

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) DICK'S SPORTING GOODS INC DICK'S SPORTING GOODS INC #4625 667 ERNEST W BARRETT PKWY NW STE 400 KENNESAW,GA 30144, COBB		2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 760560-2018-0071-B1B		
		3. PERMIT/LICENSE NUMBER 158067010C40639	4a. TARGET DATE 1/24/2018	4b. TARGET HOURS
5. REQUESTED BY (SIGNATURE, TITLE AND DATE)				
6. ATF OFFICER(S) ASSIGNED (b)(6) assigned Investigator (b)(6) Investigator (b)(6) assigned Investigator (b)(6) assigned Investigator (b)(6) assigned Investigator				
7. ASSIGNED BY (SIGNATURE, TITLE AND DATE) (b)(6) Area Supervisor, 12/04/2017				
8. PURPOSE/SPECIAL INSTRUCTIONS Perform a DE inspection. Determine compliance with Federal firearms laws and regulations. Verify compliance with applicable State, County and local laws, including compliance with zoning and license requirements. Verify identity of persons interviewed, and review FLS report with licensee for completeness and accuracy. Complete 100% inventory of firearms and review ATF F 4473. Obtain GPS coordinates for the licensed premises and obtain photos for business premises. For Importers, verify any approved Form 6's with the A & D records.				
9. INSPECTION RESULTS <input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC				
NO. OF VIOLATIONS	6	NO. OF REFERRALS	1	10. TRAVEL EXPENSES (OPTIONAL)
NO. OF TECS CHECKS	16	NO. OF TECS HITS		2111 - PER DIEM
NO. OF TAX ADJUSTMENTS		\$ VALUE OF TAX INCREASES		2112 - P.O.A.
		\$ VALUE OF TAX DECREASES		2113 - COMM. AIR
NO. OF ASSESSMENTS		\$ VALUE OF ASSESSMENTS		2114 - RENTAL CAR
NO. OF CLAIMS		\$ VALUE OF CLAIMS		2115 - GPV EXPENSES
NO. OF TAX PERIODS		\$ VALUE OF TAXES VERIFIED		2116 - MISC.
				TOTAL \$ FOR INSP.
11. ATF OFFICER'S RECOMMENDATION Submitted by (b)(6) Industry Operations Investigator Submitted on: 05/09/2018 Further recommend that: (b)(7)(E) (b)(7)(E) (2) FFLC issue a written notice to this licensee as soon as possible and prior to the renewal of period of this FFL which expires on March 1, 2020, that Dick's SGI is required to file a new FFL application; (b)(5) (b)(5) Violts WC with WL and Recall				
12. TIME ACCOUNTING DATA				
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)				
JAN 2018		24.00		
ATF OFFICER'S SUBTOTAL		24.00		
ATF OFFICER'S SIGNATURE				
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)				
JAN 2018		54.50		
FEB 2018		15.00		
MAR 2018		32.50		
APR 2018		14.50		

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	3. PERMIT/LICENSE NUMBER 158067010C40639	4a. TARGET DATE 1/24/2018	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

12. TIME ACCOUNTING DATA

ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(6)
MAY 2018	4.00
ATF OFFICER'S SUBTOTAL	120.50
ATF OFFICER'S SIGNATURE	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(6)
JAN 2018	6.00
ATF OFFICER'S SUBTOTAL	6.00
ATF OFFICER'S SIGNATURE	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(6)
JAN 2018	6.00
APR 2018	17.00
ATF OFFICER'S SUBTOTAL	23.00
ATF OFFICER'S SIGNATURE	
TOTAL HOURS	173.50

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION
Viols WC with WL and Recall

☒ REVIEWED ☐ CONCUR ☐ SEE COMMENTS ☐ FINAL DISPOSITION

SIGNATURE AND TITLE (b)(6) Area Supervisor	REVIEW DATE 05/14/2018
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REVIEW COMMENTS AND RECOMMENDATION
DIO concurs with recommendation of a WC as the repeat violation of 27 CFR 478.125(e) increased from the last investigation from three instances to (b)(3) - 112 instances. In addition, violation of 27 CFR 478.21(a) warrants a WC due to the number of forms with errors (b)(3) - 112 which is 87% of the forms reviewed.
Viols WC with WL and Recall

☒ REVIEWED ☒ CONCUR ☒ SEE COMMENTS ☒ FINAL DISPOSITION

SIGNATURE AND TITLE DDMITCHEL2 - Director, Industry Operations <i>Deanna Mitchell</i>	REVIEW DATE 05/15/2018
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ROUTING SEQUENCE AND DATE

- ☐ 1. _____
- ☐ 2. _____
- ☐ 3. _____
- ☐ 4. _____

CONTROL FILE POSTED DATE _____

Report of Violations

Instructions

Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.

