

Assignment and Report

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| 1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Millers Gun Center Inc 97 W. Jackson Ave New Castle, DE 19720, New Castle | | 2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 761025-2017-0103-B1B | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | 3. PERMIT/LICENSE NUMBER 851003018J00923 | 4a. TARGET DATE 6/1/2017 | 4b. TARGET HOURS 60 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | 5. REQUESTED BY (SIGNATURE, TITLE AND DATE) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6. ATF OFFICER(S) ASSIGNED (b)(6) - Lead Investigator (b)(6) - Assigned Investigator (b)(6) - Assigned Investigator | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7. ASSIGNED BY (SIGNATURE, TITLE AND DATE) (b)(6) Area Supervisor, 10/01/2016 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8. PURPOSE/SPECIAL INSTRUCTIONS Conduct a full scope firearms compliance inspection. Identify and develop any leads and share with the lead IOI of the inspection of Cabelas Wholesale Inc. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"><tr><td colspan="2">9. INSPECTION RESULTS</td><td colspan="2"><input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC</td><td colspan="2">10. TRAVEL EXPENSES (OPTIONAL)</td></tr><tr><td>NO. OF VIOLATIONS</td><td>8</td><td>NO. OF REFERRALS</td><td></td><td>2111 - PER DIEM</td><td></td></tr><tr><td>NO. OF TECS CHECKS</td><td>48</td><td>NO. OF TECS HITS</td><td></td><td>2112 - P.O.A.</td><td></td></tr><tr><td rowspan="2">NO. OF TAX ADJUSTMENTS</td><td rowspan="2"></td><td>\$ VALUE OF TAX INCREASES</td><td></td><td>2113 - COMM. AIR</td><td></td></tr><tr><td>\$ VALUE OF TAX DECREASES</td><td></td><td>2114 - RENTAL CAR</td><td></td></tr><tr><td>NO. OF ASSESSMENTS</td><td></td><td>\$ VALUE OF ASSESSMENTS</td><td></td><td>2115 - GPV EXPENSES</td><td></td></tr><tr><td>NO. OF CLAIMS</td><td></td><td>\$ VALUE OF CLAIMS</td><td></td><td>2116 - MISC.</td><td></td></tr><tr><td>NO. OF TAX PERIODS</td><td></td><td>\$ VALUE OF TAXES VERIFIED</td><td></td><td>TOTAL \$ FOR INSP.</td><td></td></tr></table> | | | | | 9. INSPECTION RESULTS | | <input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC | | 10. TRAVEL EXPENSES (OPTIONAL) | | NO. OF VIOLATIONS | 8 | NO. OF REFERRALS | | 2111 - PER DIEM | | NO. OF TECS CHECKS | 48 | 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. | |
| 9. INSPECTION RESULTS | | <input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC | | 10. TRAVEL EXPENSES (OPTIONAL) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| NO. OF VIOLATIONS | 8 | NO. OF REFERRALS | | 2111 - PER DIEM | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| NO. OF TECS CHECKS | 48 | 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: 06/13/2017 Violts WL ONLY and No Recall Inspection | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 12. TIME ACCOUNTING DATA | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| APR 2017 7.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MAY 2017 106.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| JUN 2017 15.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ATF OFFICER'S SUBTOTAL | | 128.00 | ATF OFFICER'S SIGNATURE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MAY 2017 50.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ATF OFFICER'S SUBTOTAL | | 50.00 | ATF OFFICER'S SIGNATURE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MAY 2017 70.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ATF OFFICER'S SUBTOTAL | | 70.00 | ATF OFFICER'S SIGNATURE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL HOURS | | 248.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Assignment and Report

| | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|-----------------------------|------------------------|
| 1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Millers Gun Center Inc 97 W. Jackson Ave New Castle, DE 19720, New Castle | 2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 761025-2017-0103-B1B | | |
| | 3. PERMIT/LICENSE NUMBER 851003018J00923 | 4a. TARGET DATE 6/1/2017 | 4b. TARGET HOURS 60 |
| | 5. REQUESTED BY (SIGNATURE, TITLE AND DATE) | | |
| | | | |

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION
Viols WL ONLY and No Recall Inspection

☒ REVIEWED

☒ CONCUR

☐ SEE COMMENTS

☒ FINAL DISPOSITION

| | | | |
|-------------------------------------------------|--------|--------|---------------------------|
| SIGNATURE AND TITLE (b)(6) - Area Supervisor | (b)(6) | (b)(6) | REVIEW DATE 06/14/2017 |
|-------------------------------------------------|--------|--------|---------------------------|

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 Millers Gun Center Inc. | Street Address 97 W. Jackson Avenue | City New Castle | State DE | ZIP Code 19720 | County New Castle | Page 1 of 5 Pages |
| License/Permit/Registry Number (if any) 8-51-003-01-8J-00923 | | Expiration Date September 1, 2018 | Date(s) or Period of Inspection May 1, 2016 to April 30, 2017 | | | |

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) |
|--------|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| 1 | 27 CFR 478.125(e) | Licensee failed to accurately maintain the acquisition and disposition record. In ^{(b)(3)} 112 instances the licensee failed to record the disposition of a firearm within seven days of the disposition. | Investigator ^{(b)(6)} reviewed the requirements of 27 CFR 478.125(e) with the licensee. Investigator ^{(b)(6)} instructed the licensee to enter the missing disposition information into the A&D record. Mr. Robert Brian Miller & Mr. Lawrence Charles Hudson made corrections to the A&D record as instructed. The corrections were witnessed by Investigator ^{(b)(6)} . | Corrected Immediately. |

