YES, SILENCERS ARE LEGAL.

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YES, SILENCERS ARE LEGAL™ IS A REGISTERED TRADEMARK OF SILENCECO LLC. IN THE UNITED STATES.
A QUICK HISTORY LESSON

THERE HAVE BEEN MANY SUPPRESSOR (OR SILENCER) DESIGNERS AND YEARS OF RESEARCH AND DEVELOPMENT THAT HAVE IMPROVED FIREARM SUPPRESSOR TECHNOLOGY, BUT IT IS HIRAM P. MAXIM WHO DEVELOPED AND PATENTED THE FIRST COMMERCIAL PRODUCED SUPPRESSOR.

Hiram P. Maxim was the son of United States born inventor, Hiram Stevens Maxim, who brought us the first portable fully automatic machine gun. Hiram P. Maxim, a mechanical engineer, graduated from the Massachusetts Institute of Technology (MIT). He was a pioneer in ham radio technology and automobiles, and he worked in several other industries before he formed the Maxim Silencer Company in 1908. As an outdoorsman, a hunter, and target shooter, Maxim had an idea come to him as he was shooting near neighbors and was sensitive to their peace and quiet. He developed a fairly effective silencer that was largely popular and sold commercially in local hardware stores for $3.25 per unit. Maxim coined the term “silencer” by including the word in the name of his business; however, there has never been such thing as a literal silencer. Firearms suppressors have been noted as sound suppressors, sound moderators, mufflers, silencers, and the slang term, “cans.”
In the early 1900's law enforcement agencies, fearing that organized crime syndicates would start using silencers, machine guns, and hand grenades in their escapades, started looking for ways to ban such items. Then U.S. Attorney General, Homer C. Cummings, recognized that firearms could not be banned outright under the Second Amendment, so he proposed restrictive regulation in the form of an expensive tax and Federal registration. Short barreled rifles and short barrel shotguns were also regulated by this act of Congress since the ability to easily conceal them made law enforcement agencies nervous.

In 1934, the National Firearms Act was approved and passed by Congress, and the expensive tax of $200 was set on any legal purchase of certain items listed in the bill. At that time, $200 was far more expensive than any item that was purchased, making it almost impossible for a citizen with an average income to acquire.

This act of Congress (which many gun enthusiasts find aggravating) restricts the following: a shotgun having a barrel of less than eighteen inches; a rifle having a barrel length less than sixteen inches; or any other weapon, other than a pistol or revolver, from which a shot is discharged by an explosive if such weapon is capable of being concealed on the person; or a machine gun. This act also restricts a muffler or silencer for any firearm, whether or not such a firearm is included in the foregoing definition. The NFA branch of the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE, or commonly known as the ATF), regulates the registration and restrictions of such items and classifies a silencer, suppressor, muffler, or moderator as a device that decreases the sound signature of a weapon.

After the National Firearms Act of 1934 was set into place, private ownership of silencers slightly fell out of favor. Although the military and federal agencies used silencers for certain missions, there was not a lot of movement in the way of expanded research and improved technology. It was not until the later part of the 20th century that silencer research started picking up momentum, which was influenced by the increasing interest of the military and federal agencies. Within the last twenty years, silencer technology has improved exponentially. With the introduction of CNC machines and computer-generated 3D modeling, silencers have been improving both in effectiveness and in durability.
OWNERSHIP
WE APPLAUD YOU, WELL, MOST OF YOU.

YES, SILENCERS ARE LEGAL AND THEY ARE EASY TO OBTAIN THROUGH PROPER CHANNELS.

No, you do not need a license to purchase a silencer but you do have to pay a one-time $200 tax for each silencer you purchase. You also have to live in a state where silencers are legal and have to meet certain criteria to be eligible to own one.

Determine whether or not your state allows you to own a silencer.

