

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) GATEWAY TACTICAL LLC No Trade Name 1133 KONERT VALLEY DR FENTON,MO 63026, JEFFERSON	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 779055-2017-0067-B1B		
	3. PERMIT/LICENSE NUMBER 543099078D09775	4a. TARGET DATE 9/15/2017	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE) 10/11/2016		

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

Viols WL ONLY and Recall Inspection

REVIEWED CONCUR SEE COMMENTS FINAL DISPOSITION

SIGNATURE AND TITLE WLBOWERS - Director Industry Operations	REVIEW DATE 06/07/2017
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ROUTING SEQUENCE AND DATE

- 1. _____
- 2. _____
- 3. _____
- 4. _____

CONTROL FILE POSTED DATE _____

Report of Violations

Instructions

Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.

Name of Proprietor GATEWAY TACTICAL LLC No Trade Name	Street Address 1133 KONERT VALLEY DR	City FENTON	State MO	Zip Code 63026-	County JEFFERSON	Page 1 of 1 Pages
License/Permit/Registry Number <i>(If any)</i> 543099078D09775		Expiration Date 4/1/2018	Date(s) or Period of Inspection 05/01/2016 through 04/30/2017			

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 [REDACTED] occasions, Licensee failed to confirm the correct identification document in Section B, Item 20a, Identification, Issuing Authority and Type of Identification on ATF Form 4473, Firearms Transaction Record.

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

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Licensee was instructed to ensure ATF Forms 4473s are complete and accurate prior to transferring a firearm to a non-licensee.

Number: 2

Nature of Violation:

On [REDACTED] occasions, the licensee failed to conduct a background check to a non-licensee.

Citation: 27 CFR 478.102(a)(1)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Licensee was instructed that before the completion of a firearms transfer, a background check must be completed on all non-licensees.

I Have Received a Copy of This Report of Violations <i>(Proprietor's signature and title)</i>	Date
Signature and Title of ATF Officer	Date



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives
1222 Spruce Street, Room 6.205
St. Louis, Missouri 63103

Washington, DC 20226

www.atf.gov

June 2, 2017

779055: (b)(6)
5300

CERTIFIED MAIL – Return Receipt Requested

Mr. Tod O' Brien
Gateway Tactical LLC
1133 Konert Valley Drive
Fenton, MO 63026

RE: Federal Firearms License: #5-43-099-07-8D-09775

Dear Mr. O'Brien:

During a recent inspection at your firearms business covering the period from May 1, 2016 to April 30, 2017, you were cited for violations of Title 27, Code of Federal Regulations, Part 478. A copy of the Report of Violations, ATF F 5030.5, issued at the time of the inspection is enclosed.

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

The records you are required to maintain and the business operations you conduct are important to law enforcement in our continuing efforts to reduce violent crime and protect the public. It is essential that you comply with all Federal laws and regulations that govern your firearms business. This is critical to carrying out our mission to protect the public and to ensure that criminals do not gain access to firearms. ATF appreciates the efforts you and other industry members make in this area. We look forward to continuing to work with you in that regard.

You are reminded that retention of your Federal firearms license is conditioned upon your compliance with Federal laws and regulations. Any future violations, either repeat or otherwise, could be viewed as willful and may result in the revocation of your license. Please ensure that future compliance is achieved.

Should you have any questions regarding this matter, please contact (b)(6), Industry Operations Investigator at (b)(6).

(b)(6)

Saint Louis, Missouri

Enclosure

c: Federal Firearms Licensing Center

FIREARMS INSPECTION REPORT

Name: Gateway Tactical LLC
Trade Name: No Trade Name

UI#: 779055-2017-0067
FFL#: 5-43-099-07-8D-09775

Address: 1133 Konert Valley Drive
Fenton, MO 63026 (Jefferson County)

1 - Introduction

Inspection Profile:

On May 8, 2017, ATF Investigator (b)(6) conducted a Firearms Compliance Inspection at Gateway Tactical LLC, in accordance with UI#779055-2017-0067, located at 1133 Konert Valley Drive, Fenton, Missouri. Advance notification was given to Licensee due to his business hours being by appointment only. LLC Member/Responsible Person, Tod Patrick O'Brien (MO DL# (b)(6)) was present during the Inspection and assisted Investigator (b)(6) during inventory and records review. The Inspection took place on May 8, 2017 and May 11, 2017. CE deconfliction was conducted by Investigator (b)(6) prior to the Inspection. Investigator (b)(6) received FLS, NFA inventory, VCAB and FFL Audit Report prior to Inspection. The scope of the Inspection covered May 1, 2016-April 31, 2017.