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

Robert B. Miller PRESIDENT
ROBERT B. MILLER 6/13/17

Date
June 13, 2017

Signature and Title of ATF Officer ^{(b)(6)} / Everett H. Brogan Senior I.D. Investigator

Date
June 13, 2017

Report of Violations

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| Name of Proprietor Millers Gun Center Inc. | Street Address 97 W. Jackson Avenue | City New Castle | State DE | ZIP Code 19720 | County New Castle | Page <u>2</u> of <u>5</u> Pages |
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|--------|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| 2 | 27 CFR 478.21(a) | <p>On the 2012 edition of the ATF F 4473, the licensee failed to ensure that the information called for on each ATF F 4473 was furnished as indicated by the headings on the form and the instructions on or pertaining to the form in (b)(3) 112 P out of 1,482 forms examined.</p> <ul style="list-style-type: none">• In (b)(3) 112 P instance the transferee answered no to question 11a.• In (b)(3) 112 P instances the transferee failed to sign and date section C, items 24 & 25. <p>On the 2016 edition of the ATF F 4473, the licensee failed to ensure that the information called for on each ATF F 4473 was furnished as indicated by the headings on the form and the instructions on or pertaining to the form in (b)(3) 112 P out of 609 forms examined.</p> <ul style="list-style-type: none">• In (b)(3) 112 P instance the transferee failed to sign and date section C, items 22 & 23.• In (b)(3) 112 P instance the transferor failed to properly record the number of firearms to be transferred for item 29.• In (b)(3) 112 P instances the transferor failed to properly record their name for item 34. | Investigator (b)(6) reminded the licensee of the importance of properly executing the ATF F 4473. | Corrected Immediately. |

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| Name of Proprietor Millers Gun Center Inc. | Street Address 97 W. Jackson Avenue | City New Castle | State DE | ZIP Code 19720 | County New Castle | Page <u>3</u> of <u>5</u> Pages |
| License/Permit/Registry Number (if any) 8-51-003-01-8J-00923 | | Expiration Date September 1, 2018 | Date(s) or Period of Inspection May 1, 2016 to April 30, 2017 | | | |

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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) |
|--------|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| 3 | 27 CFR 478.124(c)(1) | <p>On the 2012 edition of the ATF F 4473, the licensee failed to obtain a properly completed ATF F 4473 from the transferee prior to making an over-the-counter transfer of a firearm to a non-licensee on (b)(3) out of 1,482 forms examined.</p> <ul style="list-style-type: none"> • On (b)(3) occasion the licensee failed to ensure that the transferee properly recorded his address in item #2. • On (b)(3) occasions the licensee failed to ensure that the transferee dated the form in item 17. • On (b)(3) occasions the licensee failed to ensure that the transferee recorded the correct date for item 17. <p>On the 2016 edition of the ATF F 4473, the licensee failed to obtain a properly completed ATF F 4473 from the transferee prior to making an over-the-counter transfer of a firearm to a non-licensee on (b)(3) out of 609 forms examined.</p> <ul style="list-style-type: none"> • On (b)(3) occasion the licensee failed to ensure that the transferee properly recorded his address in item #2. • On (b)(3) occasions the licensee failed to ensure that the transferee properly recorded his place of birth in item #3. • On (b)(3) occasion the licensee failed to ensure that the transferee answered question 11.i. • On (b)(3) occasion the licensee failed to ensure that the transferee answered question 12.c. • On (b)(3) occasions the licensee failed to ensure that the transferee answered question 12.d.1. • On (b)(3) occasions the licensee failed to ensure that the transferee dated the form in item 15. • On (b)(3) occasions the licensee failed to ensure that the transferee recorded the correct date for item 15. | Investigator (b)(6) reminded the licensee of the importance of receiving a properly completed ATF F 4473 from the transferee prior to conducting a NICS check or transferring a firearm to a non-licensee. | Corrected Immediately. |

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|-----------------------------------------------------------------|----------------------------------------|--------------------------------------|------------------------------------------------------------------|-------------------|----------------------|----------------------|
| Name of Proprietor Millers Gun Center Inc. | Street Address 97 W. Jackson Avenue | City New Castle | State DE | ZIP Code 19720 | County New Castle | Page 4 of 5 Pages |
| License/Permit/Registry Number (if any) 8-51-003-01-8J-00923 | | Expiration Date September 1, 2018 | Date(s) or Period of Inspection May 1, 2016 to April 30, 2017 | | | |

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) |
|--------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| 4 | 27 CFR 478.124(c)(3)(i) | On the 2012 edition of the ATF F 4473, the licensee failed to properly record the type of identification used by the transferee on the ATF F 4473 in item 20a. on (b)(3) out of 1,482 forms examined. On the 2016 edition of the ATF F 4473, the licensee failed to properly record the type of identification used by the transferee on the ATF F 4473 in item 18.a. on (b)(3) out of 609 forms examined. | Investigator (b)(6) reminded the licensee of the importance of properly recording all required information the ATF F 4473. | Corrected Immediately. |
| 5 | 27 CFR 478.124(c)(3)(iv) | On the 2012 edition of the ATF F 4473, the licensee failed to properly record NICS information on the ATF F 4473 on (b)(3) out of 1,482 forms examined. • In (b)(3) instances the licensee failed to record the initial response from NICS. • In (b)(3) instances the licensee failed to record the information required for item 21d when the initial response was delayed. On the 2016 edition of the ATF F 4473, the licensee failed to properly record NICS information on the ATF F 4473 on (b)(3) out of 609 forms examined. • In (b)(3) instances the licensee failed to properly record the date the transferee's information was transmitted to NICS or the appropriate state agency. • In (b)(3) instances the licensee failed to record the initial response from NICS. • In (b)(3) instances the licensee failed to record the information required for item 19.d. • In (b)(3) instances the licensee failed to properly record the information required for item 19.d. | Investigator (b)(6) reminded the licensee of the importance of properly recording all required information the ATF F 4473. | Corrected Immediately. |
| 6 | 27 CFR 478.124(c)(4) | On the 2016 edition of the ATF F 4473, the transferor failed to properly record the firearm to be transferred on the ATF F 4473 by recording an incorrect serial number for item 26 on the ATF F 4473 on (b)(3) out of 50 forms examined. | Investigator (b)(6) reminded the licensee of the importance of properly recording all required information the ATF F 4473. | Corrected Immediately. |

