

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Northwest Outfitters Inc. Cle Elum Farm & Home Supply 100 W First Street Cle Elum, WA 98922, Kittitas		2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 787065-2016-0094-B1B		
		3. PERMIT/LICENSE NUMBER 991037017B36396	4a. TARGET DATE 8/1/2016	4b. TARGET HOURS
		5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		
6. ATF OFFICER(S) ASSIGNED (b)(6) - Lead Investigator				
7. ASSIGNED BY (SIGNATURE, TITLE AND DATE) (b)(6), Area Supervisor, 10/09/2015				
8. PURPOSE/SPECIAL INSTRUCTIONS Recall - Conduct inspection to determine if licensee is operating in compliance with Federal firearms laws and regulations. Determine if violations disclosed during a 2013 inspection have been corrected and if internal controls have been put into place to ensure compliance. Advise licensee of all pertinent laws and regulations.				
9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC		10. TRAVEL EXPENSES (OPTIONAL)
NO. OF VIOLATIONS	7	NO. OF REFERRALS	1	2111 - PER DIEM
NO. OF TECS CHECKS	2	NO. OF TECS HITS		2112 - P.O.A.
NO. OF TAX ADJUSTMENTS		\$ VALUE OF TAX INCREASES		2113 - COMM. AIR
		\$ VALUE OF TAX DECREASES		2114 - RENTAL CAR
NO. OF ASSESSMENTS		\$ VALUE OF ASSESSMENTS		2115 - GPV EXPENSES
NO. OF CLAIMS		\$ VALUE OF CLAIMS		2116 - MISC.
NO. OF TAX PERIODS		\$ VALUE OF TAXES VERIFIED		TOTAL \$ FOR INSP.
11. ATF OFFICER'S RECOMMENDATION Submitted by (b)(6) - Industry Operations Investigator Submitted on: 01/26/2017 The inspection resulted in issuance of a Report of Violations (ROV). Violations include repeated violations and require another Warning Conference (WC). Recommendation is ROV and WC and RECALL inspection. Violts WC with WL and Recall				
12. TIME ACCOUNTING DATA				
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)				
APR 2016		1.00		
JUN 2016		20.00		
JUL 2016		16.00		
AUG 2016		20.00		
SEP 2016		21.00		
OCT 2016		58.50		
NOV 2016		27.50		
DEC 2016		10.50		
JAN 2017		46.00		
ATF OFFICER'S SUBTOTAL		220.50		ATF OFFICER'S SIGNATURE
TOTAL HOURS		220.50		

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	3. PERMIT/LICENSE NUMBER 991037017B36396	4a. TARGET DATE 8/1/2016	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

An inspection was conducted to determine if the licensee is operating in compliance with Federal Firearms Laws and regulations. The inspection disclosed violations for failing to obtain properly completed ATF F 4473 and failing to maintain an accurate A & D Record. The inspection resulted in (b)(6) firearms reported as missing. The licensee's records show an improvement in the accuracy and instances of violations. Due to the time between the conducting of the inspection and the perfecting of the report and supporting documents, I am recommending a Warning Letter with no recall inspection.

Viols WL ONLY and No Recall Inspection

☒ REVIEWED

☒ CONCUR

☐ SEE COMMENTS

☒ FINAL DISPOSITION

SIGNATURE AND TITLE

(b)(6) - Acting DIO

REVIEW DATE

06/26/2017

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 Northwest Outfitters Inc. Cle Elum Farm & Home Supply	Street Address 100 W First Street	City Cle Elum	State WA	Zip Code 98922-	County Kittitas	Page 1 of 6 Pages
License/Permit/Registry Number <i>(If any)</i> 991037017B36396		Expiration Date 2/1/2017		Date(s) or Period of Inspection 06/07/2016 through 08/09/2016		

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:

The licensee failed to ensure proper completion of a required form in (b)(5) Public Law instances. The licensee accepted incomplete or inaccurate responses on on Firearm Transaction Record ATF Form 4473 (5300.9).

- In (b)(3) Public L ATF Form 4473, Section A, item 10a, the licensee failed to obtain the ethnicity of the customer.
- In (b)(3) Public L) ATF Form 4473, Section C, item 25, the licensee failed to obtain a current recertification date from the transferee on the date of transfer.
- In (b)(3) Public Law 4 ATF Forms 4473, Section D, item 33, the licensee failed to print the name of the person making the transfer.
- In (b)(3) Public Law 1 ATF Forms 4473, Section D, item 35, the licensee failed to record the title of the person making the transfer.

Citation: 27 CFR 478.21(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

IOI (b)(6) instructed the licensee to ensure that all Firearms Transaction Records, ATF Forms 4473, are complete and accurate prior to transferring a firearm. IOI (b)(6) suggested that the licensee review each ATF Form 4473 prior to completion of the transfer to ensure that all of the information called for is furnished as indicated by the headings and instructions on or pertaining to each form.

Instructions

Name of Proprietor Northwest Outfitters Inc. Cle Elum Farm & Home Supply	Street Address 100 W First Street	City Cle Elum	State WA	Zip Code 98922-	County Kittitas	Page 2 of 6 Pages
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06/07/2016 through 08/09/2016

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

IOI (b)(6) instructed the licensee to ensure that all Firearms Transaction Records, ATF Forms 4473, are complete and accurate prior to transferring a firearm.

- In [REDACTED] ATF Forms 4473, Section A, item 2, the licensee accepted incomplete name of [REDACTED] county.
- In [REDACTED] ATF Forms 4473, Section A, item 12, the licensee accepted incorrect alien response from non-alien.

Citation: 27 CFR 478.124(c)(1)

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

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

(If not corrected immediately)

: IOI (b)(6) instructed the licensee to ensure that all Firearms Transaction Records, ATF Forms 4473, are complete and accurate prior to transferring a firearm. IOI (b)(6) suggested that the licensee review each ATF Form 4473 prior to completion of the transfer and record on the form the date on which the licensee contacted the NICS, as well as any response provided by the system, including any identification number provided by the system.