Name of Proprietor DICK'S SPORTING GOODS INC DICK'S SPORTING GOODS INC #4625	Street Address 667 ERNEST W BARRETT PKWY NW ST	City KENNESAW	State GA	Zip Code 30144-	County COBB	Page 1 of 3 Pages
License/Permit/Registry Number (If any) 158067010C40639	Expiration Date 3/1/2020	Date(s) or Period of Inspection 01/16/2017 through 01/16/2018				

Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 1

Nature of Violation:

Failure to submit their Federal Firearms License (FFL) for endorsement to the Chief, Federal Firearms Licensing Center within thirty (30) days from the licensee begins business under a new trade name, Field and Stream..

Citation: 27 CFR 478.53

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: Submit the Federal Firearms License for endorsement.

(If not corrected immediately)

Number: 2

Nature of Violation:

Failure to record the accurate dates of acquisition and the source of firearms, in violation of 27 CFR 478.125(e). This violation involve (b)(3) - 112 Public L arms which were entered in the A&D record (b)(3) - 112 Public Law 55 125 Stat 552 (b)(3) - 112 Public Law 55 125 Stat 552

Citation: 27 CFR 478.125(e)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: Reconstruct the record to show the original entry for each of the (b)(3) - 112 firearms.

(If not corrected immediately)

Report of Violations

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Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.

Name of Proprietor DICK'S SPORTING GOODS INC DICK'S SPORTING GOODS INC #4625	Street Address 667 ERNEST W BARRETT PKWY NW ST	City KENNESAW	State GA	Zip Code 30144-	County COBB	Page 2 of 3 Pages
License/Permit/Registry Number <i>(If any)</i> 158067010C40639	Expiration Date 3/1/2020	Date(s) or Period of Inspection 01/16/2017 through 01/16/2018				

Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 3

Nature of Violation:

Failure to record accurate information pertaining to the name of the "TRANSFEROR" in Item 33 of the ATF Forms 4473, in accordance with the Headings and Instructions for ATF Form 4473, in violation of 27 CFR 478.21(a). (b)(3) - 112 Public Law 55 125 Stat 552

(b)(3) - 112 Public Law 55 125 Stat 552

Citation: 27 CFR 478.21(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: Corrections were completed by the licensee.

(If not corrected immediately)

Number: 4

Nature of Violation:

(b)(3) - 112 Public Law 55 125 Stat 552
ATF Forms 4473 did not contain the accurate information in Items 12-15; in violation of 27 CFR 478.124(c)(1).

Citation: 27 CFR 478.124(c)(1)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: Future compliance.

(If not corrected immediately)

Report of Violations

Instructions

Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.

Name of Proprietor DICK'S SPORTING GOODS INC DICK'S SPORTING GOODS INC #4625	Street Address 667 ERNEST W BARRETT PKWY NW ST	City KENNESAW	State GA	Zip Code 30144-	County COBB	Page 3 of 3 Pages
License/Permit/Registry Number (If any) 158067010C40639	Expiration Date 3/1/2020	Date(s) or Period of Inspection 01/16/2017 through 01/16/2018				

Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 5

Nature of Violation:

Licensee failed to record the Alien Registration Number required in Item 18c, of ATF Form 4473.

Citation: 27 CFR 478.124(a)(3)(iii)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: Obtain correction from buyer as soon as possible.

(If not corrected immediately)

Number: 6

Nature of Violation:

Failure to obtain information to verify the purchaser's identity involving (b)(3) - 112 Public Law 55 125 Stat 552 F 4473
(b)(3) - 112 Public Law 55 125 Stat 552 river's License was not recorded in Item 18a.

Citation: 27 CFR 478.124(c)(3)(i)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: Obtain correction by letter from purchaser.