Report of Violations

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| License/Permit/Registry Number (if any) 8-51-003-01-8J-00923 | | Expiration Date September 1, 2018 | Date(s) or Period of Inspection May 1, 2016 to April 30, 2017 | | | |

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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) |
|--------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| 7 | 27 CFR 478.124(c)(5) | On the 2016 edition of the ATF F 4473, the licensee failed to properly record the transfer date on the ATF F 4473 on (b)(3) out of 609 forms examined. | Investigator (b)(6) reminded the licensee of the importance of properly recording all required information the ATF F 4473. | Corrected Immediately. |
| 8 | 27 CFR 478.102(c) | On (b)(3) 112 occasions the licensee failed to conduct a new NICS check when more than 30 days had elapsed since the licensee initially contacted NICS. | Investigator (b)(6) reminded the licensee of the requirements of 27 CFR 478.102. | Corrected Immediately. |



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives
31 Hopkins Plaza, Fifth Floor
Baltimore, MD 21201

June 14, 2017

www.atf.gov

761025: (b)(6)
5373

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Robert Brian Miller
Miller's Gun Center, Inc.
97 W. Jackson Avenue
New Castle, DE 19720

Reference: FFL # 8-51-03-01-8J-00923

Dear Mr. Miller:

During a recent compliance inspection at your firearms business covering the period May 1, 2016 through April 30, 2017, you were cited for violations 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.

All violations were fully explained to you or your designated responsible person by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Industry Operations Investigator (b)(6). You or your responsible person indicated that you understood the requirements of the firearms laws and regulations, and that corrective actions would be taken to eliminate future violations.

The records you are required to maintain, and the business operations you conduct, are important to law enforcement in our continuing efforts to reduce violent crime and protect the public. It is essential that you comply with all Federal laws and regulations that govern your firearms business. This is critical to carrying out our mission to protect the public and 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.

Robert Brian Miller
 Miller's Gun Center, Inc.
 8-51-003-01-8J-00923

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).

(b)(6)

Area Supervisor
 Baltimore Field Office

Enclosure

c: Federal Firearms Licensing Center
 Baltimore V Field Office

7012 2920 0002 5199 4649

| | |
|----------------------------------------------------------------------------------------------|----|
| U.S. Postal Service TM | |
| CERTIFIED MAILTM RECEIPT | |
| (Domestic Mail Only; No Insurance Coverage Provided) | |
| For delivery information visit our website at www.usps.com | |
| OFFICIAL USE | |
| Postage | \$ |
| Certified Fee | |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ |
| Postmark Here | |
| Sent To <u>Robert Brian Miller</u> | |
| Street, Apt. No., or PO Box No. | |
| City, State, ZIP+4 | |
| PS Form 3800, August 2006 | |
| See Reverse for Instructions | |

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Robert Brian Miller
Miller's Gun Center, Inc.
97 W. Jackson Avenue
New Castle, DE 19720

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

Robert B. Miller 6/21/17

☐ Agent
☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

7012 2920 0002 5199 4649

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

FIREARMS INSPECTION REPORT

Name: Millers Gun Center Inc.
Trade Name:

UI#: 761025-2017-0103-B1B
FFL#: 8-51-003-01-8J-00923

Address: 97 W Jackson Ave., New Castle, DE 19720 (New Castle County)

1 - Introduction

Inspection Profile:

A firearms licensee (dealer in firearms other than destructive devices) compliance inspection was conducted by ATF Senior Industry Operations Investigator (b)(6) at the licensed premises of Millers Gun Center Inc., (FFL #8-51-003-01-8J-00923) located at 97 W. Jackson Avenue, New Castle, DE 19720 (New Castle County). The inspection began on Monday, May 1, 2017 and was completed on Tuesday, June 13, 2017. No advance notice was given to the licensee. The inspection period was from May 1, 2016 to April 30, 2017. Interviewed during the course of the inspection were Mr. Robert Brian Miller, President / Owner and (b)(6), General Manager. Mr. Robert Brian Miller, who is properly listed as the sole Responsible Person on the license, provided a valid Delaware Driver's License for identification.

During the course of the inspection Investigator (b)(6) was assisted by ATF Industry Operations Investigators (b)(6) of the ATF Baltimore Field Division.

On Thursday, June 1, 2017 Investigator (b)(6) held a closing conference with Mr. Robert Brian Miller. On Tuesday, June 13, 2017 Investigator (b)(6) met with Mr. Robert Brian Miller to provide him with an updated Report of Violations.

