



FFL NEWSLETTER

FEDERAL FIREARMS LICENSEE INFORMATION SERVICE

April 2015

In an effort to keep Federal firearms licensees (FFLs) abreast of changing Federal firearms laws and regulations, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) will provide semiannual FFL Newsletters. Previous editions of the FFL Newsletters are available on ATF's Web site (<https://www.atf.gov/publications/newsletters/index.html>).

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During the 2015 SHOT Show, ATF hosted an information booth, staffed by technical experts and policy makers, to address a wide variety of questions from attendees. Additionally, ATF conducted an educational seminar which included presentations on detecting and avoiding illegal straw purchases and ATF's Frontline business model.

During the straw purchase presentation, ATF Special Agent Thomas Chittum, Assistant Special Agent in Charge, Seattle Field Division, reviewed assorted scenarios used by straw purchasers to illegally obtain firearms for persons who may be prohibited from so doing, and discussed questions a licensee may ask to help ensure the buyer is the actual purchaser. During the Frontline presentation, ATF Special Agent John Oakey, Chief, Frontline Branch, provided information on ATF's Frontline business model which supports development of intelligence-driven strategies and coordinates deployment of focused enforcement tactics.

New Appointments in Enforcement Programs and Services—Assistant Director and Deputy Assistant Director

Mr. Marvin Richardson was appointed as the Assistant Director for the Enforcement Programs and Services Directorate (EPS) in December 2014. Prior to his current position, Mr. Richardson served as the Deputy Assistant Director, EPS from 2012 thru 2014. Mr. Richardson's career with ATF spans more than 25 years, and includes service as the Special Agent in Charge of the Denver and Phoenix Field Divisions; Chair of the ATF Professional Review Board; and Chief, National Center for Explosives Training and Research (NCETR). Mr. Richardson began his career with ATF in 1989 as a Special Agent in the Dallas Field Division.

SHOT Show 2015

ATF has been participating in the annual Shooting, Hunting, and Outdoor Trade (SHOT) Show for over 25 years. Our information booth with subject matter experts serves industry members and the general public attending SHOT Show. We conduct informational seminars and provide timely information on regulatory matters to Federal firearms licensees.

Mr. Curtis Gilbert was appointed as the Deputy Assistant Director for EPS in December 2014. Mr. Gilbert began his career with ATF in 1988. He served as the Director of Industry Operations for the Detroit Field Division and the Deputy Chief of Field Management Staff. Mr. Gilbert was selected as Deputy Assistant Director of Field Operations in 2012 before his appointment in EPS.

ATF Outreach Activities

ATF conducts informational seminars throughout the year. In addition to providing information at numerous gun shows across the United States, here are some examples of outreach activities that local ATF offices conducted in 2014:

- On January 17, 2014, ATF conducted an educational seminar at the North Carolina Auctioneer's Association Winter Conference in Greensboro, North Carolina. The presentation included information about the Gun Control Act (GCA) and the licensing requirements for auctioneers engaged in the business of buying and selling firearms and/or conducting consignment auctions.
- On March 26, 2014, ATF conducted an educational seminar for the Washington County Zoning Department (Maryland). ATF educated the personnel on certain GCA definitions, the ATF Form 4473, licensing requirements, criteria for the issuance of licenses, and specific items on the ATF Form 7, Application for Federal Firearms License (FFL), such as business address, hours of operation, description of specific activity, and applicant certification requirements.
- On April 26, 2014, ATF provided a firearms presentation to pawnbrokers at the Washington State Pawnbrokers Convention in Yakima, Washington. The presentation was part of a continuing education seminar for the Washington State Pawnbrokers that hold Federal firearms licenses.
- On May 2, 2014 ATF conducted firearms seminars in Reno and Las Vegas, Nevada. The presentations included information on ATF inspection procedures, best practices for Federal firearms licensees, and gun show guidelines.
- On May 15, 2014, ATF conducted a firearms seminar at Carteret Community College located in Morehead City, North Carolina. Approximately 170 individuals attended the seminar. The presentation was tailored to Type 1, 2 and 7 licensees. Topics covered included recordkeeping, conduct of business, manufacturing, and the National Firearms Act (NFA).
- On June 9-10, 2014, ATF hosted an information booth at the National Pawnbrokers Association 2014 Pawn Expo. Industry Operations Investigators (IOIs) provided regulatory information and addressed questions from attendees.
- On June 17, 2014, ATF conducted a K-9 presentation at Huth Road Elementary School, Grand Island, New York. The primary topics of conversation included firearms and explosives awareness, reacting to unusual circumstances, and the students' role as concerned young citizens.
- On July 15, 2014, ATF conducted a seminar for licensed manufacturers and importers at the Salt Lake City Public Library's Nancy Tessman Auditorium. Topics included manufacturing operations, forms, records, rulings; importer/exporter operations, forms, records, rulings; and NFA operations, forms, records and rulings.
- On September 5 and 6, 2014 ATF participated in the Southeast Regional Pawnbroker's Association Trade Show in Greenville, South Carolina. The show was attended by numerous vendors as well as business owners. ATF was on hand to answer questions and concerns.
- On September 9-10, 2014, ATF conducted Federal firearms licensee seminars at the Delaware State Police Troop 2 Barracks and the Dover Police Department. ATF educated attendees on acquisition and disposition (A&D) record requirements, how to conduct an inventory, ATF Procedure 2013-1, straw purchase prevention, and best practices related to internal controls.
- On September 11, 2014, ATF conducted a Federal firearms licensee seminar in Ft. Worth, Texas. The presentation included information on the inspection process, application procedures, and the partnership between ATF and the licensed industry.
- On September 20-21, 2014, ATF conducted outreach at the Tanner Gun Show in Denver, Colorado. This event, which is advertised as Denver's largest gun show, attracted the participation of approximately 700 exhibitors. IOIs provided regulatory information to industry members and answered questions from industry members and the general public regarding the sale of firearms and applying for a Federal firearms license.

