

Wiley Secures Major Victory in ATF Firearm Classification Case

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Washington, DC – Wiley has secured a significant victory on behalf of Firearms Regulatory Accountability Coalition, Inc. (FRAC) and Franklin Armory, Inc. in a challenge of the Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) classification of certain firearms under the Gun Control Act (GCA) and National Firearms Act (NFA).

On February 18, the U.S. District Court for the District of North Dakota granted summary judgment in favor of FRAC and Franklin Armory with respect to ATF's regulatory classification of two Franklin Armory firearms.

Agreeing with Wiley's argument, the court found that ATF's classification of certain Franklin Armory firearms violated statutory definitions and exceeded the agency's statutory authority, while holding that ATF's interpretation of key statutory terms, such as "smooth bore" and "shotgun shell," contradicted the plain text of the GCA and NFA. The court stated, "Franklin Armory presented a square peg, and ATF shoved it into a round hole. . . . It is not for ATF to redefine the [statutory] terms because it thinks Congress didn't intend a certain outcome."

The ruling vacates ATF's classifications and mandates the agency to create procedures for transferring certain firearms under the GCA within 180 days of the order.

Read the full decision, [here](#).

The Wiley team representing FRAC included Stephen J. Obermeier, Michael D. Faucette, Jeremy J. Broggi, William K. Lane III, Michael J. Showalter, Boyd Garriott, and Isaac J. Wyant.

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Practice Areas

Class Action
Litigation

Recently, Wiley successfully represented FRAC in an appellate ruling at the Eighth Circuit that challenged ATF's use of broad and subjective factors in firearms classification.