Business Profile:

Millers Gun Center Inc. is a corporation which was formed in the state of Delaware on January 3, 1966. Presently, Mr. Robert Brian Miller is the President and 100% Owner of the corporation. Millers Gun Center Inc. operates a retail firearms store from a commercial building located at 97 W. Jackson Avenue, New Castle, DE 19720. The store is located in a suburban area of New Castle County. The original issue date of the FFL was August 22, 2000. Business Hours are Sunday 11:00am – 4:00pm, Monday 10:00am – 6:00pm, Tuesday & Wednesday 10:00am – 5:00pm, Thursday & Friday 10:00am – 8:00pm and Saturday 10:00am – 5:00pm. (From Mid-May through September the business is closed on Sunday.) The business is open to the public.

FIREARMS INSPECTION REPORT

Name: Millers Gun Center Inc.
Trade Name:

UI#: 761025-2017-0103-B1B
FFL#: 8-51-003-01-8J-00923

Millers Gun Center Inc. sells firearms, ammunition and shooting supplies as well as performing minor gunsmith services. All sales are retail sales. Millers Gun Center Inc. does not operate a wholesale business. The licensee also facilitates transfers of firearms for non-licensees. During the inspection period, the licensee acquired and disposed of approximately (b)(4) firearms. (Approximately (b)(4) % handguns, (b)(4) % long guns and (b)(4) % other / frames / receivers). Approximately (b)(4) % of the sales are new guns, (b)(4) % used guns. The following FFLs are Millers Gun Center Inc.'s primary suppliers of new firearms: (b)(4)

Millers Gun Center Inc. has enough space at the licensed premises for the storage of all firearms in inventory as well as all required records. No offsite storage is utilized. The licensee does not conduct business at gun shows. The licensee maintains a website at www.millersguncenter.com to advertise the business but does not conduct internet sales.

In addition to the Federal Firearms License (FFL), Millers Gun Center Inc. also possesses a Federal Explosives License (FEL #8-DE-00030) as a Dealer of Explosives, used for the sale of Black Powder to sportsman for use in antique firearms, a State of Delaware Deadly Weapons Dealers License and a State of Delaware Business License as a Retailer of Various Products. The licensee does not possess any other ATF licenses. Millers Gun Center Inc. does not conduct any other business on the licensed premises.

Ownership and Control:

Millers Gun Center Inc. is a corporation which was formed in the state of Delaware on January 3, 1966. Presently, Mr. Robert Brian Miller is the President and 100% Owner of the corporation. Mr. Robert Brian Miller is properly listed as the sole responsible person on the license in the FLS database. There have been no unreported changes in ownership or control since the last inspection. No hidden ownership is suspected.

Variance:

None on file. None requested.

2 - Recommendation

Report of violations issued. Recommend Warning Letter only. No recall inspection.

FIREARMS INSPECTION REPORT

Name: Millers Gun Center Inc.
Trade Name:

UI#: 761025-2017-0103-B1B
FFL#: 8-51-003-01-8J-00923

3 - Inspection History

Date of Inspection: December 14, 2015
Type of Inspection: Enhanced Enforcement Initiative (EEI) FFL Compliance
UI#: 761025-2016-0071-B1B
Inspection Results: No violations. No further action. Referrals made.
Cited Violations: None.

Date of Inspection: January 24, 2011
Type of Inspection: FFL Compliance
UI#: 761025-2011-0119-B1B
Inspection Results: No Violations, No Further Action, Referrals Made.
Cited Violations: None.

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

Millers Gun Center Inc. maintains their Acquisition & Disposition records in bound form in accordance with **27 CFR 478.125(e)**. The licensee maintains one set of bound book records for handguns, frames, receivers & other firearms (not rifles or shotguns), a second set of bound books for long guns (rifles & shotguns) and a third set for firearms acquired for the purpose of repair. The records were found to be kept at the licensed premises as required. All entries are hand written. Investigators (b)(6) reviewed the licensee's A&D records and found them to be kept in the proper format. Investigators (b)(6) completed a full inventory of firearms. The licensee had 371 firearms in inventory and (b)(3) Pub L open entries in the A&D Record. For each firearm in inventory a corresponding open entry in the A&D record was located. Each firearm in inventory was found to be properly entered into the A&D record. However, for (b)(3) Pub L of the open entries in the A&D Record no firearm was located. The licensee provided disposition documentation for each of the (b)(3) Pub L open entries where no firearm was located. For each of the (b)(3) Pub L open entries the firearm was disposed of more than seven days prior to the inventory. The licensee was cited for violation of **27 CFR 478.125(e)**. See **Violation #1 and Worksheet #1**.

Mr. Robert Brian Miller stated that there were no thefts or losses during the inspection period. No theft or loss reports resulted from the inspection either. Mr. Robert Brian Miller also stated that they conduct periodic inventories to ensure that all firearms are accounted for. Since (b)(3) Pub L firearms were found to be not logged out of the A&D record as required, Investigator (b)(6) encouraged Mr. Robert Brian Miller to consider conducting more frequent periodic inventories. Investigator (b)(6) provided Mr. Miller with a copy of ATF P 5380.2 "How to Conduct a Firearms Inventory".

Millers Gun Center Inc.'s standard operating procedures regarding the A&D Record are that all entries, acquisition & disposition, are made either on the day the transaction occurs or no later than the next business day. Mr. Robert Brian Miller maintains the

FIREARMS INSPECTION REPORT

Name: Millers Gun Center Inc.
Trade Name:

UI#: 761025-2017-0103-B1B
FFL#: 8-51-003-01-8J-00923

A&D records for handguns, frames, receivers & other firearms (not rifles or shotguns) and (b)(6) maintains a separate A&D record for long guns (rifles & shotguns). The repair A&D Record is completed by either Mr. Miller or (b)(6). (b)(6). Mr. Miller and (b)(6) both agreed that all firearm shipping boxes are opened upon receipt and firearms are entered into the A&D record based upon the markings on the firearms.

