

## Assignment and Report

|   |   |                              |                  |
|---|---|------------------------------|------------------|
| 1. OPERATING NAME AND ADDRESS<br>(INCLUDE ZIP CODE AND COUNTY)<br>ACADEMY LTD<br>ACADEMY SPORTS + OUTDOORS #132<br>2710 N MAIZE ROAD<br>WICHITA, KS 67205, SEDGWICK | 2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.)<br>779025-2016-0102-B1B |                              |                  |
|   | 3. PERMIT/LICENSE NUMBER<br>548173018C02958                                     | 4a. TARGET DATE<br>9/15/2016 | 4b. TARGET HOURS |
|   | 5. REQUESTED BY (SIGNATURE, TITLE AND DATE)<br>10/01/2015                       |                              |                  |

6. ATF OFFICER(S) ASSIGNED  
(b)(6) - Lead Investigator  
(b)(6) - Assigned Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)  
(b)(6), Area Supervisor, 10/01/2015

8. PURPOSE/SPECIAL INSTRUCTIONS  
Conduct DE Compliance Inspection. Licensee designated as part of the FY16 Enhanced Enforcement Initiative.

|                        |    |   |                                |                     |
|------------------------|----|---|--------------------------------|---------------------|
| 9. INSPECTION RESULTS  |    | <input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC | 10. TRAVEL EXPENSES (OPTIONAL) |                     |
| NO. OF VIOLATIONS      | 1  | NO. OF REFERRALS  |                                | 2111 - PER DIEM     |
| NO. OF TECS CHECKS     | 18 | 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: 06/07/2016  
Alternate Recommendation: From Revocation to WL ONLY an No Recall Inspection

In April 2016, a compliance inspection of the licensee, Academy, Ltd. dba Academy Sports + Outdoors #132, was conducted. The inspection resulted in the identification of one violation of 27 CFR 478.128(c). According to ATF O 5370.1B, Section 6.e.4(f), the identification of the above listed violation, falsifying a required record, merits revocation.

### Justification for Alternate Recommendation:

In January 2016, the transferee received (b)(3) - Public Law 112-55 (125 Stat. 552) certify in blocks #24 and #25 of the ATF F 4473 when the transferee originally completed, signed, and certified Section A of the ATF F 4473. A former store manager, (b)(6), then falsified the ATF F 4473 by re-signing and recertifying the form on behalf of the transferee.

This violation was brought to IOI (b)(6)'s attention by Senior Director of Compliance, (b)(6), immediately after being made aware of the violation. (b)(6), whose office is in Katy, Texas, promptly scheduled a flight to meet with IOI (b)(6) in person at Store #132 on April 14, 2016 in order to discuss the details of the violation. (b)(6) explained that during an investigation into a separate allegation of misconduct by the store director of Store #132, (b)(6) was made aware an instance in which (b)(6) admitted to falsifying an ATF F 4473. (b)(6) provided IOI (b)(6) with a written statement signed by (b)(6) in which (b)(6) admits to falsifying the form. (b)(6) further explained that both (b)(6) and (b)(6) had already been placed on administrative leave and would likely be terminated upon the conclusion of their internal investigation. Upon conclusion of the inspection, IOI (b)(6) was notified that a new store director for Store #132 had already been hired and that they were in the process of adding him as an RP to the FFL.

As part of the inspection, IOI (b)(6) reviewed approximately 1,126 ATF F 4473s, none of which disclosed any significant violations. Further, this violation appears to be an isolated incident that was promptly brought to the attention of ATF by the licensee's compliance officers. Additionally, the licensee swiftly acted upon the information uncovered during their internal investigation by placing the individuals involved in the falsification of records on administrative leave and ultimately terminating each of them.

Due to the licensee's prompt response to correct this violation and the fact that it's an isolated incident in which the parties who committed the violation are no longer employed by the FFL, it is recommended that a WL ONLY and No Recall Inspection be approved.

