

## Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Birds N Brooks Army Navy Surplus Ltd 2641 South 6th St Springfield, IL 62703, Sangamon	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 772060-2016-0084-B1B		
	3. PERMIT/LICENSE NUMBER 337167016D01710	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, 10/06/2015

8. PURPOSE/SPECIAL INSTRUCTIONS

Please conduct a full scope firearms compliance inspection of this Type 01 FFL. During initial review of this assignment please ensure the shared drive is reviewed for any additional variance approvals, correspondences, etc. that are not located in the file.

Zoning - Please utilize the Shared Zoning Folder for all zoning information. If a location needs added, deleted or amended/updated, please do so to ensure we maintain an accurate and up to date database.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC		10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	3	NO. OF REFERRALS		2111 - PER DIEM	
NO. OF TECS CHECKS	32	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: 11/12/2015

A full field compliance inspection was conducted on October 20, 21 & 29, 2015 by IO Investigator (b)(6) at the licensed premise of Birds N Brooks Army Navy Surplus LTD. Owner Dale Armour Patterson was interviewed during the course of the inspection. The inspection covered the period of April 20, 2012, through October 20, 2015. No advance notice was given. Three violations resulted from the inspection. A Warning Letter and No Recall Inspection are recommended.

Viols WL ONLY and No Recall Inspection

12. TIME ACCOUNTING DATA

ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)
OCT 2015	29.00	
NOV 2015	4.00	
ATF OFFICER'S SUBTOTAL	33.00	ATF OFFICER'S SIGNATURE
TOTAL HOURS	33.00	

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### 13. REVIEW AND ROUTING

#### REVIEW COMMENTS AND RECOMMENDATION

Concur with recommendation or WL Only with No Recall. Warning Letter signed and mailed by A/S (b)(6) on 11/12/15.

Viols WL ONLY and No Recall Inspection

☒ REVIEWED

☒ CONCUR

☒ SEE COMMENTS

☒ FINAL DISPOSITION

#### SIGNATURE AND TITLE

(b)(6) - Area Supervisor

#### REVIEW DATE

11/12/2015

#### 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 Birds N Brooks Army Navy Surplus Ltd	Street Address 2641 South 6th St	City Springfield	State IL	Zip Code 62703-	County Sangamon	Page 1 of 2 Pages
License/Permit/Registry Number (if any) 337167016D01710		Expiration Date 4/1/2016	Date(s) or Period of Inspection 10/20/2015 through 10/29/2015			

### Inspection Results

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

Number: 1

#### Nature of Violation:

On <sup>(b)(3) 112</sup> instances, licensee was in violation of 27 CFR 478.125(e). <sup>(b)(3) 112</sup> open dispositions in the licensee's bound book record did not have a correlating firearm in the physical inventory.

Citation: 27 CFR 478.125(e)

Date Corrections to be Made: 10/29/2015  
(If not corrected immediately)

Corrective Action to be Taken: (If not corrected immediately) The licensee was instructed to locate disposition documentation for the <sup>(b)(3) 112</sup> noted open firearm dispositions. It was determined that <sup>(b)(3) 112</sup> open disposition was reconciled with an ATF Form 4474. The <sup>(b)(3) 112 P02</sup> open disposition could not be reconciled and the firearm was reported as missing on ATF Form 3310.11, Federal Firearms Licensee Theft/Loss Report.

Number: 2

#### Nature of Violation:

On <sup>(b)(3) 112 P</sup> instances, licensee failed to obtain an accurate ATF Form 4473 which resulted in the violation of 27 CFR 478.21(a). <sup>(b)(3) 112 P</sup> forms contained incorrect "no" answers for Question #11a (actual buyer).

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 proper method for completing ATF Form 4473 was reviewed with the licensee.

## 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 Birds N Brooks Army Navy Surplus Ltd	Street Address 2641 South 6th St	City Springfield	State IL	Zip Code 62703-	County Sangamon	Page 2 of 2 Pages
License/Permit/Registry Number (If any) 337167016D01710	Expiration Date 4/1/2016	Date(s) or Period of Inspection 10/20/2015 through 10/29/2015				

### 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:

On <sup>(b)(3) (1)</sup> instances, licensee failed to obtain a complete ATF Form 4473 which resulted in the violation of 27 CFR 478.124(c)(1). <sup>(b)(3) (1)</sup> forms contained a blank answer for Question #11i (misdemeanor crime of domestic violence). <sup>(b)(3) (1)</sup> separate forms had a blank answer for Question #11k (illegally in the United States).