Investigators (b)(6) selected (b)(3)P firearms from the A&D records with dispositions recorded and found the corresponding ATF F 4473 on file documenting the disposition. No discrepancies were disclosed. In addition Investigators (b)(6) selected (b)(3)P ATF F 4473 and located the corresponding A&D records for each. (b)(3)P discrepancy was disclosed. **See Worksheet 2 (2016 edition) and violation #6.** During the inspection no firearms were discovered with obliterated serial numbers nor were any illegal firearms discovered. Review of the A&D record did not disclose any trafficking indicators.

5 - ATF Forms 4473 – NICS & Other Dispositions

The licensee had (b)(3)P ATF F 4473 on file for the inspection period, (b)(3)P were the 2012 edition and (b)(3)P were the 2016 edition. The ATF F 4473 were found to be at the licensed premises and were filed in chronological order. Forms where a NICS check was conducted but no firearm transfer occurred are filed chronologically by certification date. Investigators (b)(6) reviewed each of the (b)(3)P ATF F 4473 on file. Investigators (b)(6) found that (b)(3)P of the (b)(3)P (2012 edition) forms (b)(3)P % contained errors and (b)(3)P of the (b)(3)P (2016 edition) forms (b)(3)P % contained errors. Total error rate was (b)(3)P %. **See Worksheet #2 (2012 edition), Worksheet #2 (2016 edition), Violations #2 - #8 and Exhibits #1 - #6.**

A FFL Audit Report for firearm transactions was requested through the Denial Enforcement and NICS Intelligence Branch for the time frame of April 26, 2016 through April 26, 2017. Investigator (b)(6) compared the National Instant Criminal Background Check System (NICS) numbers listed on the Audit Log to the NICS numbers recorded on the ATF Forms 4473. Investigator (b)(6) verified NICS numbers for four under appeal transactions, 339 proceed transactions, seven open transactions, 74 denials and one delayed transaction. No discrepancies were disclosed.

During the inspection period the licensee conducted transfers of firearms to other licensees. Prior to transferring any firearms to another licensee Mr. Robert Brian Miller stated that he ensured that a certified copy of the recipient's FFL was received prior to transferring any firearms to another licensee. Investigator (b)(6) encouraged the licensee to utilize the ATF FFL EZ Check system before transferring any firearms to another licensee to verify the validity of such license. Investigator (b)(6) also encouraged the licensee to print the FFL EZ Check response for filing with the certified

FIREARMS INSPECTION REPORT

Name: Millers Gun Center Inc.
Trade Name:

UI#: 761025-2017-0103-B1B
FFL#: 8-51-003-01-8J-00923

copy of the FFL as proof that the license was valid at the time the firearm was transferred.

During the inspection period the licensee did not conduct any transfers to law enforcement.

During the inspection Investigator (b)(6) discussed the licensee's standard operating procedures relevant to the ATF Form 4473 completion with Mr. Robert Brian Miller and (b)(6). Mr. Miller stated that either he or one of his employees will execute the ATF F 4473, from presenting the form to the customer for completion through the transferring of a firearm. Completed forms are placed in a box for filing. Mr. Robert Brian Miller takes all forms documenting handgun & non-long gun sales (frames, receivers, other types of firearms) and logs the firearms out of the A&D record before filing the forms. It is at this time that he ensures that multiple handgun sales are properly reported. (b)(6) takes all forms documenting long gun sales and logs the firearms out of the A&D record before filing the forms.

6 - Multiple Sales

On Thursday, April 27, 2017 Investigator (b)(6) queried the ATF e-Trace database for multiple sale information for Millers Gun Center Inc. The query revealed (b)(3) multiple sales involving (b)(3) firearms from May 1, 2016 to April 27, 2017. Subsequently Investigator (b)(6) also requested a Trace History (to include Multiple Sales) from the Violent Crime Analysis Branch of the National Tracing Center. Review of the Licensee's required records did not disclose any unreported multiple sales, however, the following discrepancies were disclosed; (b)(3) multiple sales which were reported by the licensee did not appear on the e-Trace query or the VCAB printout. In addition (b)(3) of the multiple sales that appeared on the printout contained errors. (b)(3) of the multiple sales contained a firearm with an incorrect serial number and (b)(3) multiple sale which was reported with (b)(3) handguns sold only showed (b)(3) handguns on the VCAB printout. Investigator (b)(6) e-mailed the VCAB on May 25, 2017 and reported the discrepancies. See exhibit #7. On May 26, 2017 Investigator (b)(6) received an e-mail from (b)(6), a Contractor at the ATF National Tracing Center, stating that the reported discrepancies were corrected. See exhibit #8.

7 - Suspicious/Prohibited Purchasers

During the review of the licensee's Acquisition and Disposition Records and ATF F 4473s on file for the inspection period, Investigators (b)(6) did not identify any possible traffickers, straw purchasers or other suspicious purchasers. Investigators (b)(6) selected (b)(3) firearm purchasers for criminal

FIREARMS INSPECTION REPORT

Name: Millers Gun Center Inc.
Trade Name:

UI#: 761025-2017-0103-B1B
FFL#: 8-51-003-01-8J-00923

history queries which resulted in no hits for prohibiting criminal information. No referrals were generated as a result of this inspection.