Violates WL ONLY and No Recall Inspection



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|   |   |                              |                  |

### 12. TIME ACCOUNTING DATA

|  |       |
|--|-------|
| ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6) |       |
| APR 2016                                       | 27.00 |
| MAY 2016                                       | 25.00 |
| JUN 2016                                       | 8.00  |
| ATF OFFICER'S SUBTOTAL                         | 60.00 |
| ATF OFFICER'S SIGNATURE                        |       |
| ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6) |       |
| APR 2016                                       | 27.00 |
| ATF OFFICER'S SUBTOTAL                         | 27.00 |
| ATF OFFICER'S SIGNATURE                        |       |
| TOTAL HOURS                                    | 87.00 |

### 13. REVIEW AND ROUTING

#### REVIEW COMMENTS AND RECOMMENDATION

ALTERNATE RECOMMENDATION: WARNING LETTER ONLY

The inspection meets the standard for Revocation under the Adverse Action Policy. The licensee was cited for the (b)(3) 112 P instance of falsifying a required record (Form 4473) – Revocation at Sec. 6.(e)(4)(f). A former store manager admitted to completing Blocks 24 & 25 of a Form 4473, where employees failed to have the buyer recertify a form before transferring the firearm.

JUSTIFICATION FOR ALTERNATE: This was a single violation involving (b)(3) 1 form among 1,126 forms reviewed. Academy Sports' Sr. Director of Compliance came to the inspection and personally self-reported the licensee's discovery of the violation to IOI (b)(6), and provided details of the discovery and of the corrective actions taken. Upon completing its own internal investigation, Academy terminated the two former store managers involved in the incident. The licensee strictly enforces its four-step review process, which requires a review of completed Forms 4473 by the closing manager and subsequent opening manager, who may not be the same person. As a high-volume/high-trace dealer, the licensee is now on a 5-year inspection cycle.

AS Review: 6/9/2016  
Sent to DIO for Review: 6/9/2016  
DIO Concurs: 6/9/2016  
Warning Letter sent: 6/9/2016  
PII sent 6/9/2016

Viols WL ONLY and No Recall Inspection

☒ REVIEWED ☒ CONCUR ☒ SEE COMMENTS ☐ FINAL DISPOSITION

|   |                           |
|---|---------------------------|
| SIGNATURE AND TITLE<br>(b)(6) - Area Supervisor | REVIEW DATE<br>06/09/2016 |
|---|---------------------------|

#### REVIEW COMMENTS AND RECOMMENDATION

Concur with alternate for warning letter.

Viols WL ONLY and No Recall Inspection

☒ REVIEWED ☒ CONCUR ☒ SEE COMMENTS ☒ FINAL DISPOSITION

|  |                           |
|--|---------------------------|
| SIGNATURE AND TITLE<br>WLBOWERS - Director Industry Operations | REVIEW DATE<br>06/09/2016 |
|--|---------------------------|

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|   | 5. REQUESTED BY (SIGNATURE, TITLE AND DATE)<br>10/01/2015                       |                              |                  |
|   |   |                              |                  |

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<br>ACADEMY LTD<br>ACADEMY SPORTS + OUTDOORS #132 | Street Address<br>2710 N MAIZE ROAD | City<br>WICHITA  | State<br>KS | Zip Code<br>67205- | County<br>SEDGWICK | Page 1 of<br>1 Pages |
| License/Permit/Registry Number (If any)<br>548173018C02958          | Expiration Date<br>3/1/2018         | Date(s) or Period of Inspection<br>04/11/2015 through 04/11/2016 |             |                    |                    |                      |

### 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:

Failure of the licensee to prevent the entry of a false statement or representation with respect to any information required by the provisions of the Act or this part to be kept in the records of a person licensed under the Act or this part.

On January 21, 2016, licensee failed to have (b)(3) 112 Public Law 55 re-sign and recertify in blocks #24 and #25 of the ATF F 4473 when (b)(3) 112 received a (b)(3) - Public Law 112-55 (125 Stat. 552) (b)(3) - Public Law 112-55 (125 Stat. 552). A store employee attempted to conceal this omission by re-signing and recertifying on behalf of (b)(3) 112 without (b)(3) 112's consent or knowledge after the transfer occurred.