Silencers are legal but are regulated by federal law and on a per-state basis. However, the National Firearms Act (NFA) branch of the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) ultimately controls any transfers, and all silencers are registered by this branch. Individuals, corporations, and trusts can legally purchase and possess silencers in 38 states. However, if you are a FFL dealer, manufacturer, peace officer, or a law enforcement agency or other government agency, there are additional states where you can own a silencer. Look below to see if you are eligible.

[Map showing legal states in red, states that don’t uphold the constitution in black]
IF YOU DO NOT LIVE IN A SILENCER-FRIENDLY STATE, THERE ARE STILL A FEW OPTIONS FOR YOU

1. You can send a pre-written letter to your state senator or state representative to encourage him or her to legalize silencers in your state by visiting www.silencersarelegal.com.

2. You can move to a silencer friendly state.

3. You can purchase a second home in a silencer friendly state and qualify for dual residency.

YOU CANNOT...

× ...legally make your own silencer in a state where silencers are illegal.
× ...travel to a silencer friendly state and purchase one to take to your state.
× ...have someone who lives in a silencer friendly state buy you one.
× ...be a felon and/or be prohibited from owning a firearm

YOU MUST...

✓ ...be a legal resident of the state where the silencer is purchased. If you live in a state where silencers are legal, we congratulate you for living in a state that protects your Second Amendment rights.
✓ ...be at least 21 years of age

OVER 27,000 SILENCERS A YEAR ARE PURCHASED BY CIVILIANS.
I QUALIFY PERSONALLY AND GEOGRAPHICALLY TO OWN A SILENCER, NOW WHAT?

1. Choose a product.

2. Locate a class III gun dealer in your state.

3. Once you agree to your dealer’s selling price, you may be required to pay for the silencer in full or, at the very least, provide a significant deposit to start your transfer paperwork. This is because it may take one to five months for the paperwork to be approved by the BATFE, thus tying up the inventory.

4. After the monetary transaction takes place, the dealer will order the product if it is not in stock, in which case the manufacturer will have to transfer the product to your dealer by asking permission from the BATFE via Form 3. This transfer can take two to six weeks to be approved by the BATFE.

5. If the dealer has the product in stock, it will be assigned to you and separated from the rest of the inventory, ensuring that you have a product serial number for your form.

6. Once you have an assigned product serial number, the class III dealer will then give you the BATFE Form 4 (5320.4), Application for Tax Paid Transfer and Registration of Firearm, in duplicate with the serial number of the product filled out in the appropriate section. You must fill out the rest of the form in duplicate.

7. You will send in a $200 check or money order with the completed application, along with a recent photo and fingerprint cards.
Application for Tax Paid Transfer and Registration of Firearm

Submit in Duplicate to:
National Firearms Act Branch
Bureau of Alcohol, Tobacco, Firearms and Explosives
P.O. Box 55358
Atlanta, GA 30305

1. Type of Transfer (Check one)
   [ ] $5
   [ ] $299

2a. Transferee's Name and Address (Including trade name, if any) (See instruction 2b)

2b. County

2c. Transferee's Name and Address (Including trade name, if any) (See instruction 2b)

3b. Transferee's Telephone Number and Area Code

4. If Applicable: Decedent's Name, Address, and Date of Death

The above-mentioned transferee hereby makes application as required by Section 5812 of the National Firearms Act to transfer and register the
firearm described below to the transferee.

4. Description of Firearm (Complete answer a through h)

a. Name and Address of Manufacturer and/or Importer of Firearm

b. Type of Firearm (See instruction 1c)

c. Caliber, Gauge or Size (Specify)

d. Model

e. Overall Length (Inches)

f. Of Barrel

g. Serial Number

h. Additional Description or Data Appearing on Firearm (Attach additional sheet if necessary)

5. Transferee’s Federal Firearms License (If any)

5a. Transferee’s Special (Occupational) Tax Status (If any)

a. Employer Identification Number

b. Class

6. Transferee’s Federal Firearms License (If any)

6a. Transferee’s Special (Occupational) Tax Status (If any)

a. Employer Identification Number

b. Class

Under Penalty of Perjury, I declare that I have examined this application and to the best of my knowledge and belief it is true, correct and complete, and that the transfer of the described firearm to the transferee and export and possession of it by the transferee are not prohibited by the provisions of Chapter 13, Title 18, United States Code, and Title VII of the Omnibus Crime Control and Safe Streets Act, as amended, or any provisions of state or local law.