8 - Trace Activity

On Thursday, April 27, 2017 Investigator (b)(6) queried the ATF e-Trace database for Trace activity for Millers Gun Center Inc. The query revealed (b)(3) (b)(3) (b)(3) traces from May 1, 2016 through April 27, 2017. (b)(3) (b)(3) traces were successful. (b)(3) (b)(3) traces were unsuccessful. For each of the (b)(3) (b)(3) unsuccessful traces the reason provided was that the licensee does not have records prior to 20 years ago, therefore, none of the (b)(3) (b)(3) unsuccessful traces could be resolved during the inspection.

Investigators (b)(6) (b)(6) selected (b)(3) (b)(3) firearms for query in the NCIC stolen gun database as well as the ATF e-Trace database which resulted with no hits. The licensee acquired & disposed of approximately (b)(3) (b)(3) used firearms during the inspection period.

9 - NFA/Importer/Collector/Manufacturer

No NFA Activity. Licensee is not an Importer, Collector or Manufacturer.

10 - Referrals

No referrals were generated as a result of this inspection.

11 - Other

Millers Gun Center Inc. was found to be in compliance with both the Youth Handgun Act (poster and notice) and secure gun storage/safety devices. Investigator (b)(6) assisted the licensee with setup to receive e-mail updates from ATF and encouraged the licensee to utilize the ATF FFL EZ Check site to check the validity of a FFL prior to selling or transferring any firearms to another licensee.

12 - Closing Actions

On Thursday, June 1, 2017 ATF Senior Industry Operations Investigator (b)(6) held a closing conference with Mr. Robert Brian Miller, President / Owner of Millers Gun Center Inc. During the closing a Report of Violations was issued to the licensee. Investigator (b)(6) explained the violations to Mr. Miller and discussed corrective measures to ensure that the violations are not repeated in the future. Mr. Miller signed the Report of Violations acknowledging his receipt and a copy was provided to him. Also, during the closing Investigator (b)(6) reviewed the Federal Firearms Regulations with Mr. Miller. The "Acknowledgement of Federal Firearms Regulations" was signed

FIREARMS INSPECTION REPORT

Name: Millers Gun Center Inc.
Trade Name:

UI#: 761025-2017-0103-B1B
FFL#: 8-51-003-01-8J-00923

by Mr. Miller and a copy was provided to him for his records. **See exhibit #9.** In addition, the licensee was provided with the following information:

- 1) ATF P 5300.4 "Federal Firearms Regulations Reference Guide" Revised September 2005. (Investigator (b)(6) advised the licensee about the availability of the 2014 edition and how to obtain a hard copy or electronic version.)
- 2) ATF P 5300.5 "State Laws and Published Ordinances – Firearms". (Investigator (b)(6) advised the licensee to obtain an electronic copy from the ATF website)
- 3) ATF P 5300.11 "Firearms Curios or Relics List".
- 4) ATF P 3317.2 "ATF National Tracing Center – Safety and Security Information for Federal Firearms Licensees".
- 5) ATF P 5380.1 "Loss Prevention for Firearms Retailers".
- 6) ATF E-Form 5300.38 "Application for an Amended Federal Firearms License".
- 7) ATF I 5300.1 "Youth Handgun Safety Act Poster".
- 8) ATF I 5300.2 "Youth Handgun Safety Act Notice".
- 9) Copy of Open Letter to FFLs regarding "Child Safety Lock Act of 2005" dated 4/21/2006.
- 10) Copy of Open Letter to FFLs regarding transactions of Firearm "Frame(s)" or "Receiver(s)" dated 7/7/2009.
- 11) ATF P 3312.8 "Personal Firearms Record".
- 12) ATF F 4473 (5300.9) Revised October 2016 "Firearms Transaction Record Part I – Over-the-Counter".
- 13) ATF F 3310.4 "Report of Multiple Sale or Other Disposition of Pistols and Revolvers".
- 14) ATF F 3310.11 "Federal Firearms Licensee Firearms Inventory Theft/Loss Report".
- 15) ATF P 5300.15 "Federal firearms Licensee Information" and a copy of the "December 2002 Federal Firearms Licensee Newsletter" addressing the proper way to enter firearms into the Acquisition & Disposition Book.
- 16) ATF P 5380.2 "How to Conduct a Firearms Inventory".
- 17) ATF Ruling 2016-1 "Requirements to keep Firearms Acquisition and Disposition Records Electronically".
- 18) ATF Ruling 2016-2 "Electronic ATF F 4473".
- 19) ATF I 5300.23A "Important Notice to Dealers and Other Participants at this Gun Show".
- 20) ATF P 5310.1 "Gun Free School Zone Notice".
- 21) ATF P 3312.10 "ATF National Tracing Center – Information for Industry Members".
- 22) ATF P 3317.7 "ATF Disaster Preparedness for Federal Firearms Licensees".
- 23) ATF Ruling 2001-5 (Identification of Transferee)

FIREARMS INSPECTION REPORT

Name: Millers Gun Center Inc.
Trade Name:

UI#: 761025-2017-0103-B1B
FFL#: 8-51-003-01-8J-00923

- 25) Definition of "Antique Firearm" and list of weapons that load from the muzzle and remain classified as firearms, not antiques. Document obtained from ATF Internet site, www.atf.gov.
- 26) Copy of Open Letter to all Federal Firearms Licensees, dated 1/16/2013, regarding private party transfers of firearms.
- 27) Copy of ATF Procedures 2013-1 regarding private party transfers of firearms.
- 28) ATF P 5300.21 "ATF Best Practices: Transfers of Firearms by Private Sellers"
- 29) Copy of Important Notice "Selling Firearms AFTER Revocation, Expiration or Surrender of an FFL".
- 30) Copy of Open Letter dated 9/21/2011 to all FFLs regarding medical marijuana.
- 31) Copy of Advisory Letter dated 3/7/2014 regarding "Online Scams Using Fraudulent Federal Firearms Licenses".
- 32) ATF/Baltimore Field Division Phone List.