Citation: 27 CFR 478.128(c)

#### Date Corrections to be Made:

(If not corrected immediately)

#### Corrective Action to be Taken:

(If not corrected immediately)

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

Date

5/26/2016

Signature

Date

05/26/16





U.S. Department of Justice

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

Kansas City Field Division - KC III (Regulatory)

1251 NW Briarcliff Pkwy, Ste 600  
Kansas City, MO 64116  
www.atf.gov

June 9, 2016

779025: (b)(6)  
5373

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Academy, LTD  
Dba: Academy Sports & Outdoors #132  
Attn: Mr. James Haden, Store Manager

7012 3460 0002 8653 7453

7012 3460 0002 8653 7446

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☒ *Matthew Clanebor*

B. Received by (Printed Name) *Matthew Clanebor* Date of Delivery *6-13-16*

C. Is delivery address different from item 1? ☐ Yes ☐ No

D. If YES, enter delivery address below:

3. Service Type  
☒ Certified Mail®  
☐ Registered  
☐ Insured Mail  
☐ Priority Mail Express®  
☐ Return Receipt for Merchandise  
☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

**SENDER: COMPLETE THIS SECTION**

1. Article Addressed to:  
Academy, LTD  
Dba: Academy Sports & Outdoors #132  
Attn: Regulatory Compliance  
8800 N. Mason Rd.  
Katy, TX 77449

2. Article Number  
Transfer from service label)  
PS Form 3811, July 2013

I with you after a  
26, 2016. related to  
of April 11, 2015  
ation of Title 27, Co  
5030.5 issued at the  
by the Bureau of Al  
p. You indicated th  
ionally, you ensured

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☒ *Matthew Clanebor*

B. Received by (Printed Name) *Matthew Clanebor* Date of Delivery *6-13-16*

C. Is delivery address different from item 1? ☐ Yes ☐ No

D. If YES, enter delivery address below:

3. Service Type  
☒ Certified Mail®  
☐ Registered  
☐ Insured Mail  
☐ Priority Mail Express®  
☐ Return Receipt for Merchandise  
☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

**SENDER: COMPLETE THIS SECTION**

1. Article Addressed to:  
Academy, LTD  
Dba: Academy Sports & Outdoors #132  
Attn: Mr. James Haden, Store Manager  
2710 N. Maize Rd  
Wichita, KS 67205

2. Article Number  
(Transfer from service label)  
PS Form 3811, July 2013



U.S. Department of Justice

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

Kansas City Field Division – KC III (Regulatory)

1251 NW Briarcliff Pkwy, Ste 600  
Kansas City, MO 64116  
www.atf.gov

June 9, 2016

779025 (b)(6)  
5373

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Academy, LTD  
Dba: Academy Sports & Outdoors #132  
Attn: Mr. James Haden, Store Manager

Premises Address:  
2710 N. Maize Rd  
Wichita, KS 67205

Corporate Mailing Address:  
ATTN: Regulatory Compliance  
1800 N. Mason Rd.  
Katy, TX 77449

RE: 5-48-173-01-8C-02958

Dear Mr. Haden:

This letter summarizes the issues discussed with you after a recent compliance inspection conducted on April 11, 2016 through May 26, 2016, related to your store's Federal firearms license. The inspection covered the period of April 11, 2015 through April 14, 2016. During the inspection, your store was cited for a violation of Title 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.

The violation was fully explained to you by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Investigator (b)(6). You indicated that you understood the requirements of the firearms laws and regulations. Additionally, you ensured IOI (b)(6) that your store would take action to prevent future violations.

Academy, LTD  
Dba: Academy Sports & Outdoors #132  
Attn: Mr. James Haden,  
Store Manager  
Page 2

The records your store is required to maintain are important to law enforcement in our continuing efforts to reduce violent crime and protect the public. It is essential that your store comply with all Federal laws and regulations that govern its activities as a licensed firearms dealer. This is critical to ATF carrying out our mission to protect the public and ensure that criminals do not gain access to firearms. ATF appreciates the efforts your company 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 store's Federal firearms license is conditioned upon its compliance with Federal laws and regulations. Any future violations, either repeat or otherwise, could be viewed as willful and could result in the revocation of the license. Please contact either the ATF Kansas City Group III Office or the ATF Wichita Satellite Office if you have any questions regarding this matter at (816) 410-6000 or (316) 269-6229, respectively.

