



Department of Treasury

Bureau of Alcohol, Tobacco, Firearms

Washington, DC 20226

September 3, 1999

Open Letter to All South Carolina Federal Firearms Licensees — Notice of Amendment

[Original Letter](#)

On November, 13, 1998, the Bureau of Alcohol, Tobacco and Firearms (ATF) sent an open letter to all South Carolina Federal Firearms licensees advising you of your responsibilities under the permanent provisions of the Brady law. This letter advised you that the State of South Carolina would act as the point of contact for background checks through the National Instant Criminal Background Check System (NICS) for all firearms transactions. The South Carolina Law Enforcement Division has now notified ATF and the Federal Bureau of Investigation (FBI) that they will cease operations as the NICS point of contact on September 30, 1999.

Therefore, beginning October 1, 1999, in order to initiate a NICS check for any firearm, South Carolina licensees must contact the FBI's NICS Operations Center by dialing 1-877-FBI-NICS (1-877-324-6427). Your call will be answered by an automated menu that will allow you to select from several customer services, including initiating a NICS background check.

Licensees must be enrolled with the FBI before they can initiate NICS checks through the FBI's NICS Operations Center. Licensees who are not currently enrolled are advised to do so upon receipt of this letter. To enroll, call the NICS Operations Center at 1-877-444-NICS. In addition, you are reminded that you should continue to contact the South Carolina Law Enforcement Division for background checks through September 30, 1999.

Also as a reminder, you must comply with the following steps prior to transferring a firearm:

1. Have the transferee complete and sign ATF Form 4473, Firearms Transaction Record.
2. Verify the identity of the transferee through a government-issued photo identification (for example, a driver's license).
3. Contact NICS. You will get either a "proceed," "denied," or "delayed" response from the system. If you get a "delayed" response, and there is no additional response from the system, you may transfer the firearm after three business days have elapsed. Of course, you must still comply with any waiting period requirements under State law.
4. If you have initiated a NICS check for a proposed firearms transaction, but the transfer of the firearm is not completed, you must retain the Form 4473 in your

records for a period of not less than 5 years. If the transfer is completed, the Form 4473 must be retained for at least 20 years.

All other information contained in the November 13, 1998, letter is correct. We apologize for any inconvenience this change may have caused.

Jimmy Wooten
Assistant Director
Firearms, Explosives and Arson