On Tuesday, June 13, 2017 ATF Senior Industry Operations Investigator (b)(6) met with Mr. Robert Brian Miller, President / Owner of Millers Gun Center Inc. to provide him with an updated Report of Violations. Investigator (b)(6) explained the change to the Report of Violations. Mr. Miller signed the Report of Violations acknowledging his receipt and a copy was provided to him.

13 - Violations

1. 27 CFR 478.125(e)

Nature of violation:

Licensee failed to accurately maintain the acquisition and disposition record. In (b)(3) Pub law instances the licensee failed to record the disposition of a firearm within seven days of the disposition.

Licensee's response:

Mr. Robert Brian Miller stated that they must have forgotten to log out the eight firearms prior to filing the ATF F 4473.

Corrective action:

Investigator (b)(6) reviewed the requirements of 27 CFR 478.125(e) with the licensee. Investigator (b)(6) instructed the licensee to enter the missing disposition information into the A&D record. Mr. Robert Brian Miller & (b)(6) made corrections to the A&D record as instructed. The corrections were witnessed by Investigator (b)(6) on May 10, 2017.

FIREARMS INSPECTION REPORT

Name: Millers Gun Center Inc.
Trade Name:

UI#: 761025-2017-0103-B1B
FFL#: 8-51-003-01-8J-00923

Reference worksheet #1.

2. 27 CFR 478.21(a)

Nature of violation:

On the 2012 edition of the ATF F 4473, the licensee failed to ensure that the information called for on each ATF F 4473 was furnished as indicated by the headings on the form and the instructions on or pertaining to the form in (b)(3) Pub out of (b)(3) Pub law forms examined.

- In (b)(3) Pub instance the transferee answered no to question 11a.
- In (b)(3) Pub instances the transferee failed to sign and date section C, items 24 & 25.

On the 2016 edition of the ATF F 4473, the licensee failed to ensure that the information called for on each ATF F 4473 was furnished as indicated by the headings on the form and the instructions on or pertaining to the form in (b)(3) Pub out of (b)(3) Pub forms examined.

- In (b)(3) Pub instance the transferee failed to sign and date section C, items 22 & 23.
- In (b)(3) Pub instance the transferor failed to properly record the number of firearms to be transferred for item 29.
- In (b)(3) Pub instances the transferor failed to properly record their name for item 34.

Licensee's response:

Mr. Robert Brian Miller stated that some of the errors were the result a new employee who needed to be better trained prior to being able to work independently. Mr. Miller stated that the other errors were due to human error and being unfamiliar with the new ATF F 4473.

Corrective action:

Investigator (b)(6) reminded the licensee of the importance of properly executing the ATF F 4473.

Reference Worksheet #2 and Exhibit #6.

3. 27 CFR 478.124(c)(1)

Nature of violation:

On the 2012 edition of the ATF F 4473, the licensee failed to obtain a properly completed ATF F 4473 from the transferee prior to making an over-the-counter transfer of a firearm to a non-licensee on (b)(3) Pub out of (b)(3) Pub law forms examined.

- On (b)(3) Pub occasion the licensee failed to ensure that the transferee properly recorded his address in item #2.
- On (b)(3) Pub occasions the licensee failed to ensure that the transferee dated the form in item 17.

FIREARMS INSPECTION REPORT

Name: Millers Gun Center Inc.
Trade Name:

UI#: 761025-2017-0103-B1B
FFL#: 8-51-003-01-8J-00923

- On (b)(3) Pub law occasions the licensee failed to ensure that the transferee recorded the correct date for item 17.

On the 2016 edition of the ATF F 4473, the licensee failed to obtain a properly completed ATF F 4473 from the transferee prior to making an over-the-counter transfer of a firearm to a non-licensee on (b)(3) out of (b)(3) Pub law forms examined.

- On (b)(3) Pub law occasion the licensee failed to ensure that the transferee properly recorded his address in item #2.
- On (b)(3) Pub law occasions the licensee failed to ensure that the transferee properly recorded his place of birth in item #3.
- On (b)(3) Pub law occasion the licensee failed to ensure that the transferee answered question 11.i.
- On (b)(3) Pub law occasion the licensee failed to ensure that the transferee answered question 12.c.
- On (b)(3) Pub law occasions the licensee failed to ensure that the transferee answered question 12.d.1.
- On (b)(3) Pub law occasions the licensee failed to ensure that the transferee dated the form in item 15.
- On (b)(3) Pub law occasions the licensee failed to ensure that the transferee recorded the correct date for item 15.

Licensee's response:

Mr. Robert Brian Miller stated that some of the errors were the result a new employee who needed to be better trained prior to being able to work independently. Mr. Miller stated that the other errors were due to human error and being unfamiliar with the new ATF F 4473.

Corrective action:

Investigator (b)(6) reminded the licensee of the importance of receiving a properly completed ATF F 4473 from the transferee prior to conducting a NICS check or transferring a firearm to a non-licensee.

Reference Worksheet #2 and Exhibits #1, #3 & #4.

4. 27 CFR 478.124(c)(3)(i)

Nature of violation:

On the 2012 edition of the ATF F 4473, the licensee failed to properly record the type of identification used by the transferee on the ATF F 4473 in item 20a. on (b)(3) Pub law out of (b)(3) Pub law forms examined.