- Citation:** 27 CFR 478.124(c)(3)(iv)

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Name of Proprietor Northwest Outfitters Inc. Cle Elum Farm & Home Supply	Street Address 100 W First Street	City Cle Elum	State WA	Zip Code 98922-	County Kittitas	Page 4 of 6 Pages
License/Permit/Registry Number <i>(If any)</i> 991037017B36396		Expiration Date 2/1/2017	Date(s) or Period of Inspection 06/07/2016 through 08/09/2016			

Inspection Results

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

Number: 4	Date Corrections to be Made: <i>(If not corrected immediately)</i>
Nature of Violation: The licensee failed to maintain accurate and complete Firearms Transaction Records, ATF Forms 4473, on (b)(3) Public Law out of (b)(3) Public Law 112-36, 125 forms. •In (b)(3) Public Law instances, the licensee failed to sign ATF Form 4473 Section D item 34 prior to making an over-the-counter firearm transfer. •In (b)(3) Public Law instances, the licensee failed to enter a date in ATF Form 4473 Section D item 36 prior to making an over-the-counter firearm transfer.	Corrective Action to be Taken: IOI (b)(6) instructed the licensee to ensure that all Firearms Transaction Records, ATF Forms 4473, are complete and accurate prior to transferring firearms. IOI (b)(6) suggested that the licensee review each ATF Form 4473 prior to completion of the transfer.
Citation: 27 CFR 478.124(c)(5)	
Number: 5	Date Corrections to be Made: <i>(If not corrected immediately)</i>
Nature of Violation: The licensee failed to conduct a background check within thirty (30) days of completing a firearm transfer. •On (b)(3) Public Law Firearms Transaction Record, ATF Form 4473, the licensee failed to conduct a new background check prior to completing an over-the-counter firearm transfer after the initial NICS background check expired.	Corrective Action to be Taken: IOI (b)(6) instructed the licensee that the NICS transaction time limitation is thirty (30) days. If the transaction is not completed within thirty (30) days, the licensee is required to initiate a new NICS check prior to completion of the transfer.
Citation: 27 CFR 478.102(c)	

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

Report of Violations

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License/Permit/Registry Number <i>(If any)</i> 991037017B36396	Expiration Date 2/1/2017	Date(s) or Period of Inspection 06/07/2016 through 08/09/2016
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Inspection Results

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

Number: 6

Nature of Violation:
The licensee failed to file Firearm Transaction Record ATF Form 4473 (5300.9) by date, customer name, or (if any) transaction number. The licensee mixed completed forms together with incomplete and denied forms.

Citation: 27 CFR 478.124(b)

Date Corrections to be Made: 08/31/0016
(If not corrected immediately)

Corrective Action to be Taken: IOI (b)(6) instructed the licensee that ATF Forms 4473 must be retained in month and day order as well as calendar year where a licensee files ATF Forms 4473 by date. IOI (b)(6) directed the licensee to correct the archive files on August 9, 2016. A licensed dealer shall retain in alphabetical (by name of purchaser), chronological (by date of disposition), or numerical (by transaction serial number) order, and as a part of the required records, each Form 4473 obtained in the course of transferring custody of firearms.

113

RIP

For Official Use Only

ATF E-Form 5030 5
Revised April 2005

Report of Violations

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License/Permit/Registry Number (If any) 991037017B36396		Expiration Date 2/1/2017	Date(s) or Period of Inspection 06/07/2016 through 08/09/2016			

Inspection Results

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

Number: 7

Nature of Violation:

The licensee failed to maintain required records of receipt and disposition in forty-two (42) instances.

- The licensee failed to record (b)(3) Public Law 112-65, 125 firearm acquisitions into inventory.
- The licensee failed to completely record disposition information related to (b)(3) Public Law 112-65, 125 firearms.
- The licensee failed to include the customer name next to the disposition entry in the A&D record failed to include the date of firearm disposition.
- The licensee failed to enter any disposition information in the A&D record related to (b)(3) Public Law 112-65, 125 firearms (open entries) missing from the inventory and appearing in the A&D record as acquired inventory without any disposition entry. The licensee located disposition information of (b)(3) Public Law 112-65, 125 firearms as sold.
- The licensee failed to reconcile (b)(3) Public Law 112-65, 125 missing firearms with any disposition records.

Date Corrections to be Made: 08/31/2016

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

On June 7, 2016, IOI (b)(6) informed Firearms Manager Steve Mason that acquisitions must be recorded within one (1) day of receipt and dispositions must be recorded within seven (7) days. On June 8, 2016, IOI (b)(6) informed Corporate Secretary Max Keeton that the licensee must reconcile open entries in the Acquisition and Disposition Books by locating each firearm or transaction record and must report missing inventory to the ATF National Tracing Center. The licensee must report loss or theft of firearms missing from inventory within two (2) days of discovery that a firearm is missing from inventory, and two (2) days would be on Friday. The licensee can call in and update information in the loss report if firearms or records are later found. IOI (b)(6) directed the licensee to locate (b)(3) Public Law 112-65, 125 missing firearms or reconcile open entries with records and report inventory losses or thefts within forty-eight (48) hours of discovery. On August 9, 2016, The licensee reported loss of (b)(3) Public Law 112-65, 125 firearms missing from inventory and received loss number (b)(3) Public Law 112-65, 125 as Losses of Inventory Not Associated with a Crime.

Citation: 27 CFR 478.125(e)

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

Date

Signature and Title of ATF Officer

Date



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

1313 N. Atlantic Street, Suite 4100
Spokane, WA 99201

June 26, 2017 ^{www.atf.gov}

78706 (b) (6)
5400

Max Edward Keeton
Northwest Outfitters, Inc.
Cle Elum Farm & Home Supply
100 W First Street
Cle Elum, WA 98922

Dear Mr. Keeton:

During a recent compliance inspection of your firearms business, covering the period of June 7, 2015 through June 7, 2016, you were cited for violations of 27 Code of Federal Regulations, Part 478. A copy of the Report of Violations, Form 5030.5, issued at the time of the inspection, is enclosed.

All violations were fully explained to you by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) investigator. You indicated that you understood the requirements of the firearms laws and regulations. You further indicated 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 effort 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 ensure that criminals do not gain access to firearms. ATF appreciates the efforts you and other industry members make in this area and we look forward to continuing to work with you in that regard.

You are reminded that retention of your 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 the license. Please ensure that future compliance is achieved.

-2-

9-91-037-01-08-36396

Cle Elum Farm & Home Supply.

Should you have any questions regarding this matter, please do not hesitate to contact Industry Operations Investigator (b)(6) or me at (b)(6).

Sincerely yours,

(b)(6)

Spokane Area Supervisor

Enclosure

c: Federal Firearms Licensing Center
Spokane II (I/O) Field Office

Report of Violations

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License/Permit/Registry Number (If any) 991037017B36396		Expiration Date 2/1/2017		Date(s) or Period of Inspection 06/07/2015 through 06/07/2016		

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:

In (b)(3) Public Law forms, the licensee failed to ensure proper completion of a required form; In (b)(3) Public Law form, the licensee failed to obtain the ethnicity of the customer (item 10a); in (b)(3) Public Law form, the licensee failed to obtain a current recertification date from the transferee (item 25) on the date of transfer; In (b)(3) Public Law forms, the licensee failed to print the name of the person making the transfer (item 33); In (b)(3) Public Law forms, the licensee failed to record the title of the person making the transfer (item 35).

Citation: 27 CFR 478.21(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee is required to ensure that all of the information called for in each form shall be furnished as indicated by the headings and instructions on or pertaining to each form.

Report of Violations

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License/Permit/Registry Number (If any) 991037017B36396		Expiration Date 2/1/2017	Date(s) or Period of Inspection 06/07/2015 through 06/07/2016			

Inspection Results

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

Number: 2

Nature of Violation:

The licensee accepted incomplete or inaccurate responses on the Firearm Transaction Record ATF Form 4473 (5300.9); in (b)(3) Public L forms, the licensee accepted incomplete name of county (item 2); in (b)(3) Public L forms, the licensee accepted incorrect alien response from non-alien (item 12).