9. Consent to Disclosure of Information to Transferee (See instruction 8). I Do or Do Not (Circle one) Authorize ATF to Provide Information Relating to this Application to the Above-Named Transferee.

10. Signature of Transferee (or authorized official)

a. Name and Title of Authorized Official (Print or type)

b. Date

The Space Below is for the Use of the Bureau of Alcohol, Tobacco, Firearms and Explosives

By authority of the Director, This Application has been Examined, and the Transfer and Registration of the Firearm Described herein and the Interstate Movement of that Firearm, where applicable, to the Transferee are

[ ] Approved (with the following conditions, if any)

[ ] Disapproved (For the following reasons)

Signature of Authorized ATF Official

[ ] Date

Proof of Registration: This approved application is the registrant’s proof of registration and it shall be made available to any ATF officer upon request.

ATF Form 4 (5320-4)
Revised November 2004

BATFE Form 4 (5320.4)
**STEPS TO COMPLETING YOUR FORM 4 AS AN INDIVIDUAL**

1. Obtain the BATFE Form 4 (5320.4) (Application for Tax Paid Transfer and Registration of Firearm) from your dealer in duplicate. Some information should be pre-filled by your dealer, such as the dealer’s name and address, the model of the silencer you are purchasing, the overall length of the silencer, the caliber of the silencer, the serial number of the silencer, and the manufacturer’s information. Make sure the dealer signs the appropriate fields. Remember to complete all information in duplicate.

2. Fill out the required information on the front of the form, including your name and address. Complete the back by answering the questions and stating the reason you are acquiring the silencer. Sign and date the back of the form. Again, remember to complete all information in duplicate.

3. Affix a recent color passport-sized photograph of yourself on the back of each copy of the form.

4. Acquire a signature of the chief law enforcement officer of your county or your local sheriff. Don’t let this step scare you; this is a routine request. If you feel that your police chief or sheriff will not sign the Form 4 because of personal or political concerns with the second amendment, do not worry. You can also purchase the silencer under your Limited Liability Company (LLC) or corporation, or under a trust. Read the section below on how to fill out Form 4 as a trust or a corporation.

5. While you are at the station obtaining the required signature, ink up your fingers and get two copies of FBI fingerprint cards (FBI Form FD-258) that you will send in with the two duplicates of Form 4.

6. Fill out the BATFE Form 5330.20 (Certification of Compliance). This form does not have to be in duplicate.

7. Place both completed copies of Form 4, the two copies of FBI fingerprint cards, and the completed Certification of Compliance form in an envelope, along with a check or money order (payable to Bureau of Alcohol, Tobacco, Firearms, and Explosives) for $200 and mail to the address listed on Form 4. We advise that you use a check and not a money order so you can see when the BATFE cashes your check. This is a great way to confirm if the form actually arrived and is being processed. Otherwise, you may just be waiting for two to six months for approval, when, in fact, your paperwork never arrived.
8. After the BATFE approves Form 4, they will put a stamp on one of the two copies you sent them and then send it to the dealer where you purchased the silencer. The dealer will then notify you that the paperwork has returned and that the silencer is ready to pick up.

**STEPS TO COMPLETING YOUR FORM 4 AS A CORPORATION OR TRUST**

1. Obtain the BATFE Form 4 (5320.4) (Application for Tax Paid Transfer and Registration of Firearm) from your dealer in duplicate. Some information should be pre-filled by your dealer, such as the dealer’s name and address, the model of the silencer you are purchasing, the overall length of the silencer, the caliber of the silencer, the serial number of the silencer, and the manufacturer’s information. Make sure the dealer signs the appropriate fields. Remember to complete all information in duplicate.

