

No ATF F 5700.14 (Assignment and Report)

available for

U.I. 781080-2015-0409

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 2A FREEDOM COMPANY LLC 2A FREEDOM SHOOTING | Street Address 4888 KENNEDALE NEW HOPE ROAD | City FORT WORTH | State TX | Zip Code 76140- | County TARRANT | Page 1 of 1 Pages |
| License/Permit/Registry Number (If any) 575439075M07990 | | Expiration Date 12/1/2015 | Date(s) or Period of Inspection 07/07/2015 through 07/15/2015 | | | |

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 contact NICS or obtain a valid exception to NICS prior to transferring a firearm to a non-licensed (b)(3) - 112 Public Law 55 125 Stat 552 (b)(6) The license accepted a non-qualifying State permit as a substitute for a NICS check.

Citation: 27 CFR 478.102(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee now understands that he can only accept a valid permit from the state where the transfer is taking place in lieu of a NICS check.

Number: 2

Nature of Violation:

Failure to date the ATF Form 4473 when the licensee does not know or have reasonable cause to believe that the transferee is disqualified by law from receiving the firearm (b)(3) - 112 Public Law 55 125 Stat 552 (b)(6)

Citation: 27 CFR 478.124(c)(5)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Licensee will review ATF Forms 4473 a second time prior to filing to ensure that this error does not occur again.

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

Signature

Official

(b)(6)

Industry Operations Investigator

Date

7-15-15

Date

7/15/2015

ATF E-Form 5030.5

Revised April 2005

FIREARMS INSPECTION REPORT

Name: 2A Freedom Company LLC
Trade Name: 2A Freedom Shooting

UI#: 781080-2015-0409-B1B
FFL#: 5-75-439-07-5M-07990

Address: 4888 Kennedale New Hope Road
Fort Worth, TX 76140

1 - Introduction

Inspection Profile:

On July 7, 2015, Industry Operations Investigator (b)(6) commenced the onsite portion of a Southwest Border full scope inspection. The inspection covered July 1, 2014 – July 7, 2015. Investigator (b)(6) interviewed William Carlton (Managing Member). Mr. Carlton was identified with Texas Driver License (b)(6). Advance notice was not given for this inspection.

Business Profile:

2A Freedom Company buys and sells new and used firearms from the general public as well as providing gunsmithing services. 2A Freedom Company is a low volume manufacturer. The business operates from a residential rural location in Tarrant County outside the city of Fort Worth, Texas. The licensee also operates a firearms training and range facility at the location.

During the inspection period, the license acquired approximately (b)(4) firearms and disposed of approximately (b)(4) firearms. Approximately (b)(4) percent of the firearms acquired and sold were hand guns and (b)(4) percent were long guns. Most of the firearms sold are new and obtained other licensees.

The licensee is compliant with State and local laws and meets all zoning requirements. The licensee is not required to obtain any additional licenses or permits to operate within Tarrant County, Texas. Investigator (b)(6) has verified with Zoning Department for Tarrant County, Texas that there are no additional imitations or restrictions to property usage for retail sales purposes. The licensee has a current Sales and Use Tax Permit # (b)(3) - 26 USC 6103 under 2A Freedom Company as verified by Investigator Ballard on July 2, 2015. 2A Freedom Company LLC in good standing with the Texas Comptroller Office as verified by Investigator (b)(6) on July 2, 2015. Investigator (b)(6) has queried NFORCE to determine that Mr. Carlton is not linked to any ongoing criminal investigations at this time. There is no off-site storage of firearms.

Ownership and Control:

2A Freedom Company is licensed as a limited liability company. William Carlton is listed as the only responsible person listed on the Federal Firearms License (FFL). William Carlton is responsible for all decisions in regards to operations, policies and procedures for firearms related issues. There is no hidden ownership suspected. No additional responsible persons were identified during the inspection.