Citation: 27 CFR 478.124(c)(1)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee will obtain a completed form prior to making each transfer of a firearm in an over-the-counter transaction to a non-licensee customer. The licensee is required to obtain from the transferee a form 4473 showing the transferee's name, sex, residence address (including county), date and place of birth; height, weight and race of the transferee; the transferee's country of citizenship; the transferee's INS-issued alien number or admission number; the transferee's State of residence; and certification by the transferee that the transferee is not prohibited by the Gun Control Act from possessing a firearm.

Report of Violations

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License/Permit/Registry Number (If any) 991037017B36396		Expiration Date 2/1/2017	Date(s) or Period of Inspection 06/07/2015 through 06/07/2016			

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:

The licensee failed to properly document the required NICS information related to (b)(3) Public Law transactions. In (b)(3) Public Law form, the licensee failed to record the initial response provided by the appropriate State agency in the space provided (item 21c). In (b)(3) Public Law form, the licensee failed to record an entry in the appropriate space (item 21d) after the initial "Delayed" NICS response and prior to transferring the firearm; In (b)(3) Public Law form, the licensee failed to add the date of a duplicated background check (item 21a) and attempted to mark out the initial NICS Transaction Number (NTN) when recording the duplicate NTN (item 21b). The NTN (b)(3) Public Law obtained as delayed on April 30, 2016, and NTN (b)(3) Public Law 112-5 obtained as delayed on May 1, 2016, each resulted on May 2, 2016, as NICS "proceed" responses.

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

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee shall comply with the requirements of 27 CFR 478.102 and record on the form the date on which the licensee contacted the NICS, as well as any response provided by the system, including any identification number provided by the system.

Number: 4

Nature of Violation:

In (b)(3) Public Law forms, the licensee failed to sign (item 34) and date (item 36) the Firearm Transaction Record, ATF Form 4473 (5300.9) prior to making an over-the-counter firearm transfer.

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)

The licensee shall sign and date the form and make the firearm transfer if the licensee does not know or have reasonable cause to believe that the transferee is disqualified by law from receiving a firearm.

Report of Violations

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License/Permit/Registry Number <i>(If any)</i> 991037017B36396		Expiration Date 2/1/2017	Date(s) or Period of Inspection 06/07/2015 through 06/07/2016			

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:

In **(b)(3) Public Law** form after the initial NICS check had expired, the licensee failed to conduct a new background check within thirty (30) days of a firearm transfer.

Citation: 27 CFR 478.102(c)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

If the transaction is not completed within the NICS time-limitation of thirty (30) days, the licensee shall initiate a new NICS check prior to completion of the transfer.

Number: 6

Nature of Violation:

The licensee failed to file Firearm Transaction Record ATF Forms 4473 (5300.9) by date, customer name, or transaction number. The licensee mixed completed forms together with incomplete and denied forms.

Citation: 27 CFR 478.124(b)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

08/31/0016
A licensed dealer shall retain in alphabetical (by name of purchaser), chronological (by date of disposition), or numerical (by transaction serial number) order, and as a part of the required records, each Form 4473 obtained in the course of transferring custody of firearms.

Report of Violations

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Inspection Results

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

Number: 7

Nature of Violation:

The licensee failed to maintain required records of receipt and disposition in (b)(3) Public Law 112-55, 125 instances. The licensee failed to record (b)(3) Public Law 112-55, 125 acquisitions into inventory. The licensee failed to complete the disposition information related to (b)(3) Public Law 112-55, 125 firearms, (b)(3) Public Law 112-55, 125 is missing the disposition date, (b)(3) Public Law 112-55, 125 is missing the customer name. The licensee failed to enter any disposition information related to (b)(3) Public Law 112-55, 125 firearms missing from the inventory and appearing in the record as acquired inventory without any disposition entry. The licensee failed to locate disposition documents for reconciliation of (b)(3) Public Law 112-55, 125 firearms missing from inventory on June 8, 2016.

Date Corrections to be Made: 08/31/2016

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Each licensed dealer shall enter into a record each receipt and disposition of firearms. The record shall show the date of receipt, the name and address or the name and license number of the person from whom received, the name of the manufacturer and importer (if any), the model, serial number, type, and the caliber or gauge of the firearm. The sale or other disposition of a firearm shall show the date of the sale or other disposition of each firearm, the name and address of the person to whom the firearm is transferred, or the name and license number of the person to whom transferred if such person is a licensee, or the firearms transaction record, Form 4473, serial number if the licensed dealer transferring the firearm serially numbers the Forms 4473 and files them numerically.

Citation: 27 CFR 478.125(e)

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

Signature and Title of ATF Officer

(b)(6)

Date 8/9/16
Date 8/9/2016

FIREARMS INSPECTION REPORT

Name: Northwest Outfitters Inc.
Trade Name: Cle Elum Farm & Home Supply

UI#: 787065-2016-0094-B1B
FFL#: 991037017B36396

Address: 100 W 1st Street
Cle Elum, WA 98922 (Kittitas County)

1 - Introduction

Inspection Profile:

Industry Operations Investigator (IOI) (b)(6) met with Max Edward Keeton (WA Driver License (b)(6)) Northwest Outfitter Inc. Corporate Secretary at the licensed premises on June 7, 2016. IOI (b)(6) identified herself to Mr. Keeton verbally and displayed her official ATF issued credentials. This is a RECALL compliance inspection of a licensed (Type 01) Dealer in Firearms to determine if licensee is operating in compliance with Federal Firearms Laws and Regulations. The inspection started on June 7, 2016. The period of inspection is June 7, 2015 to June 7, 2016. No advance notice was provided because the inspection took place during business hours.

Business Profile:

The business is a retail supplier of dry goods, including sporting goods such as firearms. The business is located in a commercial storefront building in the urban center of the city of Cle Elum, Washington.

The licensee acquired (b)(4) firearms (handgun and long gun) and made (b)(4) firearm dispositions during the last twelve (12) months. Approximately (b)(4) % of the transactions are handguns and (b)(4) % long guns.

The licensee deals in firearms at retail. The business purchases inventory from wholesalers and does not deal in used firearms. During the last twelve months, the licensee did not transfer any duty weapons to Law Enforcement; conducted no business at gun shows; and, conducted no business over the internet. The licensee does not have a website. No other business is conducted by the licensee. The licensee has no other ATF licenses or permits. The licensee has current State of Washington Dealer License and meets local zoning requirements. The industry member has held an ATF license since 1993. There are no off-site storage locations.