(If not corrected immediately)

I Have Received a Copy of This Report of Violations (Proprietor's signature and title)

Signature and Title of ATF

(b)(6)

Date 4.16.18.

Date 4/16/2018

FIREARMS INSPECTION REPORT

Name: DICKS SPORTING GOODS, INC. **UI#:** 760560-2018-0071-B1B
Trade Name: DICKS SPORTING GOODS, INC. **FFL#:** 1-58-067-01-0C-40639
#4625
Address: 667 Ernest Barrett Parkway, Suite 400
Kennesaw, GA 30144 (Cobb)

1 - Introduction

Inspection Profile:

On January 16, 2018, Industry Operations Investigator (IOI) (b)(6) commenced a firearms Disposition Emphasis (DE) compliance inspection on the Type 01 Dealer's license held by Dick's Sporting Good, Inc. at the above-listed address. ATF IOIs (b)(6) participated at different dates during this inspection. Ms. Hannah Browne, Lodge Manager was interviewed. Ms. Browne was identified by her Georgia Driver's License (b)(6) which expires on July 20, 2024. Ms. Browne was only present during the first two days of the inspection. She was placed on medical leave for the next five months. Mr. Andrew Barnhardt, General Manager (GM) was also interviewed; however, he was not identified because at that time, he was not on the "List of Responsible Persons" according to ATF's Federal Licensing System (FLS) data for this licensee. This inspection was conducted in accordance with the special instructions stated on ATF Form 5700.14. No advance notice was provided to the licensee. The on-site start date was on January 16, 2018 and the end-date was on April 16, 2018.

Notice of this inspection was sent to all Atlanta Field Division Criminal Enforcement (CE) Supervisors. No response was provided to Atlanta Group VIII. Queries of the Federal Licensing System (FLS) and N-Force disclosed no recent Special Attention Flags or ongoing investigations. A name query in FLS disclosed that subject Federal Firearms License, (FFL) 1-58-40639, Dick's Sporting Goods, Inc. is associated by ownership with 183 active FFL's and 40 inactive FFLs.

Business Profile:

Dick's Sporting Goods, Inc. (SGI) Kennesaw, GA is a chain retailer of firearms. The licensee conducts gun-smith operations. The licensee also sells ammunition, firearm accessories, camping tents, fishing/hunting gear, sports apparel, and sports equipment. The licensee's FFL is a Type 01, Dealer of Firearms other than destructive devices, is appropriate for the business activity. Dick's SGI commenced operations at the address listed above in 2004; however, the however, FLS record shows that the FFL was originally issued on February 17, 1999. Galyan's Trading Company, Inc. commenced operations at the same address on March 3, 1999, with the same FFL number. The use of trade name *Field and Stream* was observed by the ATF inspection team at the start of this inspection. *Reference Exhibit 1*

FIREARMS INSPECTION REPORT

Name: DICKS SPORTING GOODS, INC.
Trade Name: DICKS SPORTING GOODS, INC.
#4625

UI#: 760560-2018-0071-B1B
FFL#: 1-58-067-01-0C-40639

The business is located in an urban commercial location, in close proximity to I-75, other retail establishments, restaurants, hotels, private residential subdivisions, and Kennesaw State University. The City of Kennesaw is located in Cobb County, and situated approximately 28 miles north-west from the City of Atlanta. The licensee holds a **current Occupational Tax Certificate issued** by the Cobb County Business License Division to **Galyan's Trading Company, Inc.** DBA/ Dick's Sporting Goods, Inc. (*Galyan's Trading Company, Inc. is no longer registered as an active corporation in Georgia.*) The Occupational Tax Certificate expires on December 31, 2018. The current lease for the licensee's business address, states that Galyan's Trading Company, LLC is the tenant. The business address is zoned as mixed-use development for commercial and/or residential purposes. **Reference Exhibit 2 (Local permit & Copy of Redacted Lease)**

The licensee does not use any off-site storage for firearms. The licensee does not participate in any gun shows. The licensee conducts business over the internet with their independent website: www.dsgc.com. Internet firearms business is facilitated through dealer-to-dealer transfers. Used firearms are received only from internet transfers and trade-ins. At least 50% of handguns in stock are displayed inside locked glass cases, and the other half are in a locked storage area behind the showroom. Majority of long guns in stock are displayed in gun racks along the walls of the showroom. The remainder of long guns on hand, are also stored in the same secure storage area located behind the showroom.