- On October 9, 2014, ATF provided a presentation to auctioneers in Martinsburg, West Virginia. The presentation included information about the Gun Control Act (GCA) and the licensing requirements for auctioneers engaged in the business of buying and selling firearms and/or conducting consignment auctions. The presentation was part of a continuing education seminar for the West Virginia Auctioneer Association.
- On October 15, 2014, ATF joined other Federal agencies to attend a “Trade Day” in Charleston, South Carolina, sponsored by US Customs and Border Protection. The exhibition provided local business owners who import a variety of goods the opportunity to meet various agencies and have their questions answered.
- On October 23, 2014, ATF conducted a firearms training seminar in Freehold, New Jersey. The seminar was held in cooperation with the State of New Jersey Firearms Unit and National Instant Criminal Background Check System (NICS) Criminal Information Unit. Topics of discussion included the ATF inspection process, how to avoid violations, manufacturing/gunsmithing, and many State issues.
- On November 6, 2014, ATF attended a seminar at the MC Sports location in Chardon, Ohio. There were multiple industry members from MC Sports in attendance from the Northern Ohio region. ATF presented in-depth firearms industry related training with a primary focus on the ATF Form 4473 and its proper completion.
- On November 10, 2014, ATF participated in the Career Day Program at Clark Creek Elementary School in Acworth, Georgia. Approximately 450 students attended the outreach event. ATF’s presentation included the display of the ATF canine, Glow and a screening of a DVD entitled, “We are ATF”, followed by a question and answer segment.
- On November 15, 2014, ATF conducted a firearms training seminar in Sterling Heights, Michigan for a Midwest sporting goods retailer with stores in Michigan, Illinois, Iowa, Indiana, Missouri, Ohio, and Wisconsin. The presentation included information about the most commonly cited violations found during ATF compliance inspections, identifying prohibited persons and preventing straw purchases, best practices for submitting and tracking National Instant Criminal Background Check System (NICS) checks, and GCA recordkeeping basics.
- On November 15, 2014, ATF provided educational outreach during the Bill Goodman Gun & Knife Show at Hara Arena in Dayton, Ohio. The event hosted approximately 68 Federal firearms licensees and vendors selling accessories and knives, and approximately 3,000-4,000 people attended the show. IOIs provided answers to questions from the licensee and non-licensee attendees at the event and provided copies of ATF publications.
- On November 17, 2014, ATF participated in training for employees at Gander Mountain’s new location in Woodbridge, Virginia. The training included information on the ATF inspection process, recordkeeping requirements, identification documents (including Military IDs), out-of-State transfers, straw purchase indicators, and other regulatory matters.
- On December 9, 2014, ATF conducted a seminar and provided materials at the Reppert Auction School located in Indianapolis, Indiana. The Reppert Auction School is approved to provide pre-licensing education for auctioneers, including firearms auctioneers, throughout the United States. During the 2-hour block of instruction, IOIs presented an overview of ATF’s mission and discussed Federal requirements pertaining to estate and consignment auctions of firearms.