Reference:

Exhibit 1 – Firearms Business Licenses and Handgun Poster

Ownership and Control:

Northwest Outfitters, Inc. is an active corporation, registered in the State of Washington with two corporate officers: President Steven Blake Downen, and

FIREARMS INSPECTION REPORT

Name: Northwest Outfitters Inc.
Trade Name: Cle Elum Farm & Home Supply

UI#: 787065-2016-0094-B1B
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Secretary Max Edward Keeton. Mr. Keeton stated to Investigator (b)(6) that there have been no changes to the corporate ownership or changes to responsible persons. The inspection found no indicators of hidden ownership.

Variance:

The licensee did not request a variance and does not require a variance.

2 - Recommendation

The inspection resulted in issuance of a Report of Violations (ROV). Violations include repeated violations and require another Warning Conference (WC). Recommendation is ROV and WC and RECALL inspection.

3 - Inspection History

The original license was issued on 1/21/1993 without a field inspection. A field inspection to assist law enforcement after theft report (b)(3) - 112 Public Law 55 125 Stat 552 closed 10/8/2008 with a recommendation of no further action, no violations, and no referrals.

Date of Inspection: December 3, 2013
Type of Inspection: Onsite full compliance inspection
UI#: 787065-2014-0122-B1B
Inspection Results: Inspection conducted 12/3/2013; Warning conference held 7/24/2014. Warning Letter issued 7/30/2014 and Recall Inspection Recommended

Cited Violations: **27 CFR 478.21 (a)** The licensee failed to ensure proper completion of (b)(3) - 112 Public Law 55 125 Stat 552 Firearm Transaction Records, ATF Form 4473 (5300.9). In (b)(3) - 112 Public Law 55 125 Stat 552 form, the licensee failed to use the current version of the form, (used the 2008 version). In (b)(3) - 112 Public Law 55 125 Stat 552 forms, the licensee failed to obtain purchaser response (item 11a) from the customer. In (b)(3) - 112 Public Law 55 125 Stat 552 forms, the licensee failed to record (item 18) the type of firearm or firearms to be transferred. In (b)(3) - 112 Public Law 55 125 Stat 552 forms, the licensee failed to obtain a current recertification date from the transferee (item 25) on the date of transfer. In (b)(3) - 112 Public Law 55 125 Stat 552, the licensee failed to record the total number of firearms (item 30a) transferred. In (b)(3) - 112 Public Law 55 125 Stat 552 forms, the licensee failed to print the name of the person making the transfer (item 33). In (b)(3) - 112 Public Law 55 125 Stat 552 forms, the licensee failed to record the title of the person making the transfer (item 35).

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27 CFR 478.124 (b) The licensee failed in (b)(3) - 112 Public Law 55 125 Stat 562 forms during the inspection period, to file Firearms Transaction Records, ATF Form 4473 (5300.9), in the manner specified by regulation. The licensee files by calendar year with handgun and long gun transactions in separate folders. Some employees file newest transaction forms in the front of the file folder while other employees file newest transaction forms in the rear of the file folder, resulting in mixed filing.

27 CFR 478.124 (c) (1) The licensee failed to ensure proper completion of (b)(3) - 112 Public Law 55 125 Stat 562 Firearm Transaction Records, ATF Form 4473 (5300.9) prior to making over-the-counter firearm transfers. The licensee accepted incomplete or inaccurate responses, including, in (b)(3) - 112 Public instance, a post office box address instead of a residence address. On (b)(3) - 112 forms the licensee failed to obtain either a yes or no response to required information.

27 CFR 478.124 (c) (3) (i) The licensee failed in (b)(3) - 112 Public L forms to verify the identity of the transferee or failed to note on the Firearms Transaction Record ATF Form 4473 (5300.9) the type of identification document (as defined in § 478.11) examined.

27 CFR 478.124 (c) (3) (iv) The licensee failed in (b)(3) - 112 Public L (b)(3) forms to properly document the required NICS information in items 21a, 21c, and 21d. In (b)(3) - 112 Public L forms, the licensee failed to complete (item 21a) the Month, Day, and Year of transmitting information to either NICS or the appropriate State agency, (Point of Contact or POC). In (b)(3) - 112 Public L form, the licensee failed to record the initial response provided by NICS or the appropriate State POC (item 21c). In (b)(3) - 112 Public Law 4 forms indicating a delayed response, the licensee failed to record the final response or resolution (item 21d).

27 CFR 478.124 (c) (5) The licensee failed in (b)(3) - 112 Public L forms to sign (item 34) and date (item 36) the Firearm Transaction Record, ATF Form 4473 (5300.9) prior to making an over-the-counter firearm transfer.

27 CFR 478.102 (a) (2) (ii) The licensee failed in (b)(3) - 112 Public L form to initiate a background check within thirty (30) days of a firearm transfer.

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27 CFR 478.126a The licensee failed to file multiple sales ATF Form 3310.4 Report of Multiple Sales of Pistols and Revolvers in (b)(3) - 112 Public L forms, involving (b)(3) - 112 Public L revolvers and (b)(3) - 112 Public L pistols.

27 CFR 478.125 (e) The licensee failed in (b)(3) - 112 Public Law 55 125 Stat 552 records to accurately maintain the Acquisition and Disposition Record. The licensee failed to include the address or Federal Firearms License (FFL) number on (b)(3) - 112 Public Law 55 125 Stat 552 acquisition entries. The licensee failed to record disposition of (b)(3) - 112 Public L firearms: (b)(3) - 112 Public L firearm acquired from a customer in 2009 has no corresponding disposition information. (b)(3) - 112 Public L firearm acquired in 2011 has no corresponding disposition information.

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

IOI (b)(6) examined all (100%) of the one hundred eighty-nine (189) firearms in physical inventory and compared them with the Acquisition and Disposition (A&D) record, (b)(3) - 112 Public Law 55 125 Stat 552 open entries. The licensee failed to maintain required records of receipt and disposition in (b)(3) - 112 Public Law 55 125 Stat 552 instances. This repeats a condition previously cited on December 12, 2013. Repeat violation was cited on August 9, 2016, as **27 CFR 478.125(e) in the Report of Violations (ROV), Violation Number 7.**

- The license failed to record (b)(3) - 112 Public L firearm acquisitions into inventory.
- The licensee failed to completely record disposition information related to (b)(3) - 112 Public L firearms (b)(3) - 112 Public L disposition entry in the A&D record failed to include the customer name next to the address. (b)(3) - 112 Public L disposition entries in the A&D record failed to include the date of firearm disposition.
- The licensee failed to enter any disposition information in the A&D record related to (b)(3) - 112 Public Law 55 125 Stat 552 firearms (open entries) missing from the inventory and appearing in the A&D record as acquired inventory without any disposition entry. The licensee located disposition information of (b)(3) - 112 Public Law 55 125 Stat 552 firearms as sold.
- The licensee failed to reconcile (b)(3) - 112 Public L missing firearms with any disposition records. The licensee reconciled inventory and continued to search for missing transfer documents until August 9, 2016. The licensee reported inventory loss of (b)(3) - 112 Public L firearms on ATF Form 3310.11 Federal Firearms Licensee Firearms Inventory Theft/Loss Report on August 9, 2016. The licensee received loss number (b)(3) - 112 Public Law 55 125 Stat 552 as Losses of Inventory Not Associated with a Crime.

