

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) H & S PAWN LLC GOOD GUYS GUN AND PAWN 3724 S 132ND ST OMAHA, NE 68144, DOUGLAS (055)	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 779080-2016-0333-B1B 3. PERMIT/LICENSE NUMBER 547055028M01633
	4a. TARGET DATE 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, 03/16/2016

8. PURPOSE/SPECIAL INSTRUCTIONS
 DE. POSSIBLE STRAW PURCHASE. SEE ATTACHED MEMO OF CONVERSATION, AND CBPD INCIDENT REPORTS FROM ATF TFO (b)(6).

9. INSPECTION RESULTS	<input type="checkbox"/>	CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC	10. TRAVEL EXPENSES (OPTIONAL)
NO. OF VIOLATIONS	9	NO. OF REFERRALS	1
NO. OF TECS CHECKS	65	NO. OF TECS HITS	
NO. OF TAX ADJUSTMENTS		\$ VALUE OF TAX INCREASES	2111 - PER DIEM
		\$ VALUE OF TAX DECREASES	2112 - P.O.A.
NO. OF ASSESSMENTS		\$ VALUE OF ASSESSMENTS	2113 - COMM. AIR
NO. OF CLAIMS		\$ VALUE OF CLAIMS	2114 - RENTAL CAR
NO. OF TAX PERIODS		\$ VALUE OF TAXES VERIFIED	2115 - GPV EXPENSES
			2116 - MISC.
			TOTAL \$ FOR INSP.

11. ATF OFFICER'S RECOMMENDATION
 Submitted by (b)(6) - Industry Operations Investigator

Submitted on: 09/30/2016
 Onsite compliance inspection initiated 8/10/16 & field work completed by 8/12/16. Closing conference held 9/1/16.

Violations #1, #2, & #9 merit a Warning Letter

Warning Letter mailed 9/26/16. Received by FFL 9/28/16.

Viols WL ONLY and No Recall Inspection

12. TIME ACCOUNTING DATA	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(6)
MAR 2016	2.00
JUL 2016	4.00
AUG 2016	33.00
SEP 2016	23.00
ATF OFFICER'S SUBTOTAL	62.00
TOTAL HOURS	62.00

ATF OFFICER'S SIGNATURE

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	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">3. PERMIT/LICENSE NUMBER 547055028M01633</td> <td style="width: 33%;">4a. TARGET DATE</td> <td style="width: 33%;">4b. TARGET HOURS</td> </tr> </table>	3. PERMIT/LICENSE NUMBER 547055028M01633	4a. TARGET DATE	4b. TARGET HOURS
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5. REQUESTED BY (SIGNATURE, TITLE AND DATE)				

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

SYNOPSIS OF VIOLATIONS:

- 1) 27 CFR 478.99(b) - MEETS CRITERIA FOR WARNING LETTER.
- 2) 27 CFR 478.99(c) - MEETS CRITERIA FOR WARNING LETTER
- 3) 27 CFR 478.125(c) MEETS CRITERIA FOR WARNING LETTER
- 4) 27 CFR 478.124(c) - DOES NOT MEET CRITERIA FOR ADVERSE ACTION
- 5) 27 CFR 478.21(a) - DOES NOT MEET CRITERIA FOR ADVERSE ACTION
- 6) 27 CFR 478.124(c)(3)(iv) - MEETS CRITERIA FOR WARNING CONFERENCE
- 7) 27 CFR 478.124(cf)(4) - DOES NOT MEET CRITERIA FOR ADVERSE ACTION
- 8) 27 CFR 478.124(C)(5) - DOES NOT MEET CRITERIA FOR ADVERSE ACTION
- 9) 27 CFR 478.126a - MEETS CRITERIA FOR WARNING LETTER

CONCUR WITH IOI RECOMMENDATION

CLOSING ASSIGNMENT PER DIO MEMO DATED 9/23/2016

Viols WL ONLY and No Recall Inspection

REVIEWED
 CONCUR
 SEE COMMENTS
 FINAL DISPOSITION

SIGNATURE AND TITLE (b)(6) - Area Supervisor	REVIEW DATE 09/26/2016
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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 H & S PAWN LLC d/b/a GOOD GUYS GUN & PAWN	Street Address 3724 S 132ND ST	City OMAHA	State NE	ZIP Code 68144	County DOUGLAS	Page 1 of 3 Pages
License/Permit/Registry Number (if any) 5-47-055-02-8M-01633		Expiration Date 12/01/18	Date(s) or Period of Inspection 8/10 - 8/12/16; COVERING PERIOD FROM 8/1/15 TO 8/10/16			