During the last twelve months:

1. The licensee acquired approximately (b)(4) firearms in the following types:

Pistols/Revolvers	(b)(4)
Rifles/Shotguns	(b)(4)
Total	(b)(4)

2. The licensee sold approximately (b)(4), firearms in the following types:

Pistols/Revolvers	(b)(4)
Rifles/Shotguns	(b)(4)
Total	(b)(4)

Approximately 2% of the firearms acquired and sold were **used** firearms. The licensee acquired **new** firearms from the following ATF licensed wholesale dealers:

(b)(4)

FIREARMS INSPECTION REPORT

Name: DICKS SPORTING GOODS, INC.
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#4625

UI#: 760560-2018-0071-B1B
FFL#: 1-58-067-01-0C-40639

(b)(4)

Ownership and Control:

Dick's Sporting Goods, Inc. (DSGI) Store Number 4625-Kennesaw, GA is a wholly owned subsidiary of Dick's Merchandise and Supply Chain, Inc. The parent company is publicly traded, and headquartered, in Coraopolis, PA. Mr. Edward Stack, CEO is listed as an RP under FFL 8-25-07171. No corporate officers or board members are listed as RPs for individual Dicks SGI store locations. The local store managers are designated as RPs for stores with FFLs.

The licensee, DSGI Store Number 4625-Kennesaw, GA operates as a corporation. The Georgia State Secretary's website shows that Dicks Sporting Goods, Inc. is currently registered as a Foreign for Profit Corporation, and is in good standing. DSGI was originally chartered on November 11, 1996 in the State of Delaware. *Reference Exhibit 3.*

On or about August 3, 2017, the licensee adopted the trade name *Field and Stream*. Written notice to ATF required by 27 CFR 478.54 was *not* filed with FFLC, within thirty (30) days of a change in trade name. The FFL was not submitted to FFLC for endorsement, to add the new trade name. Dick's SGI implemented the use of *Field and Stream* trade name in August 2017, on ATF firearms required records. *Reference Exhibit 10, Worksheet 2, Violation 3.*

Variance:

On February 14, 2005, ATF authorized a variance to allow this FFL to use computerized Acquisition and Disposition (A&D) record(s). That ATF recordkeeping variance is now null and void, in accordance with ATF Ruling 2005-1 that allowed alternate record-keeping, such as a computerized software without a variance. No variance was requested during this inspection.

2 - Recommendation

Violations Warning Conference with Warning Letter, No Recall

Further recommend that: FFLC change the status of the following Responsible Persons for this FFL (1-58-40639) to "DEACTIVATED" since they are no longer associated with Dick's SGI Kennesaw, GA: (b)(6).

FIREARMS INSPECTION REPORT

Name: DICKS SPORTING GOODS, INC.
Trade Name: DICKS SPORTING GOODS, INC.
#4625

UI#: 760560-2018-0071-B1B
FFL#: 1-58-067-01-0C-40639

3 - Inspection History

The current inspection is the **second** compliance inspection for the licensee. The prior inspection data are listed below:

Date and Type of Inspection: Compliance Inspection
UI#: September 9, 2011
Inspection Results: ROV only
Cited Violations: 27 CFR 478.125(e)

4 - Acquisition & Disposition (A&D) Record - Inventory

On January 19, 2018, a 100% physical inventory of firearms was conducted. There were a total of **1562** firearms in the physical inventory and the A&D record had [REDACTED] open entries. Physical inventory validation into the A&D record disclosed no errors.

The licensee did not submit any theft or loss reports during the inspection period. No FFL loss report is required to be submitted as a result of this inspection. The computerized A&D record contained the proper format and the required information and entries were accurate and timely made, with the exception of acquisition entries dated on

August 3, 2017. There were [REDACTED] firearms listed in the A&D record as [REDACTED] (b)(3) - 112 Public Law 55-125 Stat 552

Dick's SGI local personnel in Kennesaw, GA had no input in manipulating the actual acquisition dates, and the names of original sources for the [REDACTED] firearms, transferred into the **Field and Stream** records. **Reference Exhibit 4, Worksheet 1, ROV #2.**

Twenty firearms were traced through the licensee's required records from acquisition through disposition and no discrepancies were disclosed. No firearms with obliterated serial numbers were found during the physical inventory, and no illegal firearms were discovered during the inspection.

