How a $0 Tax Stamp Broke the NFA

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As of October 9, 2026, in most states you can buy a suppressor the way you buy a rifle: a Form 4473, a background check and you walk out the door. No Form 4, no fingerprints, no tax stamp, no federal registry. The National Firearms Act is still on the books, but its grip on suppressors, short-barreled rifles (SBRs), short-barreled shotguns (SBSs) and "any other weapons" (AOWs) has loosened more in the past three months than in the previous 92 years. Here's how one lawsuit, Silencer Shop Foundation v. ATF, got us here.

How we got here: the $0 tax stamp

The NFA was passed in 1934 as a tax law. Congress used its taxing power to put a $200 tax on making or transferring certain firearms, and the registration system existed to collect that tax. Courts upheld it on exactly that basis.

Then the One Big Beautiful Bill Act, signed July 4, 2025, cut the making and transfer tax on suppressors, SBRs, SBSs and AOWs to $0. Machine guns and destructive devices kept their tax.

Gun-rights groups saw the opening right away: if there's no tax left to collect, what constitutional hook holds up the registry? Silencer Shop Foundation v. ATF was the first suit filed in federal court in Texas after the bill was signed. Co-plaintiffs included Gun Owners of America, Gun Owners Foundation, the Firearms Regulatory Accountability Coalition, B&T USA, Palmetto State Armory and SilencerCo. A second suit, Jensen v. ATF, filed October 9, 2025, by the American Suppressor Association, NRA, Second Amendment Foundation and FPC, was consolidated into it.

The ruling: no tax, no registry

On August 5, 2026, Judge James Wesley Hendrix of the Northern District of Texas agreed with the plaintiffs. In a 66-page opinion, he held that the NFA's application, approval, registration, transfer and related requirements exceed Congress's Article I powers when applied to firearms that are no longer taxed. His point was blunt: fixing the NFA is a job for Congress, not the courts.

Two details matter:

- **It's a taxing-power case, not a Second Amendment case.** The court never had to decide whether suppressors are "arms." It simply found the registry lost its constitutional footing when the tax went away.
- **The government's backup argument failed.** DOJ argued the registry still supports the Special Occupational Tax (SOT) paid by dealers and manufacturers. The court rejected that, noting the SOT has its own separate registration scheme.

The court issued a permanent injunction barring ATF and DOJ from enforcing those provisions against the plaintiffs, their members and their customers. After a short stay, it took effect August 13, and the first no-Form-4 suppressor transfers happened at a Texas dealer within minutes. DOJ did not appeal, and the appeal window closed October 5.

October 9: ATF takes it nationwide

The injunction only protected covered parties, which split the market for two months. Whether you could skip the Form 4 depended on which groups you belonged to and which dealer you bought from.

That ended on October 9. After Attorney General Todd Blanche extended the enforcement policy nationwide, ATF Director Robert Cekada published an open letter and FAQ saying ATF will no longer enforce the NFA's approval, registration and tax-stamp requirements for suppressors, SBRs, SBSs and AOWs. It applies to everyone, not just plaintiffs.

ATF also says it won't enforce:

- The NFA marking requirement for these items
- The ban on moving unregistered items across state lines
- The separate Gun Control Act rule that required Attorney General approval for dealer sales of SBRs and SBSs, until ATF writes new forms and rules for it

The NFA registry still exists, and you can still register voluntarily if you want to.

What hasn't changed

This is not a repeal of the NFA. Before you buy, know what still applies:

- **State law.** The ruling and ATF's policy don't touch state bans or state requirements. Fifteen states have laws that reference NFA registration as a condition of possession, so owning an unregistered item there can still mean state charges. Eight states plus Washington, D.C. ban suppressors entirely.
- **The Gun Control Act.** These items are still "firearms." You still fill out a 4473 and pass a NICS check, and prohibited persons are still prohibited.
- **Form 20 for SBRs and SBSs.** You still need an approved Form 20 before taking a short-barreled rifle or shotgun across state lines.
- **The SOT.** Dealers, manufacturers and importers still pay the Special Occupational Tax.
- **Machine guns and destructive devices.** Their $200 tax remains, so the full NFA process still applies to them.

What it means for Connecticut gun owners

For Connecticut residents, very little has changed yet. Connecticut is one of 15 states whose own laws are tied to federal NFA compliance, so ATF stepping back federally doesn't settle whether an unregistered item is legal here.

The key statute is Conn. Gen. Stat. § 53a-211. It makes owning or possessing a suppressor or sawed-off shotgun a class D felony, with an exception for people "licensed or otherwise permitted by federal or state law." Nobody knows yet whether ATF's non-enforcement policy counts as federal permission. ATF says it can't interpret state law, and when the Firearms Policy Coalition asked Attorney General William Tong on October 9 to stop enforcing the NFA-linked law, no reply had been reported as of mid-October.

Item	Federal status (since Oct. 9)	Connecticut status
Suppressor	No Form 4, registration or stamp enforced	Felony to possess unless federally or state permitted; still go through the Form 4 process. Hunting with one is banned outright.
Short-barreled rifle	No NFA approval or registration enforced	Most are banned anyway: a semi-auto centerfire rifle under 30 inches overall is an assault weapon under state law.
Short-barreled shotgun	No NFA approval or registration enforced	Covered by § 53a-211 like suppressors, and many semi-auto shotguns are assault weapons.

Item	Federal status (since Oct. 9)	Connecticut status
AOW	No NFA approval or registration enforced	Restricted; check the assault weapon definitions before buying.

The practical takeaway: until Connecticut changes its law or the Attorney General issues guidance, Connecticut gun owners should keep registering suppressors and SBSs with ATF. That's still possible because ATF runs the registry on a voluntary basis. There's a second reason to register. ATF warns that if federal enforcement ever resumes, owners of unregistered items wouldn't automatically be grandfathered in, and the law generally doesn't allow registering after the fact (Legal Insurrection). Connecticut's assault weapons ban, magazine limits and long gun eligibility certificate rules are untouched by any of this. This is general information, not legal advice; a Connecticut firearms attorney can speak to your situation.

What's next

The court's injunction is permanent, but only for covered parties. Everyone else is relying on ATF's enforcement policy, and a policy can be reversed by a future administration far more easily than a court judgment. That's why some advocates are pushing ATF to lock the change in through formal rulemaking, and why plaintiffs say they'll go back to court to widen the ruling.

Congress could also settle it either way. It could repeal registration for untaxed items, or it could rebuild the scheme on a different footing, such as the Commerce Clause. Gun-control advocates are likely to push for the latter. For now, though, the biggest change to the NFA since 1934 came from a $0 tax stamp and a single Texas lawsuit.

Sources

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- Rifle Configurator: Texas Judge Strikes Down NFA Registration
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- Silencer Shop: The NFA Registration Is Gone
- Target Sports USA: NFA Suppressor Ruling Explained