Inspection Results

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

Number	USC or CFR Citation	Nature of Violation	Corrective Action to be Taken <i>(If not corrected immediately)</i>	Date Corrections to be Made <i>(If not corrected immediately)</i>
1	27 CFR 478.99(b)	Transfer of a firearm in violation of State law. On 5/13/16, a handgun was redeemed from pawn to (b)(3) 112 Public Law 55 125 GTR. The customer did not present a Nebraska Firearms Purchase Certificate (FPC) or Concealed Handgun Permit (CHP) as required to receive a handgun.	Reviewed requirements	N/A
2	27 CFR 478.99(c)	Transfer of a firearm to a purchaser who at the time of the transfer appeared to be prohibited. (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)	Reviewed requirements	N/A
3	27 CFR 478.125(e)	Failure to maintain a complete and accurate Firearms Acquisition & Disposition Record (A&D book) a. On (b)(3) 112 Public Law 55, firearms sold/transferred were not logged out of A&D b. On (b)(3) 112 Public Law, firearms in stock were logged out of the A&D c. On (b)(3) 112 Public Law 55, the date of disposition in the A&D book was incorrect d. On (b)(3) 112 Public Law 55, the address or FFL# of transferee was incorrect/missing e. On (b)(3) 112 Public Law 55, the serial number of the firearm was incorrectly recorded f. On at least (b)(3) 112 Public Law 55, the manufacturer and/or importer information marked on the firearm was not recored in the A&D. SEE ATTACHED SHEET FOR DETAILS	Make necessary corrections to the A&D record (many were corrected upon discovery).	9/16/16

I Have (b)(6)	Proprietor's Signature and Title <i>Member</i>	Date 9/1/16
Signature and Title of ATF Officer	(b)(6) <i>IAI</i>	Date 9/1/16

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Number	USC or CFR Citation	Nature of Violation	Corrective Action to be Taken (If not corrected immediately)	Date Corrections to be Made (If not corrected immediately)
4	27 CFR 478.124(c)(1)	Errors on Section A of ATF F 4473 Item 2 (address) incomplete - (b)(3) 112 Public Law 55 15 Item 3 (place of birth) incomplete - (b)(3) 112 Public Law 55 Item 10b (race) blank - (b)(3) 112 Public Law 55 Items 11b-k (prohibited categories) left blank - (b)(3) 112 Public Law 55 Item 11L incorrectly answered "Yes" by US Citizen - (b)(3) 112 Public Law 55 Item 14 (country of citizenship) left blank - (b)(3) 112 Public Law 55 Item 15 (alien admission number) left blank by buyer reporting foreign citizenship - Ref: (b)(3) 112 Public Law 55 125 STAT 55	Reviewed requirements Review Section A of ATF F 4473 before completing transfer to ensure customer has provided the required information.	N/A
5	27 CFR 478.21(a)	Failure to complete ATF F 4473 in accordance to the directions on the form. On (b)(3) 112 Public Law 55, the licensee completed transfers of firearms despite "No" responses to Item 11a (are you the actual transferee?) Ref: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)	Reviewed requirements	N/A
6	27 CFR 478.124(c)(3)(iv)	Failure to completely and accurately record the results of a NICS check on ATF F 4473 (b)(3) 112 Public Law 55 125 STAT 55: Item 21a left blank NICS delay on 4/11/16, but Item 21c marked "proceed", final response not noted on Item 21d NICS delay on 5/6/16, Item 21d left blank	If missing information can be determined; make corrections to photocopy of original form. Reviewed requirements	9/16/16