The licensee indicated that **all acquired firearms** are entered into the computerized A&D record prior to the end of the same delivery day. Their inventory/sales software is linked to the computerized A&D record, with auto-update function for the "sold" entries. Their e-records system also captures the buyer's information required for each disposition entry in the A&D record.

The licensee's "in-house operating procedures" (internal controls), require a full inventory of firearms each week. The most recent inventory was conducted on January 15, 2018. The licensee's internal inventory results did not have any discrepancies to report that any firearm(s) was missing or stolen, at that time.

FIREARMS INSPECTION REPORT

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UI#: 760560-2018-0071-B1B
FFL#: 1-58-067-01-0C-40639

5 - ATF Forms 4473 – NICS & Other Dispositions

The inspection team reviewed a total of (b)(3)-(1)(2) ATF Forms 4473 generated during the inspection period. The review disclosed that from the total of (b)(3)-(1)(2) ATF Forms reviewed there were (b)(3)-(1)(2) **ATF Forms 4473** which listed “**Field and Stream**” as the Transferor in Item 33, in violation of 27 CFR 478.21(a). This resulted in an error rate of **87%**. The manager and personnel at Dick’s SGI Kennesaw were directed by their main office to use the trade name, not reported to ATF.

There were (b)(3)-(1)(2) other errors on ATF Forms 4473 which were addressed at the Closing Conference (*Refer to Item 11 below*). The low error rate, other than those in Item 33, is attributed to a secondary review of the ATF Forms 4473 at the point of sale, and before the transaction is completed. A third review is conducted by a manager before the forms are filed permanently. **Reference Exhibit 5, Worksheet 2, ROV#3**

NICS Audit Log for this FFL was obtained prior to the on-site inspection. There were **421** NICS Transaction Numbers (NTNs) verified to the ATF Forms 4473 with the following statistics:

(b)(3)-(1)(2) TF Forms 4473 with “proceed” codes,
(b)(3)-(1)(2) TF Forms 4473 with “deny” responses,
(b)(3)-(1)(2) TF Forms 4473 coded as “open”, and
(b)(3)-(1)(2) TF Form 4473 coded as “delayed”
421 NTNs

The NTN validation work-step did not disclose any errors. The (b)(3)-(1)(2) ATF Forms 4473 reviewed were included in the total of (b)(3)-(1)(2) ATF Forms 4473 reviewed. **Reference Exhibit 6**

No firearms were sold to any local or state law enforcement agencies during this inspection period.

6 - Multiple Sales

The Violent Crime Analysis Branch (VCAB) Firearm Trace History Report showed that this licensee filed (b)(3)-(1)(2) ATF Forms 3310.4, Report of Multiple Sales (RMS), during the inspection period. A review of the ATF Forms 3310.4/RMS submitted during this inspection period was conducted to verify: (1) if there were any instances of unreported multiple sales of handguns, and (2) if the RMS were sent to the ATF National Tracing Center (NTC) in a timely manner. There were no instances of unreported multiple sales.

7 - Suspicious/Prohibited Purchasers

Six NCIC checks were conducted on purchasers who were exempted from NICS checks through their Georgia Weapons Carry Licenses. The results did not disclose any felony

FIREARMS INSPECTION REPORT

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#4625

UI#: 760560-2018-0071-B1B
FFL#: 1-58-067-01-0C-40639

convictions. No potential firearms traffickers, suspicious or straw purchasers were identified.

8 - Trace Activity

The VCAB Firearm Trace History Report, associated this licensee with (b)(6) successful firearms trace for this inspection period. There were six other firearms traces completed, outside of the period scope. There were no incomplete traces. On January 29, 2018, ten secondary market firearms were queried in NCIC with negative results.

9 - NFA/Importer/Collector/Manufacturer

This license had no activity related to being an NFA dealer, firearms importer, firearms collector, or firearms manufacturer.

10 - Referrals

One purchaser, Daniel Paredes-Vera completed ATF Form 4473, on 12/5/2017, answered that he is a non-immigrant alien, and classified as a prohibited person in accordance with Title 18 USC 922g (5) *Reference Referral FY 2018-0008*.

