

# ATF FFL NEWSLETTER

Federal Firearms Licensees Information Service provided by the Department of the Treasury. Bureau of Alcohol, Tobacco and Firearms Washington, D.C

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## ***The Director's Column***

This is the second in our series of newsletters designed to keep you informed concerning the new initiatives, regulation changes, and ATF programs which may affect you and to answer some of your more frequently asked questions.

I firmly believe the licensee holds the key to Federal enforcement in firearms and the Supreme Court agrees.

In 1973, in a case involving a previously convicted person attempting to redeem firearms from a federally licensed pawnbroker. The Court said in part:

***“...Commerce in firearms is channeled through federally licensed importers manufacturers and dealers in an attempt to halt mail order and interstate consumer traffic in these weapons. The principle agent of Federal enforcement is the dealer. Information drawn from records kept by dealers is a***

***prime guarantee of the Act's (Gun Control Act of 1968) effectiveness in keeping these lethal weapons out of the hands of criminals, drug addicts, mentally disordered persons, juveniles, and other persons whose possession of them is to high a price in danger for us to allow. For this outline of the Act, it is apparent that the focus of the federal scheme s a Federally licensed firearm dealer ...”***

Our goals are identical. We are partners in the fight to keep the guns out of the hands of criminals.

We are counting on your continued cooperation. We are steering a new course in firearms enforcement. I believe the initiatives and programs you will read about in this and future newsletters will make us more efficient in reducing firearms crimes nationally, and reducing or eliminating the sources of crime guns and their availability. We will need a considerable amount of input from

you to determine your needs. Through the toll free telephone and this newsletter, we hope to strengthen lines of communication with you.

Let us know some of the subjects would like to see covered in future issues and some of the questions you need to have answered.

## Curios, Relics Classification Expanded

The Code of Federal Regulations defines curios or relics as "Firearms or ammunition which are of special interest to collectors by reason of some quality other than is ordinarily associated with firearms intended for sporting use of as offensive or defensive weapons.."

ATF requires that to be recognized as curios or relics, firearms and ammunition must fall within one of the following categories:

- Firearms and ammunition that were manufactured at least 50 years before the current date. Replicas are not included.
- Firearms and ammunition that are certified by the curator of a municipal State or Federal museum that exhibits firearms to be curios or relics of museum interest.
- Any other firearms or ammunition that derive a substantial part of their monetary value from the fact that they are rare, novel, bizarre, or because of their association with some historical figure, period, or event. Proof of qualification under this category may be established by: a) evidence of present value; b) evidence that like firearms or ammunition are not available except as collector's items; and c) evidence that the value of like firearms or ammunition available in commercial channels is substantially less.

The following information should clarify those firearms that qualify as curios or relics and how to obtain the classification:

1. ATF has determined that a collector need not request a classification for a specific 50 years before the present date. Firearms 50 years or older qualify as curios or relics.
2. A collector who wishes to have a

firearm, that is less than 50 years old, classified as a curio or relic should submit a letter to: Chief, Firearms Technology Branch, Bureau of Alcohol, Tobacco and Firearms, 12<sup>th</sup> & Pennsylvania Avenue, Washington, DC 20226

The letter should include a complete description of the firearms or ammunition: the reasons why it merits a curio or relic classification; any supporting data concerning the history of firearms or ammunition, including production figures if available; and the current market value.

3. The National Firearms Act (NFA) weapons also can be considered for classification as curios and relics; however, they are still subject to the registration and transfer requirements of the NFA. Certain NFA weapons that are primarily of interest to collectors (with the exception of machineguns and silencers) may qualify for removal from NFA provisions as collector's items that are not likely to be used as weapons. A person wishing to have a specific NFA firearm removed from the NFA provisions should submit a letter to the address listed in section 2.

This letter should include a complete physical description of the weapon, the reason the firearm is not likely to be used as a weapon the history of the firearm and its value. There is no guarantee that every request can be approved.

4. Certain other NFA firearms (except machineguns) may be modified in order to remove them from the provisions of the NFA. For example, a H&R Handy Gun (.410 gauge shot pistol) may be modified by reaming or drilling out the shotgun chamber and installing a rifled sleeve chambered for a pistol cartridge. The sleeve must be permanently installed by means of high temperature silver solder or steel

## Curios & Relics (continued from page 1)

welding. The modified H&R Hand Gun would no longer be subject to the provisions of the NFA. Anyone who wishes to obtain specific instructions for modifying a firearm should contact their nearest Bureau of Alcohol, Tobacco and Firearms office.

## Stolen Guns Threaten Everyone

In 1979 in the United States:

- An estimated total of 225,000 guns were reported stolen
- Approximately 10,000 were reported stolen from licensees and 5,000 from common carriers transporting firearms to dealers.
- The remaining 210,000 were stolen from private individuals.
- Presently there are 1.5 million firearms listed as stolen in the National Crime Intelligence Center-a frightening and staggering statistic!