Report of Violations

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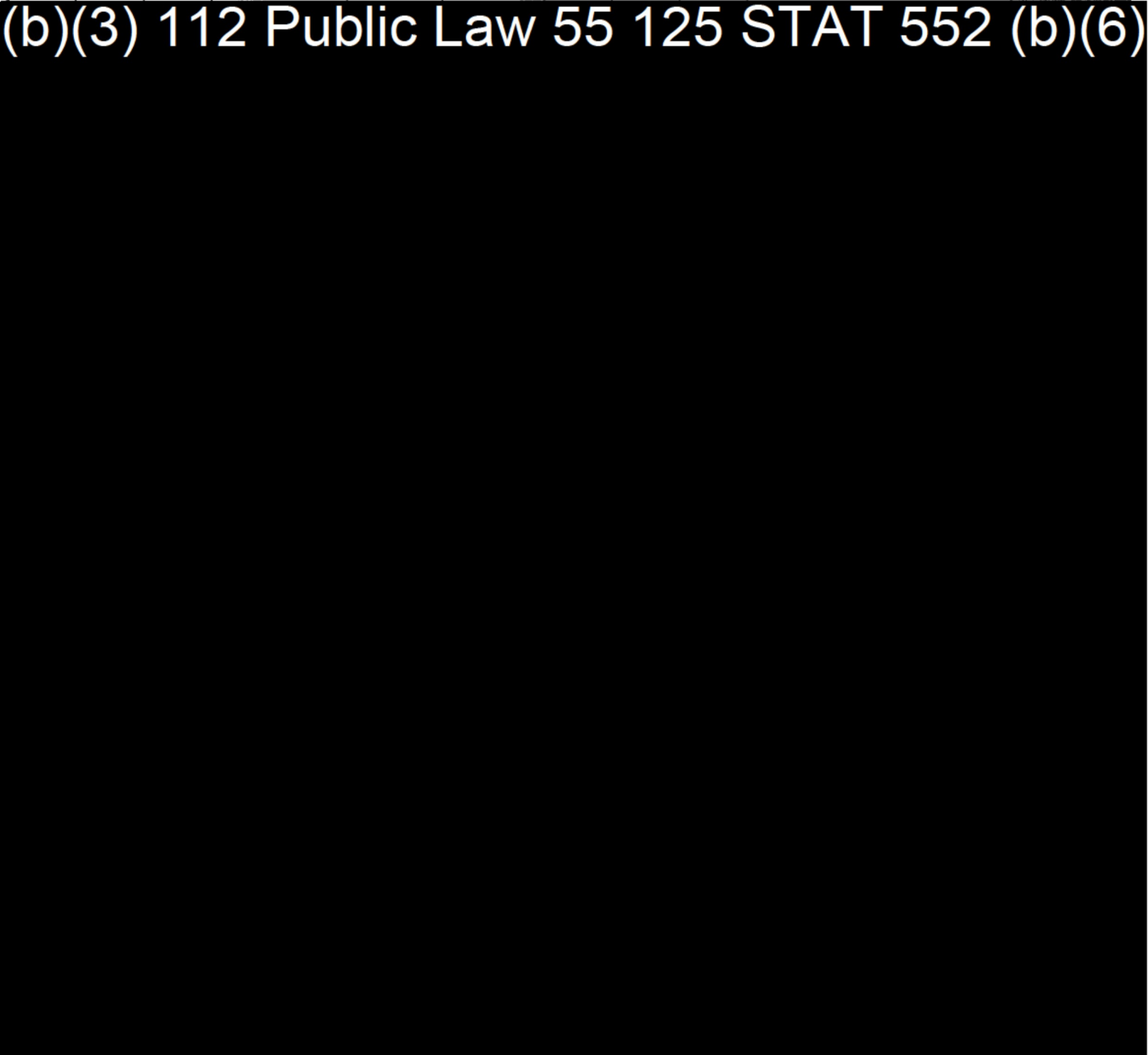
Inspection Results

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

Number	USC or CFR Citation	Nature of Violation	Corrective Action to be Taken (If not corrected immediately)	Date Corrections to be Made (If not corrected immediately)
7	27 CFR 478.124(c)(4)	<p>Failure to accurately record firearm information of Section D of ATF F 4473</p> <p>On (b)(3) 112 Public Law 55 125 Item 28 listed an incorrect serial number. Ref: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)</p> <p>On (b)(3) 112 Public Law 55 the information listed on Item 29 (type) and 30 (caliber) was incomplete/incorrect. Ref: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)</p>	Make corrections to photocopy of original forms.	9/16/16
8	27 CFR 478.124(c)(5)	<p>Failure to accurately complete Item 36 (date transferred) on ATF F 4473</p> <p>On (b)(3) 112 Public Law 55, Item 36 was left blank or the date entered was incorrect</p> <p>Ref: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)</p>	Make corrections to photocopy of original forms.	9/16/16
9	27 CFR 478.126a	<p>Failure to accurately report a multiple handgun sale on ATF F 3310.4</p> <p>(b)(3) - Public Law 112-5 a revolver was sold to (b)(3) 112 Public Law 55 125 STAT 552 (b)(6) a total of (b)(3) 112 Public Law 55 handguns were sold to (b)(3) 112 Public Law 55 125</p> <p>The Multiple Sale Report submitted on (b)(3) - Public Law included the (b)(3) 112 handguns, but did not include the revolver sold on (b)(3) - Public Law 112</p>	Submit an amended Multiple Sale Report to include the revolver sold on 5/14/16.	9/16/16