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The licensee recorded August 9, 2016 and (b)(3) - 112 Public Law 55 125 Stat 552 as the disposition information closing (b)(3) - 112 Public Law 55 125 Stat 552 firearm entries in the A&D record.

Reference:

Worksheet 1 – Inventory and A&D Review
Worksheet 2 – ATF Form 4473 Review

Exhibit 2 – A&D Record photos related to 27 CFR 478.125 (e) violation (Record books, showing correct format with incomplete address or information)

Exhibit 3 – (b)(3) - 112 Public Law 55 125 Stat 552 loss report ((b)(3) - 112 Public Law 55 125 Stat 552

The A&D record is in the proper format. Twenty-six (26) firearms traced during the inspection through the required records from acquisition through disposition found accurate A&D entries. There are no trafficking indicators relating to acquisition and disposition of firearms. The inspection found no obliterated serial numbers or illegal firearms.

The licensee's standard operating procedures relevant to the A&D record and inventory include manager control over records and verifying packing slip documents to inventory. Inventory is compared to purchase order and packing slip before firearms are placed into a locked storage room. Firearms Manager (b)(6) makes acquisition entries into the A&D record book and also records newly arrived inventory onto the firearm description section of ATF Forms 4473 Firearm Transaction Records. (b)(6) explained that customers rarely purchase multiple firearms and by recording the description on the form and book at the time of acquiring the firearm, it takes less time to record the firearm sale when the customer purchases the firearm.

Investigator (b)(6) suggested to (b)(6) that he enter the inventory into the A&D record before entering information related to sales.

5 - ATF Forms 4473 – NICS & Other Dispositions

IOI (b)(6) requested all of (100%) and examined the Firearm Transaction Record ATF Form 4473 (5300.9) documents (ATF Forms 4473) from the last twelve (12) months, (b)(3) - 112 Public Law 55 125 Stat 552 ATF Forms 4473 on June 7, 2016. The A&D entries during the last twelve (12) months total (b)(3) - 112 Public Law 55 125 Stat 552 firearm dispositions. There are no transfers to other licensees. There are no sales of duty weapons to law enforcement

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officers. IOI (b)(6) compared the ATF Forms 4473 with information provided from FBI-NICS, eight (8) NICS Audit Log proceeds during the last sixty (60) days and two (2) NICS denials during the last twelve (12) months. The licensee accurately records the correct NICS Transaction Number (NTN) on each ATF Form 4473. The Firearm Transaction Record (ATF Form 4473) forms were not in order. There were blank ATF Forms 4473 in a box mixed with (b)(3) - 112 Public Law 55 125 Stat 552 denied and (b)(3) - 112 Public Law 55 125 Stat 552 completed ATF Forms 4473 from calendar year 2016. (b)(3) - 112 Public Law 55 125 Stat 552 of the (b)(3) - 112 Public Law 55 125 Stat 552 ATF Forms 4473 were incomplete or inaccurate.

ATF Forms 4473 are improperly filed. This repeats a condition previously cited on December 12, 2013. Repeat violation was cited on August 9, 2016, as **27 CFR 478.124(b)** in the **Report of Violations (ROV), Violation Number 6**.

- The licensee failed to file Firearm Transaction Record ATF Form 4473 (5300.9) by date, customer name, or (if any) transaction number. The licensee mixed completed forms together with incomplete and denied forms.

Reference:

Exhibit 4 – Photos of files related to 27 CFR 478.124 (b) violation (files cabinet containing 2012 Long Gun forms 4473 file next to 2013 Long Gun forms 4473 file; blank forms 4473 and pre-completed description on forms 4473 mixed together in file with completed calendar year 2016 forms 4473 behind sales counter)

The licensee failed to ensure proper completion of a required form in (b)(3) - 112 Public Law 55 125 Stat 552 instances. The licensee accepted incomplete or inaccurate responses on on Firearm Transaction Record ATF Form 4473 (5300.9). This repeats a condition previously cited on December 12, 2013. Repeat violation was cited on August 9, 2016, as **27 CFR 478.21 (a)** in the **Report of Violations (ROV), Violation Number 1**.

- In (b)(3) - 112 Public Law 55 125 Stat 552 ATF Form 4473, Section A, item 10a, the licensee failed to obtain the ethnicity of the customer.
- In (b)(3) - 112 Public Law 55 125 Stat 552 ATF Form 4473, Section C, item 25, the licensee failed to obtain a current recertification date from the transferee on the date of transfer.
- In (b)(3) - 112 Public Law 55 125 Stat 552 ATF Forms 4473, Section D, item 33, the licensee failed to print the name of the person making the transfer.
- In (b)(3) - 112 Public Law 55 125 Stat 552 ATF Forms 4473, Section D, item 35, the licensee failed to record the title of the person making the transfer.

Reference:

Exhibit 5 – Forms 4473 related to 27 CFR 478.21 (a) violations ((b)(6), (b)(3) - 112 Public Law 55 125 Stat 552)

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The licensee accepted incomplete or inaccurate responses on the Firearm Transaction Record ATF Form 4473 (5300.9) in (b)(3) - 112 Public Law 55 instances. This repeats a condition previously cited on December 12, 2013. Repeat violation was cited on August 9, 2016, as **27 CFR 478.124 (c) (1)** in the **Report of Violations (ROV), Violation Number 2**.

- In (b)(3) - 112 Public ATF Forms 4473, Section A, item 2, the licensee accepted incomplete name of county.
- In (b)(3) - 112 Public ATF Forms 4473, Section A, item 12, the licensee accepted incorrect alien response from non-alien.

Reference:

Exhibit 6 – Forms 4473 related to 27 CFR 478.124 (c) (1) violations (b)(6), (b)(3) - 112 Public Law 55

(b)(6), (b)(3) - 112 Public Law 55 125 Stat 552

The licensee failed to properly document the required NICS information related to (b)(3) - 112 Public transactions. This repeats a condition previously cited on December 12, 2013. Repeat violation was cited on August 9, 2016, as **27 CFR 478.124 (c) (3) (iv)** in the **Report of Violations (ROV), Violation Number 3**.

- In (b)(3) - 112 Public Firearms Transaction Record, ATF Form 4473, Section B, item 21c, the licensee failed to record the initial response provided by the appropriate State agency in the space provided (item 21c).
- In (b)(3) - 112 Public ATF Form 4473, Section B, item 21d, the licensee failed to record an entry in the appropriate space (item 21d) after the initial "Delayed" NICS response and prior to transferring the firearm.
- In (b)(3) - 112 Public ATF Form 4473, Section B, item 21b and item 21c, the licensee failed to add the date of a duplicated background check (item 21a) and attempted to mark out the initial NICS Transaction Number (NTN) when recording the duplicate NTN (item 21b). The NTN (b)(3) - 112 Public Law 55 obtained as delayed on April 30, 2016, and NTN (b)(3) - 112 Public Law 55 obtained as delayed on May 1, 2016, each resulted on May 2, 2016, as NICS "proceed" responses.