Sincerely,

(b)(6)

Area Supervisor  
Industry Operations (Kansas)  
Kansas City Group III (Regulatory)  
Kansas City Field Division

cc: National Licensing Center  
Director of Industry Operations



Address: 2710 N. Maize Road  
Wichita, Kansas 67205

Sedgwick County

## 1 - Introduction

### Inspection Profile:

On April 11, 13, & 14, 2016, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Industry Operations Investigators (IOIs) (b)(6) and (b)(6) conducted an unannounced, on-site compliance inspection of Federal Firearms Licensee (FFL) Academy, Ltd (Academy Sports + Outdoors #132) located at 2710 N Maize Road, Wichita, Kansas. The scope of the inspection covered April 11, 2015 through April 11, 2016. IOI (b)(6) returned on May 23, 24, & 26, 2016 to complete the inspection. The closing conference was held on May 26, 2016.

Store Director (b)(6) was the sole responsible person (RP) listed on the FFL at the time the inspection began. However, (b)(6) was out of town for business and gave permission for IOIs (b)(6) and (b)(6) to conduct the inspection with the store's managers. Manager (b)(6) was the primary point of contact throughout the inspection. (b)(6) identity was verified through her Kansas Driver's License: (b)(6) which expires August 8, 2017. Other points of contact throughout the inspection include managers (b)(6).

All three managers were queried through FLS, NSPECT, and NFORCE with no derogatory information identified.

### Business Profile:

Academy, Ltd. is a national retail corporation that sells a variety of sporting goods items from the licensed business premises to include firearms, firearms accessories, and ammunition. The licensed business premises is located in a commercial area of Wichita, Kansas and owned by the licensee. However, the licensee's corporate headquarters are located in Katy, Texas.

The licensee utilizes its Type 01 – Dealer of Firearms Other Than Destructive Devices FFL to sell new hand guns and long guns to the general public. The licensee does not provide gunsmithing services and does not make sales at gun shows or via the Internet. The licensee does advertise firearms for sale on its website (www.academy.com), however, all firearms are advertised as “sold in select stores.”

The licensee acquired approximately (b)(4) firearms and disposed of approximately (b)(4) firearms during the 12 month inspection period. The licensee's only supplier of firearms is its corporate distribution center. The licensee secures all firearms on site.



The licensee has held its Type 01 – Dealer of Firearms Other Than Destructive Devices FFL at this location since October 2, 2012. The licensee holds no other ATF licenses or permits. This license type remains appropriate for the business activities conducted.

**Ownership and Control:**

The licensee conducts business as a limited partnership, Academy Ltd., doing business as Academy Sports + Outdoors #132. All information regarding Academy Ltd.'s corporate structure and executive officers is documented under Academy's corporate FFL, 5-76-00004.

At the beginning of the inspection, RP (b)(6) was the sole responsible person on the FFL. During the inspection, RP (b)(6) was removed as an RP and James Haden, who is also the sole RP for Academy Sports + Outdoors #205 Store, was added as an RP. During the closing conference, RP Haden advised IOI (b)(6) that the store just hired a new store director and will be adding him as an RP to this FFL in the near future.

As a result of the inspection and a review of the ownership of the business with the licensee, no indicators of hidden ownership were identified.

**Variance:**

The licensee did not request any variances as a result of this inspection.

**2 - Recommendation**

Violts WL ONLY and No Recall Inspection

**3 - Inspection History**

|                            |                      |
|----------------------------|----------------------|
| <b>Date of Inspection:</b> | September 21, 2012   |
| <b>Type of Inspection:</b> | Qualification        |
| <b>UI#:</b>                | 779025-2012-0667     |
| <b>Inspection Results:</b> | Application Approved |
| <b>Cited Violations:</b>   | No violations cited. |

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

A full inventory was conducted and compared with the licensee's Acquisition and Disposition (A&D) Record. There were 859 firearms in inventory, each of which corresponded to (b)(3) - (b)(7)(F) open entries in the licensee's A&D Record. There were no unreconciled open entries in the A&D Record upon conclusion of the inventory. No theft loss reports were submitted by the licensee during the inspection period or as a result of this inspection.

The licensee maintains an electronic A&D record which meets the requirements set forth in 27 CFR 478.125(e) and ATF Ruling 2016-1. The licensee's entries contained the required information and were accurately and timely made.

Two hundred and twelve (212) firearms were traced through the licensee's required records from acquisition through disposition with no discrepancies identified. No indicators of trafficking were identified as a result of this inspection.

