



The Federal Firearm Rights Restoration Program Rule

Official version

[Federal Register, 28 CFR 107.1](#)

Unofficial version

[Unofficial text of the final rule as signed by the Attorney General](#)

Plain language version

An unofficial, simplified version of the rule is included below.

§ 107.10 Application for relief from disabilities under the Gun Control Act.

(a) Anyone currently federally prohibited from possessing, shipping, transporting, or receiving firearms or ammunition can apply to receive relief from that prohibition.

(b) Crimes or activities presumptively disqualifying applicants from receiving relief are not limited to only the specific offenses named in the rule; the Attorney General can look at the facts underlying a prior offense, and not just its name, to determine whether it is presumptively disqualifying.

(c) You must use the application form and procedures outlined in the rule and must provide both the information initially required and any additional information requested.

- (d) Any record you are required to submit in support of your application must be certified as genuine by the source of the record, or must be a reliable copy of the record as provided by the source.
- (e) If any record or document you are required to submit contains foreign language, you must have it translated into English and certified as accurate by the translator.
- (f) If any record you are required to submit is unavailable for reasons outside of your control, you must instead submit a sworn statement including: (1) a description of the contents of the missing record and (2) a description of your attempts to collect the record.
- (g) Your application must include:

- (1) a list of all crimes or activities that prohibit you from possessing, shipping, transporting, or receiving firearms;

- (2) an authorization for release of information regarding your background;

- (3) electronic fingerprints;

- (4) if applicable, required court documents related to **a felony conviction**, including:

The charging document, such as the indictment or complaint; the judgment of conviction; an official document stating the date that you completed the final requirement of your sentence, such as supervision, restitution payments, or community service; and, if applicable to your case, the plea agreement, the factual basis for the plea, and the presentence report;

- (5) if applicable, required **mental health** documents, including:

The order committing you to a mental health institution or adjudicating you as a mental defective; medical records stating the diagnosis that caused your commitment or adjudication; a current certification from a licensed mental health professional stating that you no longer suffer from the disease or condition that caused the disability, or that the disease or condition has been successfully treated or is stably managed such that you are unlikely to be a danger to yourself or others; and, if applicable to your case, the petition that

sought to have you committed or adjudicated and the order demonstrating the restoration of your mental competency or rights;

(6) if applicable, required **military documents**, including:

Your certificate of uniformed service (DD Form 214 and, if applicable, DD Form 214-1 and/or DD Form 215), and, if applicable to your case, the charge sheet (DD Form 458), the judgment of the court, and the certificate of completion of appellate review;

(7) if applicable, required **renunciation of citizenship** documents, including:

Your formal renunciation of citizenship and a statement explaining why you renounced citizenship;

(8) if applicable, required documents related to a **misdemeanor domestic violence conviction**, including:

The charging instrument, such as the indictment or complaint; underlying investigative reports; a statement of your relationship to the victim; the judgment of conviction; an official document stating the date that you completed the final requirement of your sentence, such as supervision, restitution payments, or community service; and, if applicable to your case, a document showing that your conviction has no current effect or that your civil rights were restored (even if your federal firearms rights are still restricted), and any police report of your involvement in domestic violence since the date of your original arrest;

(9) if applicable, required documents related to **any other attempt to expunge or set aside a conviction or to restore firearms rights or other civil rights**, including:

A copy of any application and a copy of any decision made on the application;

(10) state criminal records (i.e., an official list of your arrests and convictions within a state or an official statement that you have no arrests or convictions in that state) for each state (or, if no statewide data is available, the relevant locality) for:

(i) everywhere you have lived since age 18 or in the last 25 years, whichever is shorter; and

(ii) everywhere you have been arrested since age 18 or in the last 25 years, whichever is shorter;

(11) if applicable, **uniformed service information** (DD Form 214 and, if applicable, DD Form 214-1 and/or DD Form 215) for any active or reserve duty served since age 18 or in the last 25 years, whichever is shorter;

(12) if applicable, any **foreign documents** concerning matters that occurred outside the jurisdiction of the United States but that would have been required to be submitted under the relevant categories above if the matter had occurred within the United States instead of in a foreign location;

(13) an affidavit from three qualified references; and

(14) your affirmation that the information provided in your application is true and correct and that you have not committed any additional crimes or engaged in any other behaviors that should be disclosed.

§ 107.20 Review of application.

(a) The Attorney General can grant you relief only if the Attorney General decides that you are not likely to act to endanger public safety and that granting you relief would not be contrary to the public interest. To determine this, the Attorney General may look at any relevant facts submitted with your application or uncovered during investigation, including:

(1) your criminal history;

(2) the seriousness of the conduct at issue in your criminal history;

(3) the conduct underlying any other charges against you that were dismissed as part of a guilty plea;

(4) your behavior while incarcerated and while on supervised release or probation;

(5) the length of time elapsed since the completion of your sentence and your behavior during that time period;

(6) your past or present use of controlled substances;

(7) any restraining or protection orders against you;

(8) any threats made by you;

(9) your mental health;

(10) information provided by local law enforcement; and

(11) other relevant individual circumstances.

(b) If your application is incomplete, we will notify you and you will have the opportunity to correct and resubmit it within 30 days. If you do not correct and resubmit your application within 30 days after that notification, your application will be closed.