#	Date Acquired	Bound Book Reference #	Manufacturer/Importer	Model	Serial Number	Type	Caliber/Gauge	Date Disposed	Nature of Violation	Correction Completed?
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(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)





U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives
17310 Wright St
Suite 204
Omaha, NE 68130

www.atf.gov

September 26, 2016

CERTIFIED MAIL
Return Receipt Requested

H & S Pawn LLC d/b/a Good Guys Gun & Pawn
3724 S. 132nd St.
Omaha, NE 68144

RE: 5-47-055-02-8M-01633

Dear Mr. Hassel:

During a recent inspection at your firearms business covering the period 8/1/2015 to 8/10/2016 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 by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Industry Operations Investigator. You 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.

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), Area Supervisor at (b)(6).

Sincerely yours,

(b)(6)

Area Supervisor, Omaha II

Enclosure

cc: Federal Firearms Licensing Center
Omaha II Field Office

7012 3460 0003 7171 0945

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Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

<i>Sent To</i>	<p>GOOD GUYS GUN & PAWN</p> <p>3724 S. 132ND ST</p> <p>OMAHA, NE. 68144</p>
<i>Street, Apt. No.; or PO Box No.</i>	
<i>City, State, ZIP+4</i>	

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Tracking Number: 70123460000371710945

Delivered

Product & Tracking Information

Postal Product: Features:
Certified Mail™

DATE & TIME	STATUS OF ITEM	LOCATION
September 28, 2016 , 12:02 pm	Delivered, Left with Individual	OMAHA, NE 68144
Your item was delivered to an individual at the address at 12:02 pm on September 28, 2016 in OMAHA, NE 68144.		
September 28, 2016 , 2:07 am	Departed USPS Facility	OMAHA, NE 68108
September 26, 2016 , 5:36 pm	Arrived at USPS Facility	OMAHA, NE 68108

Available Actions

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Address: 3724 S 132ND ST
OMAHA, NE 68144

DOUGLAS (055)

1 - Introduction

Inspection Profile:

On 8/10/16, IOI (b)(6) initiated a compliance inspection at the licensed premises. Doug Hassel (Owner, RP) and (b)(6) (employee) were identified (Doug – NE (b)(6)) and assisted with the inspection. The inspection was unannounced. The inspection period was set from 8/1/15 to 8/10/16.

The inspection was initiated following the receipt of information from Council Bluffs PD / ATF TFO (b)(6) reporting a suspected straw purchase on 3/9/16. The Memorandum of Conversation and CBPD Incident Reports related to the suspected straw purchase are submitted as **Exhibit 1**.

Business Profile:

Good Guys Gun & Pawn (GGG&P) operates from a storefront in southwest Omaha. GGG&P obtained their FFL in 2012. In addition to firearms operations, the licensee sells tools, electronics, jewelry, and other miscellaneous items.

Long guns are on display along the north wall behind the counter and in two racks on the sales floor. Hand guns are located in a glass display case along the north wall. Pawned handguns are kept in a safe in the back, pawned long guns are located on a shelf nearby. Layaway and overstock guns are kept separate from the pawned firearms. Ammunition and firearms accessories are also sold. No off-site storage of firearms.

Over the past 12 months, the licensee acquired (b)(4) firearms and disposed of approximately (b)(4). Of the acquisitions, the proportion of handguns to long guns was estimated at (b)(4) to (b)(4) the proportion of new to used was estimated at (b)(4) to (b)(4). About (b)(4) of the firearms acquired over the inspection period were pawns; the remaining acquisitions were composed of special orders, transfers, and inventory for stock. Over the inspection period, the licensee set up at one gun show (Fremont, Feb 20-21, 2016).

Regarding internet sales, the licensee's website (www.gggpawn.com) advertises that they deal in firearms and will conduct special orders and transfers. No firearms are listed for sale from their website. The licensee advised that they do list firearms for sale on Gun Broker.

GGG&P's FFL was posted along with their Nebraska Tax ID (b)(3) - 26 USC 6103 (b)(3) - 26 USC 6103 Omaha Firearms Dealer License (#222296) and Omaha

Pawnbroker License (RCT-12-00934). All local permits were current except for the Pawnbroker License. IOI (b)(6) contacted Sgt. (b)(6) (OPD Pawn Unit) to determine if the licensee was delinquent in renewing the local license. Sgt. (b)(6) advised that GGG&P had timely renewed their Pawnbroker License, but the City of Omaha had not mailed it out.