Organizational Change for Firearms Technology Branch

On September 1, 2014, the Firearms Technology Branch was elevated to a division level organization and renamed the Firearms and Ammunition Technology Division (FATD). As a result, ATF’s firearms and ammunition technology services will be given a higher degree of visibility within the agency and within the Department of Justice (DOJ). This will be commensurate with the criticality of its mission and the scope and level of those with whom it collaborates outside ATF, including members of Congress, DOJ officials, the firearms and ammunition industry, and the public. This new structure is expected to greatly improve response times for firearms and ammunition evaluations and inquiries.

As part of this organizational change, FATD is now comprised of the Firearms Technology Criminal Branch (FTCB) and the Firearms Technology Industry Services Branch (FTISB). FTCB is responsible for responding to and acting upon law enforcement agencies’ requests to

test, evaluate, and provide expert testimony and firearms and ammunition training. FTISB is responsible for providing industry related technical support to ATF field operations, chief counsel, public and governmental affairs, management employees, other Federal, State, and local law enforcement agencies, the firearms and ammunition industry, and the public. In addition, FTISB has assumed responsibility for analyzing and providing responses to marking variance requests. Firearms and ammunition manufacturers that submit the ATF Form 3311.4, Application for Alternate Means of Identification of Firearm(s) (Marking Variance), to marking_variances@atf.gov will not experience delays in processing times as a result of this marking variance program transfer. The ATF Form 3311.4 can be located at: www.atf.gov/content/library/firearms-forms.

For further information, please contact FATD at (304) 616-4300 or fire_tech@atf.gov.

Automation of CBP Form I-94

An alien legally admitted to the United States (U.S.) must record his or her alien number or admission number when completing an ATF Form 4473. See 27 CFR 478.124(c)(1). An admission number is issued on a Form I-94, Department of Homeland Security Arrival/Departure Record. The U.S. Customs and Border Protection (CPB) generally issues a Form I-94 when an alien is admitted to the United States. CPB has automated the Form I-94 at air and sea ports of entry and generally will no longer provide a paper form upon arrival. A paper copy of the Form I-94 may be obtained from the CPB website at <http://www.cbp.gov/travel/international-visitors/i-94-instructions>. Aliens admitted to the U.S. at a land border point of entry will still be issued a paper Form I-94.

Return of Firearms Received for Appraisal

ATF has recently received inquiries regarding the ATF Form 4473 requirement when licensees return firearms received for appraisal from nonlicensees. Licensees are required to record transactions on a firearms transaction record, ATF Form 4473, for any firearm sold or otherwise disposed of to any person who is not a Federal firearms licensee. 27 CFR 478.124(a) provides an exception to this Form 4473 requirement for a firearm delivered to a licensee for the sole purpose of repair or customizing when the firearm or a replacement firearm is returned

to the same person from whom it was received. Firearms received for the purposes of appraisal do not fall within the “sole purposes of repair or customizing” exception in 27 CFR 478.124(a). Therefore, when a licensee receives a firearm for the purpose of appraisal, the licensee must record the transaction on an ATF Form 4473 prior to transferring the firearm back to the original nonlicensee.

Revised Federal Firearms License (FFL) Renewal Application (ATF Form 8)

The revised version of the Federal Firearms License (FFL) Renewal Application became effective for licensees whose licenses expired as early as November 2014.

Changes to the form include the following:

- Section C, Item 4: Removed “CLEO’s Name & Title” and “Date sent”.
- Section C, Item 5: Changed from “As required by 18 U.S.C. 923” to “As required by 18 U.S.C. 923(d)(1)(G)”.
- Section C, Item 5: Added a check box for “Check ‘N/A’ if you are a Collector of Curios and Relics or a Manufacturer of Ammunition” and changed “Write” to “Check” and changed “Curios or Relics” to “Curios and Relics”.
- Section C, Item 6: Removed Certification of Compliance, no longer required at time of renewal.
- Section C, Item 7: Added the question, “How many firearms have you bought or acquired with your firearms license over the past 3 years? If none, enter ‘0’.”
- Section C, Item 7: Added the question, “How many firearms have you sold or disposed of with your firearms license over the past 3 years? If none, enter ‘0’.”

Reminders: Reporting Deceased Responsible Persons to the Federal Firearms Licensing Center and Submission of Original and Renewal Applications

ATF wants to remind licensees of the requirement for reporting deceased responsible persons to the Federal Firearms Licensing Center (FFLC). Pursuant to 27 CFR § 478.54 Change of Control, for corporations or associations holding a license, if actual or legal control changes,

directly or indirectly, whether by reason of change in stock ownership or control (in the licensed corporation or in any other corporation), by operations of law, or in any other manner, the licensee shall give written notification to the Chief, Federal Firearms Licensing Center, within 30 days of such change.

For further information contact ATF FFLC customer service at 1-877-560-2435.