Reference:

Exhibit 7 – Forms 4473 related to 27 CFR 478.124 (c) (3) (iv) violations

((b)(6), (b)(3) - 112 Public Law 55 125 Stat 552)

The licensee failed to maintain accurate and complete Firearms Transaction Records, ATF Forms 4473, on (b)(3) - 112 Public Law 55 out of (b)(3) - 112 Public Law 55 125 Stat 552 forms. This repeats a condition

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previously cited on December 12, 2013. Repeat violation was cited on August 9, 2016, as **27 CFR 478.124 (c) (5)** in the **Report of Violations (ROV), Violation Number 4.**

- In (b)(3) - 112 Public Law 5 instances, the licensee failed to sign ATF Form 4473 Section D item 34 prior to making an over-the-counter firearm transfer.
- In (b)(3) - 112 Public Law 5 instances, the licensee failed to enter a date in ATF Form 4473 Section D item 36 prior to making an over-the-counter firearm transfer.

Reference:

Exhibit 8 – Forms 4473 related to 27 CFR 478.124 (c) (5) violations (b)(6), (b)(3) - 112 Public Law 55 125 Stat 552
(b)(6), (b)(3) - 112 Public Law 55 125 Stat 552

The licensee failed to conduct a background check within thirty (30) days of completing a firearm transfer. IOI (b)(6) performed a background check and the customer is not prohibited from possessing firearms. Violation was cited on August 9, 2016, as **27 CFR 478.102 (c)** in the **Report of Violations (ROV), Violation Number 5.**

- On (b)(3) - 112 Public Firearms Transaction Record, ATF Form 4473, the licensee failed to conduct a new background check prior to completing an over-the-counter firearm transfer after the initial NICS background check expired.

Reference:

Exhibit 9 – Form 4473 related to 27 CFR 478.102 (c) violation (b)(6), (b)(3) - 112 Public Law 55 125 Stat 552

The licensee does not have written standards of operating procedures relevant to ATF Form 4473 completion and other dispositions. Corporate Secretary Max Keeton delegated management of the firearms records to Firearms Manager (b)(6). (b)(6) provided access to inventory and answered questions regarding firearm records, but left the store during the inspection. Other employees were unable to locate or reconcile missing records and disposition entries in the absence of (b)(6) or any standard procedure. The licensee gathers ATF Form 4473 Firearm Transaction Records into a box until the end of each calendar year when all of the forms from the old year are placed into one or more folders.

On August 9, 2016, the licensee unlocked and provided access to a file cabinet which had been under and behind boxes of firearms in the storage room during the inspection. (b)(6) said that all of the forms since he was hired in 2006 are grouped in folders by calendar year. Folders are marked with the year then placed and locked into the metal file cabinet in the locked inventory storage room. The drawers of the metal file cabinet contain folders marked by year. The folders are not filed in order by year. The

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ATF Forms 4473 are not in order by transaction date, sequence number, or name. The ATF Forms 4473 in the file folders are mixed with months and days out of order. The forms are so mixed up that sifting through the loose sheets found November next to April.

Reference:
Worksheet 2 – ATF Form 4473 Review

6 - Multiple Sales

According to the VCAB FFL Master Query, there were no multiple sales reported during the inspection period. IOI (b)(6) examined the ATF Forms 4473 for repeat customers during the last twelve (12) months. The examination found no unreported multiple sales.

7 - Suspicious/Prohibited Purchasers

A comparison of customer names with previously denied customers resulted in an information referral (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] Referral number 2017-0001).

Reference:
Worksheet 2 – ATF Form 4473 Review
Exhibit 10 – Worknote and Form 4473 photos submitted with referral 2017-001

8 - Trace Activity

There were no traces during the last twelve (12) months and there are no unresolved traces. The inspection does not include any secondary market analysis because the licensee does not deal in used firearms.

9 - NFA/Importer/Collector/Manufacturer

IOI (b)(6) queried Firearms Licensing System (FLS) and National Firearms Act (NFA) information. The licensee is not an importer, collector, or manufacturer. The licensee does not pay NFA Special Occupational Tax. There are no NFA firearms in physical inventory. IOI (b)(6) examined the Acquisition and Disposition Records for the last twelve (12) months and found no NFA firearms, no acquisitions through importation, and no firearms manufactured by the licensee.

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10 - Referrals

The inspection resulted in an Information Referral to ATF Seattle Intel:
Referral number 2017-0001

(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

This information was forwarded to ATF Seattle Intel for consideration.

Reference:

Exhibit 10 –Worknote and Form 4473 submitted with referral 2017-001

11 - Other

The handgun poster is visible at the firearms counter. The licensee is in compliance with the Youth Handgun Safety Act (poster and pamphlet). The licensee has secure gun storage/safety devices on hand and provides locks or locking cases to handgun customers.

Reference:

Exhibit 1 – Firearms Business Licenses and Handgun Poster

12 - Closing Actions

Investigator (b)(6) reviewed Federal Firearms Regulation topics with corporate officer and responsible person Max Keeton, Secretary of Northwest Outfitters Inc. and Manager of Cle Elum Farm & Home Supply. Investigator (b)(6) showed Mr. Keeton the inventory and records discrepancies discovered during the inspection. Investigator (b)(6) stated that repeated violations are a problem and the employees should be encouraged to take care when making entries and also while self-auditing the required records. Investigator (b)(6) reviewed the topics as outlined on the Acknowledgement of Federal Firearms Regulations. Mr. Keeton signed the acknowledgement on June 8, 2016. Investigator (b)(6) explained that the Firearm Transaction Records must be maintained and filed in order, all of them and not merely the most current few months. This is necessary in the event of any firearm trace request and this is a repeated condition, repeating a violation cited during the previous inspection. Investigator (b)(6) explained that the books, the Acquisition and Disposition Records, must be maintained and current. This is necessary in order to

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know whether inventory is missing or stolen, and this is a repeated condition, repeating a violation cited during the previous inspection. Inspector (b)(6) reminded Mr. Keeton that all firearms open entries are either in the inventory or missing. Mr. Keeton stated that the entries would be reconciled to sales records. Inspector (b)(6) provided Mr. Keeton with Theft or Loss Report ATF Form 3310.11 and the toll-free telephone number for reporting either losses or thefts of firearms on June 8, 2016. Inspector (b)(6) pointed to the instruction at the bottom of the document showing the time-frame for reporting, must be reported to the National Tracing Center within two (2) days of discovery as missing. Inspector (b)(6) informed Mr. Keeton that firearms still missing should be reported as a loss by the end of the day on June 10, 2016. Inspector (b)(6) offered time to reconcile the missing entries and file the disposition records into order by date or name or transaction number. Mr. Keeton stated that he understands the importance of maintaining the records and that there would be a meeting to review employee procedures.

