

ALERT

BIS Rescinds Biden-Era Firearms Export Rule: Key Regulatory Changes for Exporters

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The U.S. Department of Commerce's Bureau of Industry and Security (BIS) recently released a new final rule effectively rescinding almost all of a Biden-era interim final rule (IFR) on civilian exports of firearms, related ammunition, and firearms components. This action (effective September 30, 2025) largely restores the firearms export licensing framework to its pre-April 30, 2024 structure and eliminates a number of previously imposed documentation, policy, and validity-period restrictions.

Key Regulatory Changes

The rule implements several important modifications to the Export Administration Regulations (EAR):

- *Documentation Requirements:* While BIS retains the authority to request additional information case by case, applicants are no longer required to upload purchase orders, import permits, or passports/national ID cards for most license applications.
- *Congressional Notification:* The requirement for congressional notification of semi-automatic firearm exports valued at \$4 million or more has been removed.
- *License Review Policy:* Government and non-government end users are no longer subject to different review policies.
- *License Validity:* Licenses will once again carry a four-year validity period, reversing the one-year term imposed under the prior rule.
- *Regional Stability (RS) and Crime Control (CC):* RS and CC license review policies have reverted to their pre-April 30, 2024 standards.

Authors

Michael D. Faucette
Partner
202.719.4587
mfaucette@wiley.law
Isaac J. Wyant
Associate
202.719.4705
iwyant@wiley.law

Practice Areas

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- *"High-Risk" Countries:* The special "high-risk" country category and related presumption of denial have been eliminated. Nations labeled as "high risk" include the Bahamas, Bangladesh, Belize, Bolivia, Burkina Faso, Burundi, Chad, Colombia, Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Indonesia, Jamaica, Kazakhstan, Kyrgyzstan, Laos, Malaysia, Mali, Mozambique, Nepal, Niger, Nigeria, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Suriname, Tajikistan, Trinidad and Tobago, Uganda, Vietnam, and Yemen.

Export Control Classification Numbers Retained:

BIS's new rule rescinds nearly all of the provisions of the Biden Administration's April 30, 2024 IFR; however, it retains four Export Control Classification Numbers (ECCNs) that the previous rule created. BIS retained these ECCNs to preserve updated product classifications, even while rolling back the restrictive licensing policies.

The retained ECCNs include:

- *ECCN 0A506: Semi-automatic rifles*
- *ECCN 0A507: Semi-automatic pistols*
- *ECCN 0A508: Semi-automatic shotguns*
- *ECCN 0A509: Certain parts, components, devices, accessories, and attachments for 0A506, 0A507, and 0A508 items*

Implications for Industry

By restoring export controls to the pre-April 30, 2024 framework, this regulatory rollback significantly streamlines the firearms export licensing process and may reopen previously constrained markets.

Exporters should consider:

- Reviewing internal licensing procedures to align with relaxed documentation and validity rules.
- Reassessing market strategies for jurisdictions previously restricted under the "high-risk" category.
- Monitoring BIS FAQs, guidance, and implementation notes for transitional details.

Wiley has a robust National Security Practice, which includes issues arising from the Bureau of Alcohol, Tobacco, Firearms and Explosives; the Bureau of Industry and Security; and the Directorate of Defense Trade Controls; as well as related export control laws and regulations. Should you have any questions about this alert, U.S. export controls, or any other national security-related issues, please do not hesitate to contact one of the attorneys listed on this alert.

Jack Maniscalco, an International Trade Specialist at Wiley Rein LLP, contributed to this alert.

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