Ownership and Control:

H & S Pawn LLC is a limited liability company registered in the State of Nebraska. Good Guys Gun and Pawn is also registered as a trade name.

In preparation for the inspection, the status of the LLC was checked with the Nebraska Secretary of State website. The LLC was deactivated in June 2015 (see **Exhibit 2**). IOI (b)(6) advised Mr. Hassel of this at the onset of the inspection. Mr. Hassel stated that he had no idea that the LLC was deactivated, and advised that his business operations (bank accounts, utilities, etc.) were still conducted under the LLC. IOI (b)(6) instructed Mr. Hassel to contact the State of Nebraska to determine what needed to be done to restore the LLC to active status. On 8/15/16, Mr. Hassel reported that the LLC was reactivated (see **Exhibit 3**). Mr. Hassel stated that his attorney forgot to send in the biennial report, which resulted in the deactivation.

At the time of application in 2012, the two members of the LLC were Doug Hassel and (b)(6). At the onset of the inspection, Mr. Hassel reported that he bought out (b)(6) share of the business, and now owned the business outright. Mr. Hassel stated that the buyout occurred on 12/31/15, and that was also the last day (b)(6) worked at the store. Of note, FLS showed both Hassel and Sadofsky as active RPs; no comments in FLS to indicate that the change in ownership was reported.

Mr. Hassel reported that on/around January 13, 2016 he mailed or emailed a letter to the Federal Firearms Licensing Center to advise them of the change. IOI (b)(6) received a copy of the notification from the licensee on 8/10/16 (see **Exhibit 4**). On 9/8/16, FFLC Examiner (b)(6) confirmed that the January 2016 notification was received, but Sadofsky was never removed as an RP. Mr. Sadofsky was deactivated as an RP in FLS on 9/7/16.

At the closing conference, Mr. Hassel advised that H & S Pawn LLC is currently comprised of himself and his wife Raye Hassel. As Mrs. Hassel has no involvement in the operation of the store, she provided a statement delegating her authority to manage the firearms operations to Doug Hassel (see **Exhibit 5**).

Variance:

No approved variances on file. No variances requested as a result of the inspection.

2 - Recommendation

Viols WL ONLY and No Recall Inspection

3 - Inspection History

Date of Inspection: 11/20/12
Type of Inspection: Qualification
UI#: 779080-2013-0229
Inspection Results: Application Approved
Cited Violations: N/A

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

A completed inventory was conducted on 8/10/16. A total of 268 firearms were found in inventory. A review of the licensee's A&D books resulted in a total of (b)(3)-112 open disposition entries. The licensee was able to reconcile each discrepancy. On (b)(3) instances, the licensee failed to log out firearms after they were sold or transferred. On (b)(3) of these instances, the licensee had logged out the wrong firearm. These discrepancies are documented on **Worksheet #1** and **Exhibit 6**, and referenced under **Violation #3**.

The licensee's A&D record consisted of three spiral bound volumes. The licensee also utilizes Pawnmaster software to track their firearms inventory, but the pen and paper A&D books are their ATF records. The A&D record is in the correct format, and with the exceptions noted above, the entries are timely made. On (b)(3) instances, the disposition date recorded in the A&D book was incorrect. On (b)(3) instances, the FFL# or address of the transferee was missing or incorrect. These discrepancies are documented on **Worksheet #1** and **Exhibit 6**, and referenced under **Violation #3**.

Each firearm in inventory was compared to its respective record in the A&D to ensure that it was accurately recorded. On (b)(3) instances, the serial number of the firearm was incorrectly recorded. On at least (b)(3) instances, the licensee did not accurately record the manufacturer and/or importer name marked on the firearm. These discrepancies are documented on **Worksheet #1** and **Exhibit 6**, and referenced under **Violation #3**.

A sample of (b)(3)-1 ATF F 4473s was selected and compared to the A&D book. On (b)(3) instance, the transferee address in the A&D book did not match the address listed on the F4473 (see **WS#1** and **Violation #3**). On (b)(3) instances, the serial number on the F4473 did not match the serial number entered in the A&D. It was determined that the A&D contained the correct information. These (b)(3) instances are documented on **Worksheet #2** and **Exhibit 7**, and referenced under **Violation #7**.