Investigator (b)(6) returned to the premises and provided Mr. Keeton with a copy of the Report of Violation (ROV). Mr. Keeton signed the ROV and submitted a report of (b)(3) - 112 Public missing firearms (b)(3) - 112 Public Law 55 125 Stat 592 on August 9, 2016. The licensee made the updated entries to the Acquisition and Disposition Books. The licensee filed Firearm Transaction Record ATF Forms 4473 into file folders marked by calendar year as far back as year 2006. The ATF Forms 4473 were not in order by month or day, and the years were not in sequence, and Investigator (b)(6) stated that it would be important to correct the filing before another inspection, in order to prevent a repeat violation. IOI (b)(6) stated to Mr. Keeton that the current version of Federal regulations and reference guides are available for download from the ATF website. The licensee is aware of how to view and obtain an electronic version of the regulations reference guides.

Reference:

Exhibit 11 – Signed Acknowledgement of Federal Firearms Regulations

Exhibit 12 – Report of Violations signed August 9, 2016

13 - Violations

1. **27 CFR 478.21 (a) – Administrative & Miscellaneous Provisions**
REPEAT OF VIOLATION CITED ON DECEMBER 12, 2013

Nature of violation:

The licensee failed to ensure proper completion of a required form in (b)(3) - 112 Public instances. The licensee accepted incomplete or inaccurate responses on on Firearm Transaction Record ATF Form 4473 (5300.9).

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- In (b)(3) - 112 Public ATF Form 4473, Section A, item 10a, the licensee failed to obtain the ethnicity of the customer.
- In (b)(3) - 112 Public ATF Form 4473, Section C, item 25, the licensee failed to obtain a current recertification date from the transferee on the date of transfer.
- In (b)(3) - 112 Public Law 5 ATF Forms 4473, Section D, item 33, the licensee failed to print the name of the person making the transfer.
- In (b)(3) - 112 Public Law 5 ATF Forms 4473, Section D, item 35, the licensee failed to record the title of the person making the transfer.

Licensee's response:

On June 8, 2016, Corporate Secretary Max Keeton stated that there would be a meeting to review employee procedures.

Corrective action:

IOI (b)(6) instructed the licensee to ensure that all Firearms Transaction Records, ATF Forms 4473, are complete and accurate prior to transferring a firearm. IOI (b)(6) suggested that the licensee review each ATF Form 4473 prior to completion of the transfer to ensure that all of the information called for is furnished as indicated by the headings and instructions on or pertaining to each form.

Reference:

Exhibit 5 – Forms 4473 photos ((b)(6), (b)(3) - 112 Public Law 55 125 Stat 552

[REDACTED]

2. **27 CFR 478.124 (c) (1) – Records & Reports** **REPEAT OF VIOLATION CITED ON DECEMBER 12, 2013**

Nature of violation:

The licensee accepted incomplete or inaccurate responses on the Firearm Transaction Record ATF Form 4473 (5300.9) in (b)(3) - 112 Public Law 5 instances.

- In (b)(3) - 112 Public ATF Forms 4473, Section A, item 2, the licensee accepted incomplete name of county.
- In (b)(3) - 112 Public ATF Forms 4473, Section A, item 12, the licensee accepted incorrect alien response from non-alien.

Licensee's response:

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On June 8, 2016, Corporate Secretary Max Keeton stated that there would be a meeting to review employee procedures.

Corrective action:

IOI (b)(6) instructed the licensee to ensure that all Firearms Transaction Records, ATF Forms 4473, are complete and accurate prior to transferring a firearm.

Reference:

Exhibit 6 – Forms 4473 photos ((b)(6), (b)(3) - 112 Public Law 55 125 Stat 552

3. **27 CFR 478.124 (c) (3) (iv) – Records & Reports** **REPEAT OF VIOLATION CITED ON DECEMBER 12, 2013**

Nature of violation:

The licensee failed to properly document the required NICS information related to (b)(3) - 112 Public Law 55 125 Stat 552 transactions.

- In (b)(3) - 112 Public Law 55 125 Stat 552 Firearms Transaction Record, ATF Form 4473, Section B, item 21c, the licensee failed to record the initial response provided by the appropriate State agency in the space provided (item 21c).
- In (b)(3) - 112 Public Law 55 125 Stat 552 ATF Form 4473, Section B, item 21d, the licensee failed to record an entry in the appropriate space (item 21d) after the initial "Delayed" NICS response and prior to transferring the firearm.
- In (b)(3) - 112 Public Law 55 125 Stat 552 ATF Form 4473, Section B, item 21b and item 21c, the licensee failed to add the date of a duplicated background check (item 21a) and attempted to mark out the initial NICS Transaction Number (NTN) when recording the duplicate NTN (item 21b). The NTN (b)(3) - 112 Public Law 55 125 Stat 552 obtained as delayed on April 30, 2016, and NTN (b)(3) - 112 Public Law 55 125 Stat 552 obtained as delayed on May 1, 2016, each resulted on May 2, 2016, as NICS "proceed" responses.

Licensee's response:

On June 8, 2016, Corporate Secretary Max Keeton stated that there would be a meeting to review employee procedures.

Corrective action:

IOI (b)(6) instructed the licensee to ensure that all Firearms Transaction Records, ATF Forms 4473, are complete and accurate prior to transferring a firearm. IOI (b)(6) suggested that the licensee review each ATF Form 4473 prior to completion of

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the transfer and record on the form the date on which the licensee contacted the NICS, as well as any response provided by the system, including any identification number provided by the system.

Reference:

Exhibit 7 – Forms 4473 photos ((b)(6), (b)(3) - 112 Public Law 55 125 Stat 552

4. **27 CFR 478.124 (c) (5) – Records & Reports**
REPEAT OF VIOLATION CITED ON DECEMBER 12, 2013

Nature of violation:

The licensee failed to maintain accurate and complete Firearms Transaction Records, ATF Forms 4473, on (b)(3) - 112 Public Law 3 out of (b)(3) - 112 Public Law 55 125 Stat 552 forms.

- In (b)(3) = 112 Public Lines instances, the licensee failed to sign ATF Form 4473 Section D item 34 prior to making an over-the-counter firearm transfer.
- In (b)(3) = 112 Public Lines instances, the licensee failed to enter a date in ATF Form 4473 Section D item 36 prior to making an over-the-counter firearm transfer.

Licensee's response:

On June 8, 2016, Corporate Secretary Max Keeton stated that there would be a meeting to review employee procedures.

Corrective action:

IOI (b)(6) instructed the licensee to ensure that all Firearms Transaction Records, ATF Forms 4473, are complete and accurate prior to transferring firearms. IOI (b)(6) suggested that the licensee review each ATF Form 4473 prior to completion of the transfer.

Reference:

Exhibit 8 – Forms 4473 photos ((b)(6), (b)(3) - 112 Public Law 55 125 Stat 552

5. **27 CFR 478.102 (c) – Conduct of Business**

Nature of violation:

The licensee failed to conduct a background check within thirty (30) days of completing a firearm transfer.

