478.47 Issuance of license.
478.48 Correction of error on license.
478.49 Duration of license.
478.50 Locations covered by license.
478.51 License not transferable.
478.52 Change of address.
478.53 Change in trade name.
478.54 Change of control.
478.55 Continuing partnerships.
478.56 Right of succession by certain persons.
478.57 Discontinuance of business.
478.58 State or other law.
478.59 Abandoned application.
478.60 Certain continuances of business.

Subpart E—License Proceedings

478.71 Denial of an application for license.
478.72 Hearing after application denial.
478.73 Notice of revocation, suspension, or imposition of civil fine.
478.74 Request for hearing after notice of suspension, revocation, or imposition of civil fine.
478.75 Service on applicant or licensee.
478.76 Representation at a hearing.
478.77 Designated place of hearing.
478.78 Operations by licensee after notice.

Subpart F—Conduct of Business

478.91 Posting of license.
478.92 How must licensed manufacturers and licensed importers identify firearms, armor piercing ammunition, and large capacity ammunition feeding devices?
478.93 Authorized operations by a licensed collector.
478.94 Sales or deliveries between licensees.
478.95 Certified copy of license.
478.96 Out-of-State and mail order sales.
478.97 Loan or rental of firearms.
478.98 Sales or deliveries of destructive devices and certain firearms.
478.99 Certain prohibited sales or deliveries.
478.100 Conduct of business away from licensed premises.
478.101 Record of transactions.
478.102 Sales or deliveries of firearms on and after November 30, 1998.
478.103 Posting of signs and written notifications to purchasers of handguns.

Subpart G—Importation

478.111 General.