A sample of (b)(3)-1 disposition entries from the A&D record were compared to the F4473s on file; no discrepancies found.

No theft/loss reports submitted by the licensee over the inspection period or as a result of the inspection. No illegal firearms or firearms with obliterated serial numbers discovered. See 7-Suspicious Purchasers and 10-Referrals below for information regarding a suspected unlicensed dealer acquiring firearms from GGG&P.

5 - ATF Forms 4473 – NICS & Other Dispositions

A total of (b)(3) ATF F 4473s were on file for the inspection period. The forms were filed chronologically by date of sale. All (b)(3) forms were reviewed.

On (b)(3) instance, the licensee transferred a firearm in violation of State law. A handgun was redeemed from pawn, but the transferee did not present a Nebraska Firearms Purchase Certificate or Concealed Handgun Permit as required. This discrepancy is documented on **Worksheet #2** and **Exhibit 7 (Stange)**, and referenced under **Violation #1**.

On (b)(3) instances, the licensee transferred firearms to purchasers who at the time of transfer appeared to be prohibited due to “Yes” answers on Items 11b-k of ATF F 4473. These discrepancies are documented on **Worksheet #2** and **Exhibit 7 (b)(3) - 112 Public Law 55 125 Stat 552, (b)(3) - 112 Pub**), and referenced under **Violation #2**.

On (b)(3) forms, errors were found on Section A of ATF F 4473. On eight forms, Item 2 was incomplete. On (b)(3) - 112 forms, Item 3 was incomplete. On (b)(3) - 112 form, Item 10b was left blank. On (b)(3) - 112 forms, no response was provided by the transferee on a question from Items 11b-k. On (b)(3) - 112 form, Item 11L was incorrectly answered “Yes” by a US citizen. On (b)(3) - 112 form Item 14 was left blank. On (b)(3) - 112 form, Item 15 was left blank by a buyer reporting foreign citizenship. These discrepancies are documented on **Worksheet #2** and **Exhibit 7**, and referenced under **Violation #4**.

On (b)(3) instances, the licensee failed to complete ATF F 4473 in accordance to the directions on the form. On each case, a transfer was completed despite a “No” answer to Item 11a (are you the actual buyer?). These discrepancies are documented on **Worksheet #2** and **Exhibit 7 (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)**), and referenced under **Violation #5**.

On (b)(3) instances, the licensee failed to completely and accurately record the results of a NICS check. These discrepancies are documented on **Worksheet #2** and **Exhibit 7 (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)**), and referenced under **Violation #6**.

On (b)(3) instances, the licensee failed to accurately record the firearm information on Section D of ATF F 4473. On (b)(3) - 112 forms, the serial numbers were incorrect. On (b)(3) - 112 form, the firearm type was incomplete and the caliber was incorrect. These discrepancies are documented on **Worksheet #2** and **Exhibit 7**, and referenced under **Violation #7**.

On (b)(3) instances, the licensee failed to accurately complete Item 36 (date transferred) on ATF F 4473. Item 36 was either left blank or the date entered was incorrect. These discrepancies are documented on **Worksheet #2** and **Exhibit 7**, and referenced under **Violation #8**.

A sample of (10) transfers to other dealers was selected for review; each transfer appeared to be properly completed. No sales to law enforcement officers or agencies conducted.

Per the NICS FFL Audit Log (submitted as **Exhibit 8**), a total of (14) NICS checks were conducted by the licensee between 5/13/16 and 7/12/16. All (14) NTN's were located on F 4473s; no discrepancies found. No "denied" responses received over the inspection period. GGG&P has only received one "denied" response from NICS. The form documenting the February 2014 denial was found on file with the remaining 2014 forms. The licensee was instructed to keep the denied/no transfer F4473s in a separate file. No violation cited.

Regarding standard operating procedures for F4473s and other dispositions, the forms were completed by Mr. Hassel, (b)(6). It was discovered that on forms completed by (b)(6), Mr. Hassel would complete Items 33-36. IOI (b)(6) instructed the licensee that the employee reviewing the photo ID and conducting the background check/recording the NICS exemption permit should be the one completing Items 33-36.

6 - Multiple Sales

Per E-Trace, the licensee reported four multiple sales (involving 22 handguns) over the inspection period. All (b)(3) - 112 multiple sales were (b)(3) - 112 Public Law 55 125 Stat 552 See 7-Suspicious Purchasers and 10-Referrals below.