A current ongoing study has confirmed that more than 50 percent of all criminally used firearms are stolen. In a Philadelphia project, 1,000 weapons seized by the police in the first five months of 1979 were traced. Eighty eight percent were used in serious crimes. Half of that number, 44 percent, were stolen from private residential owners.

We feel quite certain these figures indicated only the tip of the problem. Unfortunately, at present, there is no method to determine the full extent of theft from private owners because so many go unreported.

We know too that violent crimes are on the increase in the United States.

We know a sizable number of stolen guns are used in crimes. Criminals like stolen guns because they are difficult to trace. And stealing a gun is easy, too easy.

This year we are making a special effort to alert

gun owners and dealers to the dangers caused by unsecured firearms and to suggest steps they can take to make their guns theft-proof.

We need your help in two ways: 1) make certain your place of business is secure; and 2) help educate your customer to the need for keeping his firearms safe.

## Place of Business

In addition to the normal security system, firearms licensees can take additional precautions to increase their protection. It's a good idea to keep the interior of your place of business readily visible from the outside at all times. Keep it well lighted as night. Keep firearms storage of inventory areas physically separated from counter and display areas. Access during business hours should be carefully controlled. During non-business hours, keep the storage area locked.

Firearms on display should be temporarily deactivated by removing magazines and bolts, and by using trigger guards. Firearms in inventory should be tagged and cross-referenced to the appropriate entry in the acquisition records. If a theft does occur, it is less difficult to determine which weapons are missing.

## For Your Customer

Each time you make a sale, you are in the perfect spot to offer the customer a hand gun education. Remind you customer to lock up the gun, keep it secure and out of sight, to record the serial number, to keep records of the make and model, and finally, to report every theft to the local law enforcement agency.

With your support, we will get our message across and we will keep the guns out of the hands of the criminal.

## Tracing Works

In 1979, two New York City police officers were shot and severely wounded during the arrest of suspects in a bank robbery. One of the police officers died later from his wounds. The murder weapon was recovered with the arrest of one of the suspects.

ATF traced the weapon at the request of the

New York Police Department. The gun had been purchased from a Florida gun shop by an individual identifying himself as Demetrios Asimacopoulos. Asimacopoulos used a Florida driver's license that have been obtained on the same date as the gun purchase. The address listed on the driver's license and ATF Form 4473 proved to be fictitious. The murder weapon was one of seven purchased on the same date by Asimacopoulos. He was found to be a resident of Uniondale, New York, at the time of the purchase and had a prior criminal record, but no convictions. A complaint was filed with the United States magistrate in Miami, charging Asimacopoulos with violations of the Gun Control Act. He was arrested in New York in 1979, five days after the robbery.

On March 21, 1980, Asimacopoulos was sentenced to serve a term of three years in prison and was fined \$5,000 in the U.S. District Court in New York.

## Firearms Trace Results

### From January 1, through March 31, 1980

Successful traces evaluated	4,331
Traces considered of value by the requesting agency	2,593 (60%)
Traces considered of no value or of indeterminate value	1,738 (40%)
Traces resulting in the recovery of stolen property	455

### Traces that assisted in solving a Crime

	1,176
ATF violations	1,176
Murder	126
Assault	115
Robbery/Burglary	406
Narcotics violations	74
Other	405

## New You Can Use

ATF has issued a national warning that private citizens who have purchased MAC 10 and 11 machine gun kits may be violating Federal law. Citizens are asked to take the kits to their nearest ATF office, or through ATF to donate them to government museums, or to a law enforcement agency.

ATF has ruled that possession of a combination of parts, that when assembled, make up the MAC 10

or 11, violates the National Firearms Act, unless the kit has been previously registered by the owner. The MAC 10 fires 9mm and .45 caliber ammunition. It is believed more than 2,000 have been sold in the United States.

## Toll-Free Service Available

Toll-free "800" numbers have been installed in each of ATF's seven regional regulatory Headquarters offices. Calls received during non-work hours will be recorded and answered the next business day. The regional offices addresses, the toll-free numbers and the states served by each number are as follows:

### Central Region (Indiana, Kentucky, Michigan, Ohio, and West Virginia)

Regional Regulatory Administrator  
550 Main Street  
Cincinnati, Ohio 45202

Ohio only: (800) 582-1880  
All other states: (800) 543-1932

### Mid-Atlantic Region (Delaware, Maryland, New Jersey, Pennsylvania, Virginia, and the District of Columbia)

Regional Regulatory Administrator  
16<sup>th</sup> & Kennedy Boulevard  
Philadelphia, Pennsylvania 19102

Pennsylvania only: (800) 462-1650  
All other states: (800) 523-0677 or  
(800) 523-0678

### Midwest Region (Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin)

Regional Regulatory Administrator  
230 South Dearborn Street  
Chicago, Illinois 60604

Illinois only: (800) 572-3178  
All other states: (800) 621-3211