2. Fill out the required information on the front of the form, including the name of your corporation or trust (not your own name) and address. Complete the back by answering the questions and stating the reason you are acquiring the silencer. (Remember to print the name of your corporation or trust, not your own name, in section 15). Sign and date the back as the trustee. Remember to complete all information in duplicate.

3. Place both completed copies of Form 4 with a check or money order (payable to Bureau of Alcohol, Tobacco, Firearms, and Explosives) for $200 in an envelope, along with a copy of your Articles of Incorporation or trust paperwork, and mail to the address listed on Form 4. We advise that you use a check and not a money order so you can see when the BATFE cashes your check. This is a great way to confirm if the form actually arrived and is being processed. Otherwise, you may just be waiting for two to six months for approval, when, in fact, your paperwork never arrived.

4. After the BATFE approves Form 4, they will put a stamp on one of the two copies you sent them and then send it to the dealer where you purchased the silencer. The dealer will then notify you that the paperwork has returned and that the silencer is ready to pick up.
HOW TO OBTAIN A SILENCER IF YOU ARE PURCHASING FOR LAW ENFORCEMENT OR THE GOVERNMENT
The individual that has the authority to purchase can contact the manufacturer. The manufacturer will fill out the paperwork needed and submit it in your behalf. When they get an approval to transfer the items, they will ship them to the agency.

PEACE OFFICER PURCHASE AS AN INDIVIDUAL
Peace officers have all the same state ownership rights that individuals, corporations, and trusts have, but in addition, New York is on the “legal” list.

HEARING DAMAGE CAUSED FROM COMBAT WILL GROW 18% A YEAR, WITH DISABILITY PAYMENTS TOTALING $1.1 BILLION ANNUALLY.
BENEFITS
SUPPRESSORS SAVE HEARING, INCREASE SITUATIONAL AWARENESS, IMPROVE ACCURACY, BUT MOST IMPORTANTLY, SAVE LIVES.

INCREASED ACCURACY

Firearm suppressors (or silencers, as they are often called) are not only useful for the field of professional law enforcement, but they also have many practical benefits for civilians as well. One of the most common problems for shooters is poor accuracy due to the shooter’s anticipation of the gun’s loud report and recoil. This anticipation causes shooters to “flinch” before the gun even goes off, to experience slight tremors in the hand from nervousness, and even to close their eyes or blink right before they pull the trigger. All of these issues cause the gun to move from the intended target area. The use of silencers will dramatically increase accuracy because of the reduced muzzle report, reduced recoil, and decreased muzzle flip.

HEARING PROTECTION

Another practical purpose for silencers is hearing protection. Any shooter knows that even with earmuffs or plugs, guns are still loud enough to hurt your ears and cause ringing in your ears long after you are finished shooting—and sometimes permanently. Besides the ringing, earmuffs and plugs can be very uncomfortable. When shooting with earmuffs or plugs, you are required to speak very loudly to be able to communicate with friends. This type of hearing protection also mutes your surroundings so that you are less aware of your environment. Silencerco silencers lower the sound signature of your firearm to the point where it is safe and comfortable to the ear to shoot without the need of hearing protection, making your shooting experience safer and more enjoyable.
PERSONAL PROTECTION

When shooting in close quarters, such as a room or hallway, gun fire is loud enough to cause permanent hearing loss. If you are in the unfortunate position that you must use deadly force in order to protect yourself or your family in your home, there will not be enough time to apply hearing protection. Even if there was enough time, hearing protection would make it difficult to hear the position of the perpetrator, which would give him the upper hand in the situation. Home protection weapons that use silencers will save your hearing and increase your situational awareness.

HUNTING

There are several benefits to hunting with suppressed firearms. Because listening to your surroundings is an important strategy in tracking prey, hunters very rarely if ever use hearing protection. Again, unsuppressed gunfire is loud enough to cause permanent hearing loss. Using a silencer will suppress the gunfire enough to protect your hearing without the use of hearing protection, thus allowing you to effectively track your prey and quickly take your shot without having to first apply hearing protection.