(b)(3) - 112 unreported multiple sale was discovered. (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)
This discrepancy is documented on **Worksheet #2**, **Exhibit 9**, and referenced under **Violation #9**.

7 - Suspicious/Prohibited Purchasers

A total of 28 individuals were selected for Open Fox and E-Trace checks to confirm that firearms were not acquired by prohibited purchasers. Results on two individuals merit further discussion:

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

(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6), (b)(7)(C)

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

(b)(4), (b)(6)

This information was submitted to KC IV (Intel) on **Referral 2016-0076**.

8 - Trace Activity

Per E-Trace, the licensee did not receive any trace requests in the 12 months preceding the inspection. Good Guys G&P has two (b)(3) - 112 Public Law 55 125 Stat 552 listed in E-Trace (b)(3) - 112 Public Law 55 125 Stat 552. Both were successfully completed.

A sample of (35) used firearms acquired over the past four months was selected for Secondary Market Analysis. Queries through Open Fox and E-Trace did not result in any hits.

9 - NFA/Importer/Collector/Manufacturer

NFA, Importer, Collector, or Manufacturer operations are not conducted by the licensee.

10 - Referrals

Referral 2016-0076 was sent to Kansas City IV (Intel) regarding (b)(6) for their review.

11 - Other

No additional information to report.

12 - Closing Actions

Initial findings were reviewed with Mr. Hassel on 8/12/16. A closing conference was held with the licensee on 9/1/16 at the licensed premises. Doug Hassel and (b)(6) were present. The Report of Violations was issued and the corrective actions discussed. Federal Firearms Regulations were reviewed; a signed Acknowledgement is submitted as **Exhibit 11**.

On 9/1/16, Mr. Hassel advised via email that the corrective actions were complete.

13 - Violations

1. **27 CFR 478.99(b)**

Nature of Violation: Transfer of a firearm in violation of State law.

(b)(3) - 112 Public Law 55 125 S a handgun was redeemed from pawn to Richard Stange. The customer did not present a Nebraska Firearms Purchase Certificate (FPC) or Concealed Handgun Permit (CHP) as required to receive a handgun.

Licensee Response: Mr. Hassel advised that he did not think a Nebraska permit was required when a handgun was redeemed from pawn. Mr. Hassel stated that he thought he called the Omaha ATF office and was told that a permit was not required.

Corrective Action: IOI (b)(6) reviewed the requirements with the licensee.

Reference **Worksheet #2** and **Exhibit 7 (b)(6))**

2. **27 CFR 478.99(c)**

Nature of Violation: Transfer of a firearm to a purchaser who at the time of the transfer appeared to be prohibited.

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

Licensee Response: Mr. Hassel advised that he was surprised that the “yes” answers were not caught. The licensee stated that they will do a better job of reviewing the responses under Item 11.

Corrective Action: IOI (b)(6) reviewed the requirements with the licensee.

Reference **Worksheet #2** and **Exhibit 7** (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

3. **27 CFR 478.125(e)**

Nature of Violation: Failure to maintain a complete and accurate Firearms Acquisition & Disposition Record (A&D book)

- a. (b)(3) - 112 Public instances, firearms sold/transferred were not logged out of A&D
- b. (b)(3) - 112 Public instance, firearms in stock were logged out of the A&D
- c. (b)(3) - 112 Public instances, the date of disposition in the A&D book was incorrect
- d. (b)(3) - 112 Public instances, the address or FFL# of transferee was incorrect/missing
- e. (b)(3) - 112 Public instances, the serial number of the firearm was incorrectly recorded
- f. (b)(3) - 112 Public Law 55 125 Stat 55 instances, the manufacturer and/or importer information marked on the firearm was not recorded in the A&D.

Licensee Response: Regarding (a) – (e) above, Mr. Hassel stated that they needed pay better attention to make sure the information is entered correctly. Regarding (f), Mr. Hassel stated that he was not aware that both had to be entered. The licensee further advised that sometimes it is difficult to determine the actual manufacturer and/or importer.

Corrective Action: A detailed listing of the discrepancies was provided with the ROV. The licensee was instructed to make the necessary corrections to the A&D record. Of note, many were corrected upon discovery during the inventory conducted on 8/10/16.

Reference **Worksheet #1** and **Exhibit 7**.