Citation: 27 CFR 478.124(c)(1)

#### Date Corrections to be Made:

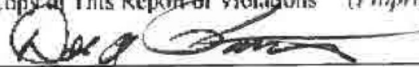
(If not corrected immediately)

#### Corrective Action to be Taken:

(If not corrected immediately)

The proper method for completing ATF Form 4473 was reviewed with the licensee.

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

 Owner + Prop

Date

10/29/2015

Signature and Title of ATF Officer

(b)(6)

Date

10/29/15

March 11 2019 Document Production

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U.S. Department of Justice

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

*Springfield II Field Office*

3161 W. White Oaks Dr. Suite 200  
Springfield, IL 62704  
www.atf.gov

November 12, 2015

772060 (b)(6)  
5300

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Birds N Brooks Army Navy Surplus Ltd  
ATTN: Dale Patterson  
2641 South 6<sup>th</sup> St.  
Springfield, IL 62703

FFL #3-37-167-01-6D-01710

Dear Mr. Patterson:

During a recent compliance inspection at your firearms business covering the period of April 20, 2012, through October 20, 2015, 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.

The violations were fully explained to you by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Industry Operations Investigator (b)(6). 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.



**Birds N Brooks Army Navy Surplus Ltd (3-37-01710)**

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 IO Investigator (b)(6) at (b)(6).

Sincerely yours,

(b)(6)

Area Supervisor  
Springfield II

Enclosure

c: Federal Firearms Licensing Center

# FIREARMS INSPECTION REPORT

**Name:** Birds N Brooks Army Navy Surplus LTD      **UI#:** 772060-2016-0084-B1B  
**Trade Name:**      **FFL#:** 3-37-167-01-6D-01710  
**Address:** 2641 South 6<sup>th</sup> St.  
Springfield, IL 62703 (Sangamon County)

## 1 - Introduction

### Inspection Profile:

A full field compliance inspection was conducted on October 20, 21 & 29, 2015 by IO Investigator (b)(6) at the licensed premise of Birds N Brooks Army Navy Surplus LTD. Owner Dale Armour Patterson was interviewed during the course of the inspection. The inspection covered the period of April 20, 2012, through October 20, 2015. No advance notice was given.

### Business Profile:

The business is operated from a storefront location in Springfield, IL. No zoning restrictions apply. During the noted inspection period, Birds N Brooks Army Navy Surplus LTD has acquired (b)(4) firearms and disposed of approximately (b)(4) firearms. For the previous 12 months, the licensee has acquired (b)(4) firearms and disposed of approximately (b)(4) firearms. The licensee sells both new (b)(4) and used (b)(4) firearms. Approximately (b)(4) of the licensee's sales/transfers are long guns while (b)(4) are handguns.

Birds N Brooks Army Navy Surplus LTD is a high volume dealer. In addition to firearm sales, the licensee sells military clothing and paraphernalia. Dale Patterson also conducts internet transfers. No gun shows are attended by Birds N Brooks Army Navy Surplus LTD as a licensed dealer. The licensee is properly enrolled in the Illinois State Police Firearm Transfer Inquiry Program and is properly registered with the Illinois Department of Revenue.

### Ownership and Control:

Federal firearms license #3-37-167-01-6D-01710 is a corporate entity that is properly licensed with the Illinois Secretary of State. The original license was issued in 1973; however, Dale Patterson obtained a new FFL in 2007 as a result of incorporating the business. Mr. Patterson has a valid IL FOID card ((b)(6), exp. 12/1/21).

There have been no changes in ownership or control since the new license was issued in 2007. The Federal Licensing System lists only Owner Dale Armour Patterson and his son, Dale Armour Patterson II, as the only responsible persons for FFL #3-37-01710.

### Variance:

Licensee maintains no variances and none were requested.

# FIREARMS INSPECTION REPORT

**Name:** Birds N Brooks Army Navy Surplus LTD  
**Trade Name:**

**UI#:** 772060-2016-0084-B1B  
**FFL#:** 3-37-167-01-6D-01710

## 2 - Recommendation

A Warning Letter and No Recall Inspection are recommended.