The licensee's standard operating procedures relevant to the A&D Record and inventory include recording the required information in the A&D within the specified time frames, utilizing the serial number found on the firearm rather than on the box when recording A&D information, and conducting monthly inventories. In addition to these store policies, the closing manager and opening manager both review all record records, to include the acquisition and disposition record, for all firearms transfers the night of the transfer as well as the morning after the transfer.

#### **5 - ATF Forms 4473 – NICS & Other Dispositions**

The licensee previously utilized the handwritten version of the ATF Form 4473; however the licensee has recently switched to utilizing the electronic version of the ATF Form 4473. IOIs reviewed (b)(3) - 112 FBI of the approximately (b)(3) - 112 FBI ATF Forms 4473 that were on file for the review period. The sampling was approved by DIO Bowers on May 24, 2016 and focused on the most recent three months and high volume times such as Black Friday (**Exhibit 1**).

IOI (b)(6) requested and received an FFL Audit Log Report. IOI (b)(6) correlated 313 NTN's identified on the audit log with ATF F 4473s found on file for the licensee. The verification process included all proceed, open, and delayed NICS NTN's as well as all denied NTN's issued during the review period. (**Exhibit 2**).

(b)(3) - 112 FBI discrepancy with the ATF Forms 4473 was identified during the inspection. This discrepancy was brought to IOIs attention by Senior Director of Compliance (b)(6). (b)(6) met with IOIs (b)(6) and (b)(6) on April 14, 2016 during which time (b)(6) advised IOIs that he and his team was notified of an instance in which the store director at the time, (b)(6), instructed a current store manager ((b)(6)) to falsify an ATF F 4473 by completing blocks #24 and #25 on behalf of the customer. Investigation into this complaint revealed that a previous store manager, (b)(6), admitted to falsifying an ATF F 4473 by completing blocks #24 and #25 on behalf of the customer (**Violation 1, Exhibit 3**). (b)(6) advised (b)(6) would both be terminated for these actions.

The licensee's standard operating procedures relevant to ATF Form 4473 completion and other dispositions include requiring the completion of an ATF Form 4473 for all transfers to unlicensed individuals, conducting a four step verification process for all transfers. The associate assisting with the transfer as well as an on duty manager

reviews the form for accuracy prior to the customer leaving the store with the firearm. In addition to this, the closing manager reviews all firearms transfers that occurred that day. This review includes the review of the ATF F 4473. Lastly the opening manager reviews all firearms transfers that occurred the previous day. There are also store policies in place that prohibit the closing manager and opening manager review to be the same person. In addition to this four step review, the managers conduct a weekly and monthly audit of forms and disposition records. If an errors on the ATF F 4473 are identified after the customer leaves the store, depending upon the severity of the error, a letter will be mailed to the customer either by regular or certified mail which requests the customer to return to the store to correct the error. The licensee files its ATF F 4473s chronologically by date of disposition.

#### **6 - Multiple Sales**

IOI (b)(6) requested and received a Violent Crime Analysis Branch (VCAB) Master Query Report which showed the licensee submitted 38 ATF F 3310.4 *Report of Multiple Sale or Other Disposition of Pistols and Revolvers*, each of which corresponded to an ATF F 4473 on file (**Exhibit 4**). There were no unreported multiple sales identified as a result of this inspection. Store Manager (b)(6) explained to IOI (b)(6) that the store's computer system is linked nationwide and when a person purchases a handgun, that the transaction is flagged in the system to alert an associate if the same customer purchases another handgun within five (5) business days.

#### **7 - Suspicious/Prohibited Purchasers**

No suspicious purchasers or prohibited persons were identified as a result of this inspection. Store Manager (b)(6) explained that their computer system will flag the name and address of anyone who was denied by NICS in the previous 30 days in order to alert store associates at any of its stores nationwide of individuals involved in potential straw purchases.

Criminal history checks were conducted for 18 individuals for which the licensee accepted a Kansas Conceal and Carry Permit in lieu of a NICS Check. These checks were conducted to ensure that the individuals did not become prohibited after the issuance of his/her conceal and carry permit as well as to ensure that each conceal and carry permit was valid at the time of the transfer. No derogatory information was identified as a result of these checks.

#### **8 - Trace Activity**

The VCAB FFL Master Query Report indicated that the licensee was the subject of (b)(3) trace requests during the inspection period, all of which were successfully completed by the licensee (**Exhibit 4**).