Original or renewal license application submissions should be mailed with payment using the U.S. Postal Service to the P.O. Box printed on the application forms. Common carriers such as Fed Ex and UPS are not authorized to send packages to P.O. Boxes—using these common carriers may result in misrouted or lost applications and extreme delays in processing.

Use of Internal Control Numbers on ATF Form 6 Part I

The Firearms and Explosives Imports Branch (FEIB) would like to encourage Federal firearms licensees who file the ATF Form 6 Part I application to assign an internal control number to their ATF Form 6 applications and to record the number in the appropriate box on the form (under “For Applicant’s Optional Use” near the top of the form). The internal control number is recorded in our mail log (if we receive a paper ATF Form 6) and it is recorded in our database (for paper and electronic ATF Forms 6). When licensees call to inquire about the status of a permit and do not know the permit number, we can search by the internal control number, allowing for a quicker response. Any questions may be directed to FEIB at (304) 616-4584.

Reminder: Reporting Multiple Sales of Handguns or Certain Rifles

Licensees shall prepare an ATF Form 3310.4, *Report of Multiple Sale or Other Disposition of Pistols and Revolvers*, whenever the licensee sells or otherwise disposes of, at one time or during any five consecutive business days, two or more pistols, or revolvers, or any combination of pistols and revolvers totaling two or more, to an unlicensed person. See 27 CFR 478.126a. The form is not required if the pistols and/or revolvers are being returned to the same person from whom they were received. The form must be submitted no later than the close of the business day on which the licensee sold or disposed of

the second handgun. If an additional handgun sale takes place within five business days of the first multiple sale, that additional pistol or revolver will be added to the already submitted report of multiple sale. Multiple handgun sales reports may be submitted via mail, fax or email to the following:

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
National Tracing Center
P.O. Box 0279
Kearneysville, WV 25430-0279
Fax number: 1-877-283-0288
Email: MultipleHandgunSalesForms@atf.gov

Licensed dealers and pawnbrokers in Arizona, California, New Mexico, and Texas shall prepare an ATF Form 3310.12, Report of Multiple Sale or Other Disposition of Certain Rifles, whenever the licensee sells or otherwise disposes of to an unlicensed person, two or more rifles within five consecutive business days having the following characteristics: (1) semi-automatic; (2) caliber greater than .22 (including .223/5.56 mm); and (3) the ability to accept detachable magazines. This form is not required when the rifles are returned to the same person from whom they were received. The form must be submitted by close of business the day the second rifle is purchased. If an additional qualifying rifle sale takes place within five business days of the first multiple sale, that rifle will be added to the already submitted report of multiple sale. Forms may be submitted via mail or fax to the following:

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
National Tracing Center
P.O. Box 0279
Kearneysville, WV 25430-0279
Fax Number: 1-877-283-0288

Who to Contact with your Firearms Related Questions

ATF receives numerous telephone calls and emails daily regarding firearms related issues (i.e., laws and regulations, licensing, importation). In order to better assist you with meeting your needs, ATF is providing the following list of telephone numbers and email addresses for your convenience. In addition, if you would like to receive firearms industry news updates, please visit the following link to sign up: <https://public.govdelivery.com/accounts/USATF/subscriber/new?>

ATF Web Site:

<http://www.atf.gov/>

Frequently Asked Questions:

<http://www.atf.gov/content/Firearms/firearms-industry>

Top 12 Questions and Answers:

<https://www.atf.gov/sites/default/files/assets/pdf-files/0813-firearms-top-12-qas.pdf>

General questions about firearms laws and regulations:

ATF Field Offices: <http://www.atf.gov/content/contact-us/local-atf-office>

Firearms Industry Programs Branch:

(202) 648-7190 or fipb@atf.gov

Firearms Licensing Questions:

(Renewals, changes/corrections, or obtaining a license)

(866) 662-2750

fflc@atf.gov

Firearms Imports Questions:

(Importation of firearms, ammunition and defense articles)

(304) 616-4550

imports@atf.gov

National Firearms Act Questions:

(Registration and documentation)

(304) 616-4500

nfa@atf.gov

Firearms Technology Questions:

Classification, technical and/or manufacturing)

(304) 616-4300

Fire_tech@atf.gov

Firearm marking variance questions:

(304) 616-4300

marking_variances@atf.gov

Annual Firearms Manufacturing and Exportation Report questions:

304) 616-4590

To Receive ATF Forms and Publications:

ATF Distribution Center

(703) 870-7526 or (703) 870-7528

<http://www.atf.gov/content/distribution-center-order-form>

Report Stolen Firearms:

(888) 930-9275

Out of Business Questions:

National Tracing Center

(800) 788-7133