## 3 - Inspection History

The most recent inspection history for Birds N Brooks Army Navy Surplus LTD is as follows.

**Date of Inspection:** May 3-4, 2010  
**Type of Inspection:** Full Field Compliance  
**UI#:** 772060-2009-0218-B1B  
**Inspection Results:** No Further Action  
**Cited Violations:** No Violations

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

As a result of the current compliance inspection, it was revealed that Birds N Brooks Army Navy Surplus LTD had 368 firearms in the business inventory. The inventory was then compared to the licensee's acquisition and disposition record. The review of the licensee's bound book record disclosed (b)(3)-(12) open dispositions.

(b)(3)-(12) instances of discrepancies resulted from the inventory/acquisition and disposition record review which resulted in the violation of 27 CFR 478.125(e). These instances have been documented on Worksheet #1. Further details can be found in Section 13 – Violations, Violation #1.

It should be noted, that the bound book records of Birds N Brooks Army Navy Surplus LTD contain all information required by Federal regulations. The licensee maintains separated bound book records for handguns and long guns.

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

Birds N Brooks Army Navy Surplus LTD had (b)(3)-(12) forms on file for noted inspection period of April 20, 2012 through October 20, 2015. A total of (b)(3)-(12) forms were from the previous 12 month period. The forms are filed in alphabetical order further separated for specific time ranges. The current time range for the alphabetized forms is April 20, 2012 through the present. All forms for the inspection period were reviewed and 25 forms were traced back to the licensee's bound book. The ATF Form 4473 review disclosed the following violations which have been documented on Worksheet #2.

On (b)(3)-(12) instances, licensee was in violation of 27 CFR 478.21(a). These inaccuracies have been documented on Worksheet #2. Further details can be found in Section 13 – Violations, Violation #2.



# FIREARMS INSPECTION REPORT

**Name:** Birds N Brooks Army Navy Surplus LTD      **UI#:** 772060-2016-0084-B1B  
**Trade Name:**      **FFL#:** 3-37-167-01-6D-01710

On (b)(3) 112 instances, licensee was in violation of 27 CFR 478.124(c)(1). These omissions have also been documented on Worksheet #2. Further details can be found in Section 13 – Violations, Violation #3.

An Illinois State Police FTIP printout was obtained for a 12 month period. The printout was verified against (b)(3) ATF Forms 4473 for that period. The verification disclosed that the licensee was making the required background checks.

## 6 - Multiple Sales

The licensee's trace history and multiple sale record were obtained from the Violent Crime Analysis Branch (VCAB). The information received from VCAB revealed that the licensee was properly reporting multiple handgun sale transactions. A review of the licensee's ATF Forms 4473 disclosed no other instances in which a multiple sale report was warranted. The licensee was reminded that a multiple sale report must be completed when a firearm purchaser acquires two or more handguns within five business days.

## 7 - Suspicious/Prohibited Purchasers

Seven firearm purchasers that failed to accurately complete ATF Form 4473, specifically for Questions #11a-#11l, were run through the Illinois LEADS database. No prohibiting or disabling information was disclosed.

## 8 - Trace Activity

The information received from the VCAB revealed that Birds N Brooks Army Navy Surplus LTD has had (b)(3) trace requests during the previous three years. All requests were successfully traced to an individual purchaser. (b)(3) - 112 Public Law 55 125 Stat 552

Twenty used firearms from inventory were queried in the e-trace database. In addition, a sample of 5 used firearms sold within the last 12 months was obtained from the licensee's bound book records and subsequently queried in e-trace. None of the noted firearms had previously been traced.

## 9 - NFA/Importer/Collector/Manufacturer

Birds N Brooks Army Navy Surplus LTD does not import or manufacture firearms. In addition the licensee does not possess a collector's license or deal in NFA firearms.

## 10 - Referrals

No referrals were generated as a result of the inspection.

# FIREARMS INSPECTION REPORT

**Name:** Birds N Brooks Army Navy Surplus LTD  
**Trade Name:**

**UI#:** 772060-2016-0084-B1B  
**FFL#:** 3-37-167-01-6D-01710

## 11 - Other

No other noteworthy findings were disclosed.