If you have a silencer attached to your muzzle while hunting, there are benefits other than hearing protection. Because the silencer reduces recoil and muzzle rise, you are able to get into position for a follow-up shot more quickly because there is a lot less movement and your cross hairs stay closer to the target. Sometimes, it is possible to get your cross hairs back on target before the first bullet strikes. This quick strategy also allows you to "call" your hits or misses and make quick corrections in the field.

Hunting with silencers is legal in several states. Whether you are hunting big game, small game, or predators and varmints, a silencer will add enjoyment by removing the risk to your hearing and to the hearing of those around you. Remember to check if hunting with a suppressor is legal in your state.
IT'S YOUR RIGHT

It is still your right under the Second Amendment of the Constitution of the United States of America to keep and bear arms. Unexercised rights have a way of becoming “privileges.” The Second Amendment of the U.S. Constitution was not designed just to help hunters keep their weapons. It was designed to allow its citizens to hold the ultimate “check and balance” and to defend against an overreaching and tyrannical government. After all, George Washington did not use freedom of the press to win our independence from Great Britain.

BENEFITS FOR PROFESSIONALS

Hearing Protection

Noise Induced Hearing Loss is a serious threat to our men and women in the military and law enforcement communities. The ability to hear is crucial to the performance of their duties. Many people have received medical retirement because of Noise Induced Hearing Loss. Much of this hearing loss occurs due to repeated exposure to gunfire, both operationally and in the training environment. According to the National Institute for Occupational Safety and Health (NIOSH), any exposure to noise over 140db causes immediate and irreparable hearing loss. Unsuppressed handguns and rifles generally create a muzzle report well above this threshold. Gunfire noise is a “preventable” occupational risk and an unnecessary liability. A silencer can protect against hearing loss.

Improved Situational Awareness

Vision is a 180-degree sense. Hearing is 360. The ability to hear is a crucial part of achieving good situational awareness. Even more so than vision, your hearing can make the difference in life or death situations. The use of unsuppressed firearms or the use of hearing protection to counter the effects of unsuppressed firearms is a serious impediment to operational effectiveness, situational awareness, and effective communications. Communicating while shooting is easier to accomplish with the employment of firearms with sound suppressors. Using a silencer can increase operational success.
Gunfire Recognition
Recognizing the difference in the sound of a gunshot can make a significant difference operationally. The universal use of sound suppressors within a group or team can make it easy to recognize incoming and outgoing fire and make it easier to ascertain enemy positions and locations.

Position Concealment
Silencers greatly reduce the sound signature of a gunshot. As a result, muzzle report is greatly reduced, making it more difficult to determine its origin point. Also, “ballistic crack,” or the noise that a bullet makes while airborne at supersonic speeds, is an “omnidirectional” sound that makes it’s origin point difficult to determine. These two effects create great confusion about the origination point of the gunfire, inhibiting effective return fire.

Sound suppressors also have the added benefit of virtually eliminating muzzle flash, which benefits the user by maintaining a good sight picture in low light conditions and robbing the enemy of his most obvious aiming point. The blast pressure wave, or muzzle blast, generated from a gunshot is also significantly reduced with the use of a sound suppressor. There is much less “kick up” of dust and movement of foliage from the blast when a sound suppressor is deployed.

Greater Accuracy/Controllability
Sound suppressors reduce recoil and muzzle rise. This contributes to better accuracy by reducing the shooter’s tendency to anticipate recoil or “flinch,” thus maintaining a consistent hold on the target through the shot. Suppressor use also reduces the muzzle rise of a firearm, making it possible for the shooter to “stay on target” and follow up with secondary shots more quickly. In full auto mode, the use of a suppressor increases accuracy of full auto fire.

Clandestine Uses
The operational use of sound suppressors is growing rapidly. The antiquated mind set that they are a tool for “assassins” is being replaced by a growing understanding of how they work and of the operational benefits of their use.