FIREARMS INSPECTION REPORT

Name: Millers Gun Center Inc.
Trade Name:

UI#: 761025-2017-0103-B1B
FFL#: 8-51-003-01-8J-00923

On the 2016 edition of the ATF F 4473, the licensee failed to properly record the type of identification used by the transferee on the ATF F 4473 in item 18.a. on (b)(3) Pub out of (b)(3) Pub forms examined.

Licensee's response:

Mr. Robert Brian Miller stated that some of the errors were the result a new employee who needed to be better trained prior to being able to work independently. Mr. Miller stated that the other errors were due to human error and being unfamiliar with the new ATF F 4473.

Corrective action:

Investigator (b)(6) reminded the licensee of the importance of properly recording all required information the ATF F 4473.

Reference Worksheet #2 and Exhibit #5.

5. 27 CFR 478.124(c)(3)(iv)

Nature of violation:

On the 2012 edition of the ATF F 4473, the licensee failed to properly record NICS information on the ATF F 4473 on (b)(3) Pub out of (b)(3) Pub forms examined.

- In (b)(3) Pub instances the licensee failed to record the initial response from NICS.
- In (b)(3) Pub instances the licensee failed to record the information required for item 21d when the initial response was delayed.

On the 2016 edition of the ATF F 4473, the licensee failed to properly record NICS information on the ATF F 4473 on (b)(3) Pub out of (b)(3) Pub forms examined.

- In (b)(3) Pub instances the licensee failed to properly record the date the transferee's information was transmitted to NICS or the appropriate state agency.
- In (b)(3) Pub instances the licensee failed to record the initial response from NICS.
- In (b)(3) Pub instances the licensee failed to record the information required for item 19.d.
- In (b)(3) Pub instances the licensee failed to properly record the information required for item 19.d.

Licensee's response:

Mr. Robert Brian Miller stated that some of the errors were the result a new employee who needed to be better trained prior to being able to work independently. Mr. Miller stated that the other errors were due to human error and being unfamiliar with the new ATF F 4473.

FIREARMS INSPECTION REPORT

Name: Millers Gun Center Inc.
Trade Name:

UI#: 761025-2017-0103-B1B
FFL#: 8-51-003-01-8J-00923

Corrective action:

Investigator (b)(6) reminded the licensee of the importance of properly recording all required information the ATF F 4473.

Reference Worksheet #2 and Exhibit #3.

6. **27 CFR 478.124(c)(4)**

Nature of violation:

On the 2016 edition of the ATF F 4473, the transferor failed to properly record the firearm to be transferred on the ATF F 4473 by recording an incorrect serial number for item 26 on the ATF F 4473 on (b)(6) out of (b)(6) forms examined.

Licensee's response:

Mr. Robert Brian Miller stated that the error was due to human error.

Corrective action:

Investigator (b)(6) reminded the licensee of the importance of properly recording all required information the ATF F 4473.

Reference Worksheet #2.

7. **27 CFR 478.124(c)(5)**

Nature of violation:

On the 2016 edition of the ATF F 4473, the licensee failed to properly record the transfer date on the ATF F 4473 on (b)(6) out of (b)(6) forms examined.

Licensee's response:

Mr. Robert Brian Miller stated that some of the errors were the result a new employee who needed to be better trained prior to being able to work independently. Mr. Miller stated that the other errors were due to human error.

Corrective action:

Investigator (b)(6) reminded the licensee of the importance of properly recording all required information the ATF F 4473.

Reference Worksheet #2 and Exhibit #2.

FIREARMS INSPECTION REPORT

Name: Millers Gun Center Inc.
Trade Name:

UI#: 761025-2017-0103-B1B
FFL#: 8-51-003-01-8J-00923

8. **27 CFR 478.102(c)**

Nature of violation:

On (b)(3) Pub law occasions the licensee failed to conduct a new NICS check when more than 30 days had elapsed since the licensee initially contacted NICS.

Licensee's response:

Mr. Robert Brian Miller stated that they failed to properly count the days since the NICS check was conducted. In the future they will be more careful to make sure that the NICS check is still valid before a firearms is transferred.

Corrective action:

Investigator (b)(6) reminded the licensee of the requirements of 27 CFR 478.102.

Reference Worksheet #2 and Exhibit #2.

X

(b)(6)

Senior Industry Operations Investigator

Index of Worksheets and Exhibits

- Worksheet #1 – Inventory & A&D Review Worksheet.
- Worksheet #2 (2012 edition) – ATF F 4473 review worksheet.
- Worksheet #2 (2016 edition) – ATF F 4473 review worksheet.
- Exhibit #1 – Copy of ATF F 4473 for (b)(6), (b)(3) Pub law 112-55 125 Stat. 552
- Exhibit #2 – Copy of ATF F 4473 for [REDACTED]
- Exhibit #3 – Copy of ATF F 4473 for [REDACTED]
- Exhibit #4 – Copy of ATF F 4473 for [REDACTED]
- Exhibit #5 – Copy of ATF F 4473 for [REDACTED]
- Exhibit #6 – Copy of ATF F 4473 for [REDACTED]
- Exhibit #7 – Copy of e-mail from Senior IOI (b)(6) to the VCAB on 5/25/2017.
- Exhibit #8 – Copy of e-mail from ATF National Tracing Center Contractor (b)(6) (b)(6) to ATF Senior IOI (b)(6) dated 5/26/2017.
- Exhibit #9 – Acknowledgement of Federal Firearms Regulations.