Variance:

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The licensee does not hold any current variance and has not requested any as a result of this inspection.

2 - Recommendation

Violations, Warning Letter only and no recall inspection

Investigator (b)(6) recommends that FLS records be changed to accurately reflect the name of the licensed entity, which is 2A Freedom Company LLC.

3 - Inspection History

| | |
|-------------------------------------|---|
| Date and Type of Inspection: | October 10, 2012 – Qualification Inspection |
| UI#: | 781080-2013-0038-B1B |
| Inspection Results: | Application Approved |
| Cited Violations: | None |

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

Investigator (b)(6) conducted a full inventory. There were 12 firearms in inventory and (b)(3) open entries in the A & D Record. Every firearm in the physical inventory was compared to the A & D record and from the A & D record to the firearms with no discrepancies disclosed.

The A & D record was found to be in the proper format including all required information and entries were found to be made timely. There were no trafficking issues related to the A & D Record. No illegal firearms or firearms with obliterated serial numbers were discovered in inventory.

5 - ATF Forms 4473 – NICS & Other Dispositions

There were (b)(6) ATF Forms 4473 filed chronologically for this inspection period. All of the forms were reviewed and the following discrepancies were noted:

1. The licensee failed to contact NICS or obtain a valid exception to NICS prior to transferring a firearm to a non-licensee. See Section 13 – Violation 1.
2. The licensee failed to date the ATF Form 4473 when the licensee did not know or have reasonable cause to believe that the transferee was disqualified from receiving a firearm. See Section 13 – Violation 2.

The licensee had no NICS denials during the inspection period. The licensee understands how denials are to be properly filed and retained. The licensee did not make any sales to a law enforcement officer, but understands the correct procedure to transfer firearms to law enforcement officers. Transfers to other licensees were conducted properly and copies of each license were retained.

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The ATF Forms 4473 were reviewed for commonly recovered crime guns, weapons of choice, and repeat purchasers. No discrepancies were noted. No trafficking issues related to purchasers of firearms were identified. Investigator Ballard conducted an FFL audit log verification of six NICS transaction numbers and did not note any discrepancies.

6 – Multiple Sales

The licensee had (b)(3) - 1 multiple sale for the inspection period. There were no unreported multiple sales discovered during this inspection.

7 – Suspicious/Prohibited Purchasers

Investigator (b)(6) did not identify any traffickers, straw purchasers, or prohibited people during this inspection period. Mr. Carlton stated that he is observant in regard to situations that could lead to a straw purchase. No additional e-Trace checks were conducted as a result of this inspection. One additional NCIC check was conducted for a transferee who provided an out of state concealed handgun permit with no prohibiting factors discovered.

8 – Trace Activity

There were no traces for the inspection period. There were no unsuccessful traces for this licensee.

9 - NFA/Importer/Collector/Manufacturer

The licensee does not import or collect firearms, and does not deal in NFA items. 2A Freedom Company LLC does manufacture firearms. 2A Freedom Company is licensed as a Manufacturer, but has manufactured a limited number of firearms up to the time of the inspection. Investigator Ballard has verified that the licensee is compliant with all required submissions of the Annual Firearms Manufacturing and Export Record (AFMER). **See Exhibit 3.** Investigator (b)(6) also verified that the information reported on the AFMER reports is consistent with recording activity of licensee.

10 - Referrals

No referrals were generated as a result of this inspection.

11 - Other

After reviewing the licensee's A&D record, Investigator (b)(6) found that the licensee had not sold any used semi-automatic rifles capable of accepting detachable magazines and having a caliber greater than .22 in the previous two years. The licensee mainly deals with new firearms.