* CQB/SWAT Entry
* Sniper/Countersniper Deployment
* Hostage Rescue/Counter Terror
* Dignitary Protection
* Clandestine Countersurveillance

* Training and Weapons Familiarization
* Animal Damage Control/Euthanasia
* Ingress/Egress Cover
* Patrol/Active Shooter Response
WE LOVE ANSWERING QUESTIONS.

ARE SILENCERS LEGAL?
In most states, yes. Individuals, Corporations, and Trusts can legally own silencers in the following states: AL, AK, AZ, AR, CO, CT, FL, GA, ID, IN, KS, KY, LA, ME, MD, MS, MO, MT, NE, NV, NH, NM, NC, ND, OH, OK, OR, PA, SC, SD, TN, TX, UT, VA, WA, WV, WI, and WY.

IS IT DIFFICULT TO OBTAIN THE NECESSARY PAPERWORK (FORM 4) TO LEGALLY OWN A SILENCER?
No. It is a relatively simple process to submit Form 4 applications to own a silencer. Typically, it is no more involved than obtaining a concealed firearm permit in most U.S. states. The typical process includes submitting two simple forms, two sets of fingerprint cards, two passport photos, a citizenship declaration form, and a signature from a chief law enforcement officer in your home jurisdiction. Check with your local Silencerco dealer for more information or regional information.

MY LOCAL CHIEF LAW ENFORCEMENT OFFICER WON’T SIGN MY FORM 4. WHAT CAN I DO?
You can process a Form 4 without a chief law enforcement officer’s signature by means of a Firearms Trust. There are many attorneys who have vast experience with this type of trust, and it is also a relatively simple legal process. Your local Silencerco dealer should be able to point you in the right direction. If not, you can always call us for assistance.

DO I GIVE UP ANY RIGHTS BY OWNING THE SILENCER, SUCH AS SEARCH AND SEIZURE RIGHTS?
No. You do not give up your guaranteed rights in any regard. You are simply the registered owner of an NFA item.

DOES OWNING A SILENCER PUT ME ON A GOVERNMENT “LIST”?
You will be the “registered owner” of that silencer, which is recorded on a “list.” But remember, you have a social security number, which is a “list”; you are registered to vote, which is a “list”; you pay your taxes, which is a controlled “list.” From your birth, the government has had ways of identifying you. So relax, take a deep breath, and exercise your right to buy a silencer.
CAN I SELL MY SILENCER AFTER I BUY IT, OR AM I STUCK WITH IT FOREVER?
Yes. You can sell it, but the transfer must be done in accordance with all regulations.

CAN I TAKE MY SILENCER ACROSS STATE LINES?
Under The Firearms Owners Protection Act, notwithstanding any state or local law, a person is entitled to transport a firearm from any place where he or she may lawfully possess such firearm to any other place where he or she may lawfully possess it, if the firearm is unloaded and locked out of reach. In vehicles without a trunk, the unloaded firearm shall be in a locked container other than the glove compartment or console. Ammunition that is either locked out of reach in the trunk or in a locked container other than the glove compartment or console is also covered. FOPA also seems to provide for necessary stops, like gasoline and rest. Other BATFE regulations require a temporary permit for machine guns or short barrel rifles to travel across state lines.

HOW LONG DOES IT TAKE TO DO THE PAPERWORK?
It varies based on BATFE NFA branch workload, but it can take as long as 90-120 days.

DO I HAVE TO HAVE A CLASS III TO OWN A SILENCER?
No. A class III license is only required to be actively involved in the reselling of silencers for profit.

HOW MUCH IS THE TAX STAMP?
$200 for each suppressor.

ARE THERE ANY RECURRING FEES?
No. You pay a one-time $200 Transfer tax.
If you have a question or comment for us, contact us:

Silencerco, LLC
5511 South 6055 West,
West Valley City, UT 84118

E  info@silencerco.com
P  801/4175384
W  www.silencerco.com

Check out any of our sites to stay in touch with us. We will keep you up-to-date on industry news as well as company news.

silencerco.com  22sparrow.com

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