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- On (b)(3) - 112 Public Firearms Transaction Record, ATF Form 4473, the licensee failed to conduct a new background check prior to completing an over-the-counter firearm transfer after the initial NICS background check expired.

Licensee's response:

On June 8, 2016, Corporate Secretary Max Keeton stated that there would be a meeting to review employee procedures.

Corrective action:

IOI (b)(6) instructed the licensee that the NICS transaction time limitation is thirty (30) days. If the transaction is not completed within thirty (30) days, the licensee is required to initiate a new NICS check prior to completion of the transfer.

Reference:

Exhibit 9 – Form 4473 photos ((b)(6), (b)(3) - 112 Public Law 55 125 Stat))

6. **27 CFR 478.124 (b) – Records & Reports** **REPEAT OF VIOLATION CITED ON DECEMBER 12, 2013**

Nature of violation:

The licensee failed to file Firearm Transaction Record ATF Form 4473 (5300.9) by date, customer name, or (if any) transaction number. The licensee mixed completed forms together with incomplete and denied forms.

Licensee's response:

On June 8, 2016, Corporate Secretary Max Keeton stated that there would be a meeting to review employee procedures. Mr. Keeton stated that his Firearms Manager (b)(6) has the key to the firearm records archive. (b)(6) places Firearm Transaction Record ATF Forms 4473 (5300.9) into folders marked by calendar year. On August 9, 2016, (b)(6) stated that the ATF Forms 4473 are filed by date.

Corrective action:

IOI (b)(6) instructed the licensee that ATF Forms 4473 must be retained in month and day order as well as calendar year where a licensee files ATF Forms 4473 by date. IOI (b)(6) directed the licensee to correct the archive files on August 9, 2016. A licensed dealer shall retain in alphabetical (by name of purchaser), chronological (by date of disposition), or numerical (by transaction serial number) order, and as a part of

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the required records, each Form 4473 obtained in the course of transferring custody of firearms.

Reference:

Exhibit 4 – Forms 4473 photos related to 27 CFR 478.124 (b) violation (files cabinet containing 2012 Long Gun forms 4473 file next to 2013 Long Gun forms 4473 file; blank forms 4473 and pre-completed description on forms 4473 mixed together in file with completed calendar year 2016 forms 4473 behind sales counter)

7. **27 CFR 478.125 (e) – Records & Reports** **REPEAT OF VIOLATION CITED ON DECEMBER 12, 2013**

Nature of violation:

The licensee failed to maintain required records of receipt and disposition in (b)(3) - 112 Public Law 55 instances.

- The license failed to record (b)(3) - 112 Public Law 55 firearm acquisitions into inventory.
- The licensee failed to completely record disposition information related to (b)(3) - 112 Public Law 55 firearms. (b)(3) - 112 Public Law 55 disposition entry in the A&D record failed to include the customer name next to the address. (b)(3) - 112 Public Law 55 disposition entries in the A&D record failed to include the date of firearm disposition.
- The licensee failed to enter any disposition information in the A&D record related to (b)(3) - 112 Public Law 55 125 Stat 552 firearms (open entries) missing from the inventory and appearing in the A&D record as acquired inventory without any disposition entry. The licensee located disposition information of (b)(3) - 112 Public Law 55 125 Stat 552 firearms as sold.
- The licensee failed to reconcile (b)(3) - 112 Public Law 55 missing firearms with any disposition records.

Licensee's response:

On June 8, 2016, Corporate Secretary Max Keeton stated that there would be a meeting to review employee procedures. Mr. Keeton stated that his Firearms Manager (b)(6) has the key to the firearm records archive and (b)(6) would reconcile the entries. On August 9, 2016, Mr. Keeton stated that he believed the employees had reconciled the list of open entries as sold and that is why he had not reported any missing firearms. The licensee reported inventory loss of (b)(3) - 112 Public Law 55 firearms on ATF Form 3310.11 Federal Firearms Licensee Firearms Inventory Theft/Loss Report on August 9, 2016. The licensee received loss number (b)(3) - 112 Public Law 55 125 Stat 552 as Losses of Inventory Not Associated with a Crime. The licensee closed the (b)(3) - 112 Public Law 55 open entries in the A&D

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record by entering August 9, 2016 and (b)(3) - 112 Public Law 55 125 Stat 552 as the disposition information of the (b)(3) - 112 Public Law 55 125 Stat 552 firearms the licensee was unable to locate.

Corrective action:

On June 7, 2016, IOI (b)(6) informed Firearms Manager (b)(6) that acquisitions must be recorded within one (1) day of receipt and dispositions must be recorded within seven (7) days. On June 8, 2016, IOI (b)(6) informed Corporate Secretary Max Keeton that the licensee must reconcile open entries in the Acquisition and Disposition Books by locating each firearm or transaction record and must report missing inventory to the ATF National Tracing Center. The licensee must report loss or theft of firearms missing from inventory within two (2) days of discovery that a firearm is missing from inventory, and two (2) days would be on Friday. The licensee can call in and update information in the loss report if firearms or records are later found. IOI (b)(6) directed the licensee to locate (b)(3) - 112 Public Law 55 125 Stat 552 missing firearms or reconcile open entries with records and report inventory losses or thefts within forty-eight (48) hours of discovery. On August 9, 2016, The licensee reported loss of (b)(3) - 112 Public Law 55 125 Stat 552 firearms missing from inventory and received loss number (b)(3) - 112 Public Law 55 125 Stat 552 as Losses of Inventory Not Associated with a Crime.

Reference:

Exhibit 2 – A&D Records showing format with incomplete address or information

Exhibit 3 – (b)(3) - 112 Public Law 55 125 Stat 552 loss report ((b)(6), (b)(3) - 112 Public Law 55 125 Stat 552

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

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Industry Operations Investigator

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Index of Worksheets and Exhibits

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Worksheet 2 – ATF Form 4473 Review

Exhibit 1 – Firearms Business Licenses and Handgun Poster

Exhibit 2 – A&D Record photos related to 27 CFR 478.125 (e) violation

Exhibit 3 – (b)(3) - 112 Public Law 55 125 Stat 552 loss report

Exhibit 4 – Photos of files of Forms 4473 related to 27 CFR 478.124 (b) violation

Exhibit 5 – Photos of the Forms 4473 related to 27 CFR 478.21 (a) violations

Exhibit 6 – Photos of the Forms 4473 related to 27 CFR 478.124 (c) (1) violations

Exhibit 7 – Photos of the Forms 4473 related to 27 CFR 478.124 (c) (3) (iv) violations

Exhibit 8 – Photos of the Forms 4473 related to 27 CFR 478.124 (c) (5) violations

Exhibit 9 – Photos of the Form 4473 related to 27 CFR 478.102 (c) violation

Exhibit 10 – Worknote and Form 4473 Photos submitted with referral 2017-001

Exhibit 11 – Signed Acknowledgement of Federal Firearms Regulations

Exhibit 12 - Report of Violations signed August 9, 2016