11 - Other

The Youth Handgun Safety Poster was displayed. The FFL uses an electronic security alarm with police notification upon entry while the store is closed. All sales staff are trained to show only one firearm per customer, and how to complete ATF Form 4473.

The licensee was requested to appoint an additional Responsible Person at the onset of this inspection. Inquiry about the use of Field and Stream trade name without ATF notice was not resolved. The response provided was because "we own that trade name." The licensee's responses to requests for personnel action, or lease information were deferred by weeks. A closing conference could not be held until April 16, 2018, because the request to add Andrew Barnhardt, General Manager to the List of RP was not received at FFLC until March 29, 2018. *Reference Exhibit 7*

12 - Closing Actions

On April 16, 2018, IOI (b)(6) held a Closing Conference with Andrew Barnhardt, General Manager. Also in attendance were Richard Bystedt and Tommy Howard, Department Managers. The inspection results were discussed. A Report of Violations, ATF Form 5030.5 was issued to the licensee, each of the six violations listed below was discussed. IOI (b)(6) instructed the licensee's representative on the different types of non-immigrant visas/cards to avoid repeat errors in ATF Forms 4473, and ensure that

FIREARMS INSPECTION REPORT

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#4625

UI#: 760560-2018-0071-B1B
FFL#: 1-58-067-01-0C-40639

transfer of firearm(s) to non-resident aliens not exempted by the regulations does not recur. The Acknowledgement of Federal Firearms Regulations was reviewed and endorsed by Mr. Andrew Barnhardt's signature. *Reference Exhibit 8*

13 - Violations

1. **27 CFR 478.53**

Nature of violation:

Failure to submit their Federal Firearms License (FFL) for endorsement to the Chief, Federal Firearms Licensing Center within thirty (30) days from date the licensee began business under a new trade name, Field and Stream.

Licensee's response: Mr. Andrew Barnhardt, GM responded, that the use of the trade name Field and Stream was directed from their main office without input from the local store personnel.

Corrective Action: Submit the Federal Firearms License for endorsement. *Reference Violation 1*

2. **27 CFR 478.125(e) REPEAT VIOLATION cited on 09/09/2011**

Nature of violation: Failure to record the accurate dates of acquisition and the source of firearms, in violation of 27 CFR 478.125(e). This violation involves (b)(3) - 11 firearms which were entered in the A&D record (b)(3) - 112 Public Law 55 125 Stat 552

Licensee's response: The licensee stated that this was due to the acquisition of the trade name "Field and Stream." This was a decision from their main office. Mr. Richard Bystedt and Mr. Tommy Howard inquired if they had to change each of the (b)(3) - 11 entries. IOI (b)(6) replied that the cited regulation states, that the date of the acquisition and from whom the firearm(s) is received must be entered by the close of the next business day when the firearm was received.

Corrective Action: Reconstruct the record to show the original entry for each of the 390 firearms. On April 30, 2018, IOI (b)(6) sent a follow-up e-mail inquiry to Kevin Dodson, Loss Prevention Manager, to determine if the corrective action for the (b)(3) - 11 A&D entries was completed. An e-mail response was provided to IOI (b)(6) that Mr. Dodson, their Loss Prevention Manager met with FFLC officials, in lieu of following the corrective action stated in the Report of Violations. *Reference Worksheet #2, Violation 2, Exhibit # 9*

FIREARMS INSPECTION REPORT

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#4625

UI#: 760560-2018-0071-B1B
FFL#: 1-58-067-01-0C-40639

3. **27 CFR 478.21(a)**

Nature of violation: Failure to record accurate information pertaining to the name of the "TRANSFEROR" in Item 33 of the ATF Forms 4473, in accordance with the Headings and Instructions for ATF Form 4473, in violation of 27 CFR 478.21(a). ATF Forms (b)(3) - 112 Public Law 55 125 Stat 552

A total of (b)(3) - 112 Public Law 55 125 Stat 552 ATF Forms 4473 were involved in this violation.

Licensee's response: RP on site was not aware this violation existed.

