

ATF FFL NEWSLETTER

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



A MESSAGE FROM THE DIRECTOR OF ATF

This is the first issue of a new publication, the ATF FFL Newsletter, which is intended to strengthen the lines of communication between ATF and you, the Federal firearms licensee. It will be issued periodically, as the need arises, and will highlight topics of mutual interest.

I have been Director of ATF but a short time; however, I am convinced that cooperation between the Bureau and firearms licensees is absolutely essential to the reduction of firearms related crimes in America.

Nowhere is cooperation more vital than in firearms tracing, the subject of this first newsletter. I hope that the information included herein will further convince you of the importance of the tracing function and your role in it. Your past response to ATF tracing requests has been admirable, and I appreciate your efforts – past, present, and future – in this regard.

TRACING FIREARMS FOR LAW ENFORCEMENT

Personnel at the National Firearms Tracing Center in Washington, D.C., trace domestic and foreign firearms for Federal, State and local law enforcement agencies. The major objective of a firearms trace is to identify criminal suspects rapidly or to uncover substantial leads to aid in the investigation.

The ATF tracer obtains the necessary information by telephone from records kept at the manufacturer's, importer's, wholesaler's, and retailer's levels. Each level is an important link in the tracing chain, which hopefully will lead to the identity of the last individual who acquired the firearm from a licensee.

When a trace is needed in support of an investigation involving firearms, the responsible agency contacts ATF and describes as fully as possible the firearm in question. ATF tracing personnel group the incoming requests by manufacturer. At a prearranged time of the day, the assigned tracer telephones the appropriate company's contact and relays the necessary information.

The company contact already is aware of the authorized tracer's identity and is, therefore, assured that the trace request is legitimate. By contrast, if manufacturers had to take tracing requests from many persons throughout the country, the authenticity of these requests would be much more difficult to verify.

Gun tracing has proven to be a valuable asset to law enforcement at all levels. ATF has provided tracing support for State and local agencies, as well as to such Federal agencies as the FBI, Secret Service, and Customs. Often, traces provide information that is needed to solve a crime. A few of the known examples are highlighted below:

In Florida, a firearms trace provided the key to solving approximately 20 businesses and 15 residential burglaries.

The local police department requested that ATF trace a shotgun pawned in the city by a known criminal. The trace revealed that the gun had been stolen in a burglary. Working from this information, the police questioned the individual who had pawned the gun and solved numerous burglary cases and as a result, several in surrounding jurisdictions.

In Virginia, a taxi driver's spouse was killed by an individual who was attempting an armed robbery of the taxicab. The assailant ran, leaving the murder weapon in the car.

A trace of the firearm by ATF identified the purchaser, who said that his son-in-law, a convicted felon, had stolen it from him. The suspect was located and arrested; he immediately confessed to the murder.

In Ohio, a county sheriff's office requested assistance in tracing a firearm found at the scene of an armed robbery of a drugstore. Two suspects had been arrested, but a third had escaped and his identity was not known.

A trace of the recovered firearm showed that it had been purchased shortly before the robbery by an individual who had numerous convictions for drug violations. With the firearms purchase as the primary evidence against him, this individual was tried and convicted of armed robbery.

Although the scope of the tracing program is limited, ATF has traced more than 240,000 guns since 1972. The number of tracing requests, by year, is shown here:

REQUESTS RECEIVED BY ATF FOR FIREARMS TRACES

1973	18,242
1974	33,700
1975	33,935
1976	45,473
1977	64,032
1978	55,802
1979	59,944



These figures indicate that after the first full year of operation, there were dramatic increases in the number of trace requests received. In FY 1977, there was an increase of over 250% over FY 1973. A program change in 1978, resulted in a reduction, but for FY 1979, the number of requests has increased.

The success of the tracing program is due largely to the cooperation of licensed manufacturers, importers and dealers throughout the United States, and firearms manufacturers in several foreign countries. The Bureau greatly appreciates this spirit of partnership, which is showing positive results in bringing violence-prone criminals to justice.

FREQUENTLY ASKED QUESTIONS

The following are a sampling of frequently asked questions concerning Federal firearms recordkeeping requirements and related topics:

1. What is a "bound book"?

A "bound book" should be either a permanently bound book or an orderly arrangement of loose-leaf pages, which must be maintained on the business premises. The pages must be numbered consecutively and must follow the accompanying format, which is prescribed in Federal regulations. (178.125)

FIREARMS ACQUISITION AND DISPOSITION RECORD

DISPOSITION OF FIREARM					RECEIPT		DESCRIPTION		
MANUFACTURER and/or IMPORTER	MODEL	SERIAL NUMBER	TYPE OF ACTION	CALIBER OR GAUGE	DATE	FROM WHOM RECEIVED (Name and Address or Name and License Number)	DATE	NAME	ADDRESS OR LICENSE NUMBER IF LICENSEE. If Non-Licensee, use Form 4473 Serial Number

2. How much time does a dealer have to record acquisitions and dispositions of firearms in his "bound book"?

Provided that commercial records (invoices) contain the information required on Form 4473, are available for inspection, and are kept separate from other commercial documents, dealers have 7 days from the time a weapon is received or disposed of to record said receipt or disposition.

A firearm whose receipt is not covered by commercial records must be entered in the "bound book" by the close of the next business day after the firearm is purchased or otherwise acquired. If a firearm is disposed of before its acquisition has been entered in the "bound book," the both the acquisition and disposition entries must be made at the same time. (178.125(d) and (f))

3. How long must acquisition/disposition records (bound books) be kept?

So long as the licensee remains in the firearms business, he or she must keep all firearms transactions (bound books) permanently on the licensed premises. (178.121, 125(e))

4. What must be done with "bound books" when:

- a) a firearms business is permanently discontinued?
- b) a firearms business is sold to another?

5. When a business is discontinued, the "bound books" and Forms 4473 shall be delivered within 30 days to the ATF Regional Regulatory Administration for the region in which the business is operated. (178.157)

6. When a new licensee takes over the operation of an already existing firearms business, he or she is to receive the "bound books" and Forms 4473, if any, from the previous operator. The new licensee must, in turn, maintain these records permanently on the licensed premises as long as he or she remains in the firearms business. (178.56, .127)

5. Who must be notified when a firearms business is moved to another location?

A firearms licensee who moves his or her business premises to another location must notify the ATF Regional Regulatory Administrator for the region in which the business has been operating. That address appears on the license. (178.52)

6. What kind of identification is acceptable when a firearm is sold to an individual?

Federal regulations do not specify precisely which items of personal identification a licensee may accept. However, any document, such as a driver's license, or a combination of documents that can identify the purchaser in a manner customarily used in commercial transactions, is acceptable. A social security card, by itself, is unsatisfactory for this purpose because it does not contain the necessary information. (178.124(c))

7. What is a licensee's responsibility when ATF authorizes a variance from normal regulatory practice?

The Regional Regulatory Administrator's letter authorizing the variance must be kept at the licensed premises and made available for inspection.

If the business has more than one licensed outlet, each outlet covered by the variance must have a copy of the letter of authorization. (178.22, .125(g))