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Mr. Carlton is in compliance with the Youth Handgun Safety Act, secure gun storage, and safety devices

12 - Closing Actions

On July 15, 2015, Investigator (b)(6) conducted a closing conference with Mr. Carlton. Investigator (b)(6) reviewed and discussed the Acknowledgement of Federal Firearms Regulations with William Carlton. The Acknowledgement was signed and dated by Mr. Carlton. **See Exhibit 4.**

Mr. Carlton was provided with the following reference materials: ATF Form 3310.4, ATF Form 3310.11, Youth Handgun Safety Act Poster, ATF Publication 3317.2 (Safety and Security Information for Federal Firearms Licensees) and ATF Publication 5300.15 (Federal Firearms Licensee Quick Reference and Best Practices Guide).

13 - Violations

1. 27 CFR 478.102(a)

Nature of the violation:

Failure to contact NICS or obtain a valid exception to NICS prior to transferring a firearm to a non-licensee (b)(3) - 112 Public Law 55 125 Stat 552 (b)(6)l). The license accepted a non-qualifying State permit as a substitute for a NICS check.

Licensee's response:

The licensee stated that he did not realize that it was not acceptable to accept an out of state concealed handgun permit in lieu of a NICS check.

Corrective action:

The licensee now understands that he can only accept a valid permit from the state where the transfer is taking place in lieu of a NICS check.

See ROV 1 and Exhibit 1.

2. 27 CFR 478.124(c)(5)

Nature of the violation:

Failure to sign and/or date the ATF Form 4473 when the licensee does not know or have reasonable cause to believe that the transferee is disqualified by law from receiving the firearm (b)(3) - 112 Public Law 55 125 Stat 552 (b)(6)l).

Licensee's response:

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The licensee stated that this was an oversight on his part.

Corrective action:

The licensee will review ATF Forms 4473 a second time prior to filing to ensure that this error does not occur again.

See ROV 2 and Exhibit 2.

X

(b)(6)

Industry Operations Investigator

Index of Worksheets and Exhibits

1. Exhibit #1: ATF Form 4473 in support of Violation 1 (b)(3) - 112 Public Law
2. Exhibit #2: ATF Forms 4473 in support of Violation 2 (b)(3) - 112 Public Law 55 125 Stat 552, (b)(3) - 112 Public Law 55 125 Stat 552 (b)(6)
3. Exhibit #3: AFMER reports for 2012-2014
4. Exhibit #4: Acknowledgement of Federal Firearms Regulations

Certified/Return Receipt Requested

August 3, 2015

2A FREEDOM COMPANY LLC
2A FREEDOM SHOOTING
4888 KENNEDALE NEW HOPE ROAD
FORT WORTH, TX 76140
RE: 575439075M07990

Dear Mr. Carlton:

During a recent inspection at your firearms business covering the period 07/01/14 to 07/07/15 you were cited for violations of Title 27, Code of Federal Regulations, Part 478. A copy of the Report of Violations, ATF F 5030.5, issued at the time of the inspection is enclosed.

All violations were fully explained to you or your designated responsible person by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Industry Operations Investigator(s). You or your responsible person indicated that you understood the requirements of the firearms laws and regulations and that corrective actions would be taken to eliminate future violations.

The records you are required to maintain and the business operations you conduct are important to law enforcement in our continuing efforts to reduce violent crime and protect the public. It is essential that you comply with all Federal laws and regulations that govern your firearms business. This is critical to carrying out our mission to protect the public and to ensure that criminals do not gain access to firearms. ATF appreciates the efforts you and other industry members make in this area. We look forward to continuing to work with you in that regard.

2A FREEDOM COMPANY LLC

You are reminded that retention of your Federal firearms license is conditioned upon your compliance with Federal laws and regulations. Any future violations, either repeat or otherwise, could be viewed as willful and may result in the revocation of your license. Please ensure that future compliance is achieved.

Should you have any questions regarding this matter, please contact (b)(6).
(b)(6) Fort Worth Area Office Supervisor at (b)(6).

Sincerely yours,

(b)(6)
Fort Worth Area Office Supervisor

Enclosure

c: Federal Firearms Licensing Center
Fort Worth (IO) Field Office