**9 - NFA/Importer/Collector/Manufacturer**

The licensee is not licensed as nor does it participate in NFA, Importing, or Manufacturing activities.

**10 - Referrals**

No referrals were generated as a result of the inspection and interview.

**11 - Other**

No other information was identified as a result of this inspection.

**12 - Closing Actions**

At the conclusion of the inspection, IOI (b)(6) conducted a closing conference with the licensee. During this conference, IOI (b)(6) discussed the findings of the inspection as well as conducted a regulatory review with the licensee. The review included the following topics:

1. Required Records and Reports – Acquisition and Disposition Records, Firearms Transaction Record (ATF F 4473), Report of Multiple Handgun Sales (ATF F 3310.4), Reporting Thefts or Losses (ATF F 3310.11), Retention of Records, etc.
2. Conduct of Business – NICS Requirements, Secure Gun Storage, Gun Show Guidelines, Out of State/Mail Order and Internet Sales, Prohibited Sales and Deliveries of firearms and ammunition, Youth Handgun Safety Act, Obliterated Serial Numbers, Short Barreled Rifle and Shotgun, etc.
3. Licenses – Premises Covered, Reporting Changes in License, etc.
4. Miscellaneous Provisions – Right of Entry and Examination, Tracing Requests, Straw Purchases, Firearm Transportation, etc.
5. State Laws and Local Ordinances
6. Gunsmithing Activities – definition, recordkeeping, taxes, etc.
7. Firearms and Ammunition Manufacturers – definition, recordkeeping, taxes, etc.

IOI (b)(6) also provided the licensee with the following reference materials: ATF Phone Numbers, ATF P 5300.15 *ATF Federal Firearms Licensee Quick Reference and Best Practices Guide*, ATF Ruling 2016-1 *Computerized Record Keeping*, ATF F 4473 *Firearms Transaction Record*, ATF F 3310.4 *Report of Multiple Sale or Other Disposition of Pistols and Revolvers*, ATF P 3317.2 *Safety and Security Information for Federal Firearms Licensees*, ATF F 3310.11 *Federal Firearms Licensee Firearms Inventory Theft/Loss Report*, NICS Customer Service Information and Delay/Denial Request to Appeal Procedures, ATF I 5300.23A *ATF Important Notice to Dealers and Other Participants at Gun Shows*, ATF I 5300.2 *Youth Handgun Safety Act Notice*, ATF I 5300.1 *Youth Handgun Safety Act Poster*, ATF F 5300.38 *Application for an Amended Federal Firearms License*, ATF P 3312.10 *National Tracing Center Division – Information for Industry Members*, ATF P 5320.7 *National Firearms Act Information*, and ATF P 5380.1 *Loss Prevention for Firearms Retailers*.

Upon conclusion of the review of firearms regulations, the RP Haden signed and dated the Acknowledgement of Federal Firearms Checklist (**Exhibit 5**).

### **13 - Violations**

#### **1. 27 CFR 478.128(c)**

##### **Nature of Violation:**

Failure of the licensee to prevent the entry of a false statement or representation with respect to any information required by the provisions of the Act or this part to be kept in the records of a person licensed under the Act or this part.

On January 21, 2016, the licensee failed to have (b)(6) re-sign and recertify in blocks #24 and #25 of the ATF F 4473 when (b)(6) received (b)(3) - 112 Public Law 55 125 Stat 552. A store employee attempted to conceal this omission by re-signing and recertifying on behalf of (b)(6) without (b)(6)'s consent or knowledge after the transfer occurred.

##### **Licensee's Response:**

Senior Director of Compliance, (b)(6), notified ATF of this violation and took immediate action in rectifying the error. (b)(6) advised the employee involved in the falsification of the ATF F 4473 would be terminated.

##### **Corrective Action:**

Licensee is to ensure all future entries are accurate.

##### **References: Exhibit 3**

X

(b)(6)

Industry Operations Investigator

### **Index of Worksheets and Exhibits**

#### **Attachments:**

- FLS

#### **Worksheets:**

- Informational Page
- Worksheet 1: Inventory

**Exhibits:**

- Exhibit 1: Sampling Approval Email
- Exhibit 2: FFL Audit Log
- Exhibit 3: Copies of ATF F 4473 (Violation 1)
- Exhibit 4: VCAB Report
- Exhibit 5: Acknowledgement of Federal Firearms Regulations