## 12 - Closing Actions

A closing conference was conducted at the conclusion of the inspection on October 29, 2015. A review of the inspection findings was discussed with Dale Patterson and the discrepancies were documented on ATF Form 5030.5, Report of Violations. The three violations were thoroughly reviewed. Mr. Patterson signed ATF 5030.5 indicating that he has received a copy of the report.

All of the licensee's Federal regulatory responsibilities were stressed. An Acknowledgement of Federal Firearms Regulations was reviewed and signed by Dale Patterson (See Exhibit #8). In addition, IOI (b)(6) verbalized the Acknowledgement's summary statement indicating that the licensee understood all of his requirements. The licensee was provided the contact information for the Springfield Area Office and was instructed to call if any questions or concerns arise in the future.

## 13 - Violations

### 1. 27 CFR 478.125(e)

**Nature of Violation:** On (b)(3) 112 instances, licensee was in violation of 27 CFR 478.125(e). (b)(3) 112 open dispositions in the licensee's bound book record did not have a correlating firearm in the physical inventory.

**Licensee Response:** Owner Dale Patterson stated that he understood and agreed with the violation. He stated that these cases were oversights on his part. Mr. Patterson believes that the missing firearm was taken from the store by a customer as the packaging for the gun was located in the storage area.

**Corrective Action:** The licensee was instructed to locate disposition documentation for the two noted open firearm dispositions. It was determined that one open disposition was reconciled with an ATF Form 4474. The second open disposition could not be reconciled and the firearm was reported as missing on ATF Form 3310.11, Federal Firearms Licensee Theft/Loss Report.

**References:** Worksheet #1, ROV Violation #1

### 2. 27 CFR 478.21(a)

**Nature of Violation:** On (b)(3) 112 instances, licensee failed to obtain an accurate ATF Form 4473 which resulted in the violation of 27 CFR 478.21(a). (b)(3) 112 e forms contained incorrect "no" answers for Question #11a (actual buyer) (See Exhibits #1-#3).

## FIREARMS INSPECTION REPORT

**Name:** Birds N Brooks Army Navy Surplus LTD      **UI#:** 772060-2016-0084-B1B  
**Trade Name:**      **FFL#:** 3-37-167-01-6D-01710

**Licensee Response:** Licensee Dale Patterson stated that he understood and agreed with the ATF Form 4473 violations. Mr. Patterson said that he personally signs off on every form completed and that he takes responsibility for the discrepancies. He further stated that greater review will be a point of emphasis.

**Corrective Action:** The proper method for completing ATF Form 4473 was reviewed with the licensee.

**References:** Worksheet #2, ROV Violation #2, Exhibits #1, #2, & #3

### 3. 27 CFR 478.124(c)(1)

**Nature of Violation:** On (b)(3) 1121 instances, licensee failed to obtain a complete ATF Form 4473 which resulted in the violation of 27 CFR 478.124(c)(1). (b)(3) 1121 forms contained a blank answer for Question #11i (misdemeanor crime of domestic violence) (See Exhibits #4 & #5). (b)(3) 1121 separate forms had a blank answer for Question #11k (illegally in the United States) (See Exhibits #6 & #7).

**Licensee Response:** Licensee Dale Patterson stated that he understood and agreed with the ATF Form 4473 violations. Mr. Patterson said that he personally signs off on every form completed and that he takes responsibility for the discrepancies. He further stated that greater review will be a point of emphasis.

**Corrective Action:** The proper method for completing ATF Form 4473 was reviewed with the licensee.

**References:** Worksheet #2, ROV Violation #3, Exhibits #4, #5, #6, & #7

# FIREARMS INSPECTION REPORT

**Name:** Birds N Brooks Army Navy Surplus LTD  
**Trade Name:**

**UI#:** 772060-2016-0084-B1B  
**FFL#:** 3-37-167-01-6D-01710

X

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Industry Operations Investigator

## **Index of Worksheets and Exhibits**

Worksheet #1

Worksheet #2

Exhibit #1 – (b)(3) - 112 Public Law 55 125 Stat 552

Exhibit #2 –

Exhibit #3 –

Exhibit #4 –

Exhibit #5 –

Exhibit #6 –

Exhibit #7 –

Exhibit #8 – Acknowledgement of Federal Firearms Regulations dated October 29, 2015

## **FIREARMS INSPECTION REPORT**

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