Corrective Action: Corrections were completed by the licensee. *Reference Worksheet #2, Item 5 above, Exhibit #5 (Examples in Exhibit 5 pages 3, 6, 9, 12, 15, 18, 21)*

4. **27 CFR 478.124(c)(1)**

Nature of violation: (b)(3) ATF Forms 4473 did not contain the accurate information in Items 12-15; in violation of 27 CFR 478.124(c)(1).

Licensee's response: The licensee stated that he was unaware of these errors due to volume of business.

Corrective Action: Future compliance. *Reference Worksheet #2, Item 5 above, (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)*

5. **27 CFR 478.124(a)(3)(iii)**

Nature of violation:

Licensee failed to record Alien Registration Number required in Item 18c, of ATF Form 4473. (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Licensee's response: The store was really busy and this was an oversight on their part.

Corrective Action: Obtain correction from buyer as soon as possible. *Reference Worksheet #2, Item 5 above, Exhibit # 5 pages 16, 17, & 18. Referral of Information FY 2018-0008, Item 10 above.*

FIREARMS INSPECTION REPORT

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#4625

UI#: 760560-2018-0071-B1B
FFL#: 1-58-067-01-0C-40639

6. **27 CFR 478.125(c)(3)(i)**

Nature of violation:

Failure to obtain information to verify the purchaser's identity involving (b)(3) - 11 ATF F4473
(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) Driver's License was not recorded in Item 18a.

Licensee's response: The store was really busy and this was an oversight on their part.

Corrective Action: Obtain correction by letter from purchaser. *Reference Worksheet #2, Item 5 above, and Exhibit # 5 page 14.*

 Expired certificate

X (b)(6)
(b)(6)
Industry Operations Investigator
Signed by (b)(6)

Index of Worksheets and Exhibits

Worksheet #1
Worksheet #2
ROV-Attachment 1

EXHIBITS:

- 1 - Field & Stream (Unreported Trade Name)
- 2 - Local Tax Occupation Certificate
- 3 - GA Corporate Registration – Dicks SGI
- 4 - A&D Error pages (b)(6) examples)
- 5 - Copies ATF Forms 4473 with errors
- 6-NTN Validation
- 7- FFLC e-mail notice to add Andrew Barnhardt as RP
- 8-Acknowledgement Federal Firearms Regulations
- 9- Email response to ROV #2



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

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760560 (b)(6)
5443

May 18, 2018

Dick's Sporting Goods, Inc.
Mr. Richard Bystedt, Field and Stream Manager
667 Ernest Barrett Parkway NW, Suite 400
Kennesaw, Georgia 30144

Re: Federal Firearms License Number: 1-58-067-01-0G-40633

Dear Mr. Bystedt:

As a result of a recent compliance inspection conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) at your firearms business located at 667 Ernest Barrett Parkway NW, Kennesaw, GA on 1/16/2018 through 4/16/2018, you were cited for violations of 27 Code of Federal Regulations, Part 478. The violations were discussed with you during the inspection. A copy of the Report of Violations, ATF Form 5030.5, issued at the time of the inspection is enclosed.

You should be aware that any willful violations of the Gun Control Act may result in revocation of your Federal firearms license. As a result of the recently cited violations, it is important that we have a meeting with you to discuss the violations found. The conference will be held in the Atlanta Field Office located at 2600 Century Parkway NE, Suite 100, Atlanta Georgia 30345, on June 4, 2018 at 1:00pm. The agenda for the meeting will include a discussion of the reasons for the violations, a review of the legal requirements, and a discussion of steps to be taken by you to ensure future compliance. Although we do not believe it necessary, legal counsel may assist you at your own expense if you so choose. **Please bring with you documentation verifying the corrective action you have taken and any compliance plan you have developed to ensure these violations do not recur.**

Also, you are hereby notified that, pursuant to 18 U.S.C. § 930(a), no person may bring a firearm or other dangerous weapon into an ATF office. Possession of a firearm or other dangerous weapon in an ATF office may result in a fine of \$100,000 or imprisonment for not more than 1 year or both.

The records you are required to maintain and the business operations you conduct are important to law enforcement in our continuing effort to reduce violent crime and protect the public. It is

Dick's Sporting Goods Inc.
1-58-067-01-0G-40633

essential that you comply with all Federal laws and regulations that govern your firearms business to aid in this effort to combat violent crime.