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

Nature of Violation: Errors on Section A of ATF F 4473

- Item 2 (address) incomplete - (b)(3)- instances
- Item 3 (place of birth) incomplete - (b)(3)-1 instances
- Item 10b (race) blank - (b)(3)-11 instance
- Items 11b-k (prohibited categories) left blank (b)(3)-112 instances

- Item 11L incorrectly answered "Yes" by US Citizen - (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) instance
- Item 14 (country of citizenship) left blank - (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) instance
- Item 15 (alien admission number) left blank by buyer reporting foreign citizenship - (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Licensee Response: Mr. Hassel acknowledged that the mistakes were made, and advised that they would do a better job of reviewing the forms to ensure they were complete and accurate.

Corrective Action: IOI (b)(6) reviewed the requirements with the licensee. The licensee was instructed to review Section A of each ATF F 4473 before completing a transfer to ensure the customer provided the required information.

Reference **Worksheet #2** and **Exhibit 7**.

5. **27 CFR 478.21(a)**

Nature of Violation: Failure to complete ATF F 4473 in accordance to the directions on the form. (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) instances, the licensee completed transfers of firearms despite "No" responses to Item 11a (are you the actual transferee?)

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

Licensee Response: Mr. Hassel acknowledged that the mistakes were made, and advised that they would do a better job of reviewing the forms to ensure they were complete and accurate.

Corrective Action: IOI (b)(6) reviewed the requirements with the licensee.

Reference **Worksheet #2** and **Exhibit 7** (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

6. **27 CFR 478.124(c)(3)(iv)**

Nature of Violation: Failure to completely and accurately record the results of a NICS check on ATF F 4473

- (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) Item 21a left blank
- (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) NICS delay on 4/11/16, but Item 21c marked "proceed", final response not noted on Item 21d
- (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) NICS delay on 5/6/16, Item 21d left blank

Licensee Response: Mr. Hassel acknowledged that the mistakes were made, and advised that they would do a better job of reviewing the forms to ensure they were complete and accurate.

Corrective Action: IOI (b)(6) reviewed the requirements with the licensee. If the missing information could be determined, the licensee was instructed to make corrections on a photocopy of the original form.

Reference **Worksheet #2** and **Exhibit 7** (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

7. **27 CFR 478.124(c)(4)**

Nature of Violation: Failure to accurately record firearm information of Section D of ATF F 4473

(b)(3) - 112 Public instances, Item 28 listed an incorrect serial number (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) instance the information listed on Item 29 (type and 30 (caliber) was incomplete/incorrect (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Licensee Response: Mr. Hassel acknowledged that the mistakes were made, and advised that they would do a better job of reviewing the forms to ensure they were complete and accurate.

Corrective Action: The licensee was instructed to make corrections on a photocopy of the original form, and attach the corrected copy to the original.

Reference **Worksheet #2** and **Exhibit 7**.

8. **27 CFR 478.124(c)(5)**

Nature of Violation: Failure to accurately complete Item 36 (date transferred) on ATF F 4473. (b)(3) - 112 Public instances, Item 36 was left blank or the date entered was incorrect (Ref: (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Licensee Response: Mr. Hassel acknowledged that the mistakes were made, and advised that they would do a better job of reviewing the forms to ensure they were complete and accurate.

Corrective Action: The licensee was instructed to make corrections on a photocopy of the original form, and attach the corrected copy to the original.

Reference **Worksheet #2** and **Exhibit 7**.

9. **27 CFR 478.126a**

Nature of Violation: Failure to accurately report ^{(b)(3)} multiple handgun sale on ATF F 3310.4. (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Licensee Response: Mr. Hassel stated that he forgot to look back at the forms when the 5/18/16 multiple sale was conducted, and did not remember/recall that his customer had purchased a handgun 4 days prior.

Corrective Action: The licensee was instructed to submit an amended Multiple Sale Report to include the revolver sold on 5/14/16.

Reference **Worksheet #2** and **Exhibit 9**.

X

Industry Operations Investigator

Index of Worksheets and Exhibits

Worksheets

- #1 – Inventory and A&D Review
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Exhibits

1. Memorandum of Conversation (3/16/16) & CB PD Incident Reports
2. LLC – Inactive
3. LLC – Reactivated
4. Notification (1/13/16) from Licensee Re: Removal of (b)(6) as RP/Co-Owner
5. RP Delegation of Authority
6. Sample Pages from A&D Record
7. ATF F 4473s referenced on Worksheet #2
8. NICS FFL Audit Log
9. (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)
10. Suspicious Purchaser Worknote – (b)(6)
11. Acknowledgement of Federal Firearms Regulations

Referral

- 2016-0076: KC IV (Intel) – Unlicensed Dealer