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B-338468

June 18, 2026

The Honorable Chuck Grassley  
Chairman  
The Honorable Dick Durbin  
Ranking Member  
Committee on the Judiciary  
United States Senate

The Honorable Jim Jordan  
Chairman  
The Honorable Jamie Raskin  
Ranking Member  
Committee on the Judiciary  
House of Representatives

Subject: *Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives:  
Changes to National Firearms Act Tax Remittance Provisions*

Pursuant to section 801(a)(2)(A) of title 5, United States Code, this is our report on a major rule promulgated by the Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) entitled “Changes to National Firearms Act Tax Remittance Provisions” (RIN: 1140-AA83). We received the rule on June 4, 2026. It was published in the *Federal Register* on May 8, 2026. 91 Fed. Reg. 25112. The effective date of the rule is June 10, 2026.

ATF stated that this rule amends Department of Justice regulations on the National Firearms Act (NFA) to reflect statutory changes that the One Big Beautiful Bill Act made to the NFA, including reducing the tax remittance rate for certain NFA firearms. According to ATF, the rule is necessary to make conforming changes to ensure ATF’s regulations are current and consistent with the statute.

The Congressional Review Act (CRA) requires a 60-day delay in the effective date of a major rule from the date of publication in the *Federal Register* or receipt of the rule by Congress, whichever is later. 5 U.S.C. § 801(a)(3)(A). The 60-day delay in effective date does not apply, however, if the agency finds for good cause that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest, and the agency incorporates the finding and a brief statement of its reasons in the rule. *Id.* §§ 553(b)(B), 808(2). ATF invoked the exceptions in sections 553(b) and 808(2) of title 5, United States Code, with respect to this rule. 91 Fed. Reg. at 25113, 25117. ATF stated the rule makes conforming updates to ATF regulations and makes minor procedural revisions and technical edits. *Id.* at 25113. ATF further stated that even if these revisions were not interpretive rules or rules of agency organization, procedure, or practice under section 553(b)(A), they would be exempt from notice-and-comment requirements because they are either technical amendments of little public interest or conform to statutory requirements so closely that they do not constitute an exercise

of agency discretion. *Id.* Therefore, ATF determined it had good cause to conclude notice and comment were unnecessary for the rule under section 553(b)(B) and to waive CRA's 60-day delay requirement under section 808(2). *Id.* at 25113, 25117.

Enclosed is our assessment of ATF's compliance with the procedural steps required by section 801(a)(1)(B)(i) through (iv) of title 5 with respect to the rule. If you have any questions about this report or wish to contact GAO officials responsible for the evaluation work relating to the subject matter of the rule, please contact me at (202) 512-8156.

A handwritten signature in black ink that reads "Shirley A. Jones". The signature is written in a cursive, flowing style.

Shirley A. Jones  
Managing Associate General Counsel

Enclosure

cc: Vivian Chu  
Division Chief, Office of Regulatory Affairs  
Bureau of Alcohol, Tobacco, Firearms, and Explosives

REPORT UNDER 5 U.S.C. § 801(a)(2)(A) ON A MAJOR RULE  
ISSUED BY THE  
DEPARTMENT OF JUSTICE,  
BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES  
ENTITLED  
“CHANGES TO NATIONAL FIREARMS ACT TAX REMITTANCE PROVISIONS”  
(RIN: 1140-AA83)

(i) Cost-benefit analysis

The Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) prepared an analysis of the costs and benefits for this rule. 91 Fed. Reg. 25112, 25113–16 (May 8, 2026). ATF estimated that the rule will have a total 10-year undiscounted transfer of \$2.4 billion, or annualized transfers of \$238.7 million at a 3 percent discount rate and \$234.2 million at a 7 percent discount rate. *Id.* at 25116.

(ii) Agency actions relevant to the Regulatory Flexibility Act (RFA), 5 U.S.C. §§ 603–605, 607, and 609

ATF stated the Act does not require an agency to conduct a regulatory flexibility analysis in a final rule for which it was not required to publish a general notice of proposed rulemaking. 91 Fed. Reg. at 25116. ATF further stated that this rule will not have a negative impact on small businesses, and reducing a tax on making and transferring certain National Firearms Act firearms from \$200 to \$0 may have positive net benefits for small businesses with respect to increased sales and revenue. *Id.*

(iii) Agency actions relevant to sections 202–205 of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. §§ 1532–1535

ATF determined that this rule will not result in the expenditure by state, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any one year as adjusted for inflation and will not significantly or uniquely affect small governments. 91 Fed. Reg. at 25116.

(iv) Other relevant information or requirements under acts and executive orders

Administrative Procedure Act, 5 U.S.C. §§ 551 *et seq.*

ATF invoked exceptions from the Act's notice-and-comment requirements with respect to this rule. 91 Fed. Reg. at 25113. ATF stated the rule makes conforming updates to ATF regulations as well as minor procedural revisions and technical edits. *Id.* ATF indicated that these revisions fall within section 553(b)(A)'s exceptions for interpretive rules or rules of agency organization, procedure, or practice. *Id.* Alternatively, ATF determined it had good cause under section 553(b)(B) to conclude notice and comment were unnecessary for the rule because the updates are either technical amendments of little public interest or conform to statutory requirements so closely that they do not constitute an exercise of agency discretion. *Id.*

Paperwork Reduction Act (PRA), 44 U.S.C. §§ 3501–3520

ATF determined that this rule does not create any new information collection requirements but impacts two existing ones covered by the Act: OMB Control Numbers 1140-0011 and 1140-0014. 91 Fed. Reg. at 25117.

Statutory authorization for the rule

ATF promulgated this rule pursuant to sections 5801 through 5822, 7801, and 7805 of title 26, United States Code.

Executive Order No. 12866 (Regulatory Planning and Review)

ATF stated that the Office of Management and Budget determined that this rule constitutes a significant regulatory action under the Order. 91 Fed. Reg. at 25113.

Executive Order No. 13132 (Federalism)

ATF determined that this rule does not meaningfully implicate federalism to warrant the preparation of a federalism summary impact statement and will not have substantial direct effects on the states, on the relationship between the federal government and the states, or on the distribution of power and responsibilities among the various levels of government. 91 Fed. Reg. at 25116.