We will conduct a follow-up inspection in the future. Any violations, either repeat or otherwise, could be viewed as willful and may result in the revocation of your license.

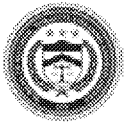
Please contact Industry Operations Investigator (b)(6) [REDACTED] me at (404) 417-2668 to confirm this appointment, and to ask any questions you may have regarding this conference. We look forward to meeting with you to resolve these issues.

Sincerely,

(b)(6)

Area Supervisor
Atlanta Field Office

Enclosure



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

ATLANTA DIVISION

2600 Century Parkway, STE 300
Atlanta, Georgia 30345
www.atf.gov

760560:(b)(6)
5370

June 8, 2018

DICK'S Sporting Goods, Inc.
Store #4625
667 Ernest Barrett Parkway, Suite 400
Kennesaw, Georgia 30144

Re: Federal Firearms License Number: 1-58-067-01-0C-40639

Dear Messrs. Dodson, Peardon, Howard and Bannister:

This letter is a follow-up to the warning conference held with you on June 7, 2018. During this conference, the repeated violations cited during the inspection conducted on January 16, 2017 through January 16, 2018 and the necessary corrective action to prevent the violations from reoccurring were discussed. In attendance at this meeting, representing the ATF Atlanta Field Division, were, Area Supervisor (b)(6), and Industry Operations Investigator (IOI) (b)(6). In attendance, representing the licensee, at this meeting was Kevin Dodson, Matthew Peardon, Tommy Howard and Harvey Bannister.

You were given the opportunity to comment on the violations and what specific action you have taken to ensure that the violations will not reoccur. With respect to the violations cited below, we are providing a summary of your response to each violation:

For violation of 27 CFR 478.53, (b)(3) instance) where you failed to submit your license for endorsement to the Chief, Federal Firearms Licensing Center within thirty (30) days from date the licensee began business under a new trade name of "Field and Stream". You stated that this was an oversight on your part to submit the request of a new trade name and it has been corrected. A letter requesting a trade name change to "Field and Stream" was submitted to the Federal Firearms Licensing Center.

For violation of 27 CFR 478.125(e), (b)(3) - 11 instances) where you failed to record the accurate dates of acquisition and the source of firearms involving (b)(3) - 11 firearms which were entered in the Acquisition & Disposition records as a "Transfer to Self". You stated that this was due to the acquisition of the trade name "Field and Stream" and that you are working on fixing the computerized program to correct the entries for these firearms to reflect the correct information.

For violation of 27 CFR 478.21(a), (b)(3) - 112 P instances) where you failed to record accurate information pertaining to the name of the "Transferor" in item 33 of the ATF Form 4473. ATF Forms 4473 dated August 3, 2017 to January 16, 2018 showed the transferor as "Field and Stream". You stated that there was a change in the computer program that recognized the new trade name and printed the forms with this information. The new trade name has been submitted and the problem has been corrected.

For violation of 27 CFR 478.124(c)(1), (b)(3) instances) where you failed to verify accurate information on six ATF Form 4473's, Items 12-15. You stated that you will educate employees in reviewing the forms to ensure errors are found and corrected by the customer prior to transfer of firearms.

For the violation of 27 CFR 478.124(a)(3)(iii), (b)(3) - instance) where you failed to record the Alien Registration number required on ATF Form 4473, Item 18c. You stated that you will educate employees in reviewing the forms to ensure errors are found and corrected by the customer prior to transfer of firearms.

For violation of 27 CFR 478.125(c)(3)(i), (b)(3) instance) where you failed to obtain information to verify the purchaser's identity on ATF Form 4473, Item 18a. You stated that you will educate employees in reviewing the forms to ensure errors are found and corrected by the customer prior to transfer of firearms.

The violations for which you were cited could adversely impact law enforcement's ability to reduce violent crime and protect the public. You are reminded that future violations, repeat or otherwise, could be viewed as willful and may result in the revocation of your license. You may anticipate further inspections to ensure your compliance.

Please contact us if you have any questions concerning your responsibilities as a licensee or if you require further clarification about particular requirements of Federal firearms laws. A curtesy copy of this letter will be forward to your corporate office in Coraopolis, Pennsylvania.

Sincerely,

(b)(6)

Area Supervisor
Atlanta Field Division