(c) If you are granted relief, notice of that fact will be published in the Federal Register.

§ 107.30 Scope of relief granted.

(a) If you are granted federal firearms relief, it will only relieve you of firearms disabilities owing to prior offenses or conduct; it will not extend to any disabilities imposed later due to future offenses or conduct. Federal firearms relief also does not extend to independent state law firearms disabilities.

(b) Federal firearms licensees:

(1) If you incur a disability and file an application for relief within 30 days, you may continue licensed operations until a decision on your application is made. If you do not file within 30 days, you cannot continue licensed operations.

(2) If your license expires in the 30-day period mentioned above or while your application is being processed, you must renew it in a timely fashion and disclose information about your federal firearms disability. If you do not renew your license, you cannot continue operations.

(3) If you are denied relief, you cannot continue operations for 30 days after the issuance of the denial.

(4) If you cannot continue operations for any of the reasons provided above, license renewals will be denied while your application for relief is being processed.

§ 107.40 Application fee.

- (a) There is a fee to apply.
- (b) The fee will change periodically.
- (c) Fees are tied to accepted accounting principles and Federal law.
- (d) Fee changes will undergo a notice of proposed rulemaking and comment period.
- (e) The fee can be waived or reduced. If you want the fee to be waived or reduced, you must provide the reasons why. One valid reason is economic hardship.

§ 107.50 Presumptive disqualifications for certain applicants.

(a) You must show extraordinary circumstances to obtain relief, **regardless of the time since the offense or conviction occurred**, if you:

(1) were convicted of a crime on the following list (or the same or similar conduct):

death of another person; rape, sexual abuse, or sexual assault; human trafficking; kidnapping; intimate partner or domestic violence; burglary; robbery; extortion; carjacking; arson; racketeering (if it includes violence); gang-related offenses; maiming, assault, or battery; stalking; escape or rescue of a person in custody; terrorism; or witness tampering;

(2) were convicted of any crime for which you could have received more than one year's imprisonment and you used/fired a gun or used an explosive while committing the crime; or

(3) were convicted of attempting, soliciting, conspiring, or aiding and abetting any offense described above.

(b) You must show extraordinary circumstances to obtain relief, **unless it has been ten years since you completed the last requirement of your sentence**, if you were convicted of a crime on the following list (or the same or similar conduct):

(1) manufacture, import, export, distribution, or dispensing of a controlled substance or the possession of a controlled substance with intent to manufacture, import, export, distribute, or dispense; or attempt, solicitation, or conspiracy to commit, or aiding or abetting the commission of, an offense listed in this paragraph; threats of violence; the manufacture, possession, transfer, or use of explosives; certain firearm- or ammunition-related conduct; possession of a firearm or other weapon on school property or discharging a firearm or weapon on school property; animal abuse.

(2) You must show extraordinary circumstances to obtain relief if:

(i) you were convicted or served time for a misdemeanor crime of domestic violence in the last **ten years**;

(ii) during the **ten years** following conviction or serving time for a misdemeanor crime of domestic violence:

(A) you became disqualified under 18 U.S.C. 922(g) for any other reason, or

(B) you were arrested for a felony, a misdemeanor crime of domestic violence, or any offense where you committed or threatened violence or brandished/fired a gun or used an explosive (unless you can show that a judge determined that no misconduct occurred or the charge was dismissed on the merits);

(iii) if (ii)(A) or (B) occurs, the **ten-year** period resets.

(3) You must show extraordinary circumstances to obtain relief, **unless it has been five years since you completed the last requirement of your sentence**, if you were convicted of any other offense (or the same or similar conduct) not listed in the permanent or ten-year list where you could have been imprisoned for over one year or any other assault, battery, stalking, or threatened act of violence.

(c) Status. You must show extraordinary circumstances to obtain relief if you are: awaiting sentencing; incarcerated or serving any part of the sentence; in a program

to avoid conviction; a fugitive from justice; an alien illegally in the United States or in the United States under a nonimmigrant visa; under a court-issued restraining order for harassment, stalking or threatening; an unlawful user of or addicted to a controlled substance, except if you are an unlawful user or addicted to only marijuana; required to register as a sex offender for the offenses that caused your prohibition against firearm possession or handling.

(d) Convictions and certain statuses in foreign countries may count as if they happened in United States.

§ 107.60 Applicants subject to the disability in 18 U.S.C. 922(g)(4).

Persons currently disabled under 922(g)(4) are eligible to apply for relief. Unless you show extraordinary circumstances, you will be denied relief if a state, territory, or individual federal department/agency offers a process to apply for relief from your disability and either you did not seek relief, or you were denied relief.

§ 107.70 Subsequent applications and prevention of vexatious applications.

You will be denied relief, unless you can show extraordinary circumstances, if you have already been denied relief based on crimes or conduct that are presumed to be permanently disqualifying or if you have been denied relief in the last five years based on anything other than crimes or conduct to which the five-year presumptive disqualification applies or failure to apply to an available alternative program for relief from a mental-health related disability.

§ 107.80 Relief void if procured by fraud.

Any grant of relief is void if you represent something as true in your application that you do not believe is true or if you withhold any requested information on purpose.

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