Federal Firearms License was originally issued on March 28, 2012 and will expire on April 1, 2018.

Business Profile:

Gateway Tactical LLC is a small firearms store located inside the private residence of LLC Member, Tod Patrick O'Brien, in unincorporated Jefferson County, Missouri. The business sells new and used long guns and hand guns to the general public. FFL is a Special Occupational Taxpayer who specializes in the sale of suppressors. Gateway Tactical LLC does conduct Internet transfers from Bud's Gun Shop and Gun Broker Websites. At this time, the business does not attend gun shows or offer gunsmith service. Over the last 12 months, (b)(4) firearms were acquired and (b)(4) firearms were disposed. Approximately (b)(4) of sales are NFA firearms and (b)(4) are new long guns and hand guns. Licensee has a valid Jefferson County Business License and Missouri Retail Sales License. (Exhibit #6) Licensee has no off-site storage locations.

Ownership and Control:

Gateway Tactical LLC is a Limited Liability Company that was registered with the State of Missouri on January 16, 2012. (Exhibit #5) According to the Federal Licensing System, Tod Patrick O'Brien is the only Responsible Person on the license. At this time, there are no other employees of the company. There have been no changes in ownership or control. No hidden ownership was detected.

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UI#: 779055-2017-0067
FFL#: 5-43-099-07-8D-09775

Variance:

No variance on file or requested at this time.

2 - Recommendation

Violations Warning Letter only and Recall Inspection.

3 - Inspection History

Date of Inspection: March 20, 2012
Type of Inspection: Qualification Inspection
UI#: 779055-2012-0184
Inspection Results: Application Approved
Cited Violations: None

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

Investigator (b)(6) conducted a gun to book comparison on one hundred five (105) firearms in inventory to the Acquisition & Disposition Bound Book. There were (b)(3) - 112 Public Law 55 125 Stat 552 open entries upon arrival. Investigator (b)(6) located all firearms in Licensee's inventory.

Licensee has not reported any Thefts or Loss of firearms in the last twelve (12) months. All entries in the A&D Bound Book were in proper format.

5 - ATF Forms 4473 – NICS & Other Dispositions

The scope of the inspection period covered May 1, 2016-April 30, 2017. A total of (b)(3) - 112 Public Law 55 125 Stat 552 ATF Form 4473s were reviewed for the Inspection period. Investigator (b)(6) found that on (b)(3) - 112 Public Law 55 125 Stat occasions the Licensee failed to conduct a background check to a non-licensee. On (b)(3) - 112 Public Law 55 125 Stat occasions, Licensee failed to confirm the correct identification document. (See Report of Violations)

Investigator (b)(6) obtained the NICS FFL audit log for the last sixty days including all the denied transactions over the last 12 months. The FFL Audit Report indicates zero (0) denials in the last 12 months and one (1) proceed in the last 60 days. Investigator (b)(6) verified one (1) NICS transaction numbers from the FFL Audit Report.

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6 - Multiple Sales

Licensee did not have any multiple sales during the Inspection period. Investigator (b)(6) did not locate any unreported multiple sales of handguns during the Inspection.

7 - Suspicious/Prohibited Purchasers

Fifty six (56) individuals who were transferred a firearms without a background check and zero (0) used firearms were selected for NCIC checks from the last 12 months. No prohibiting factors were found during the database checks. No referrals were made to ATF Criminal Enforcement.

8 - Trace Activity

No trace requests have been made for the Licensee in the last twelve (12) months.

9 - NFA/Importer/Collector/Manufacturer

Licensee is not an Importer or Collector.

Gateway Tactical LLC provided Investigator (b)(6) with a copy of their completed Annual Firearms Manufacturing Report for Calendar Year 2016. At this time, Licensee is not manufacturing any firearms.

Licensee is a current Special Occupational Taxpayer who sells suppressors to the general public. Investigator Medina located all firearms on the ATF National Firearms Registration and Transfer Record. Licensee did have (b)(3) - 26 USC 6103 in inventory with approved ATF Form 3s, which were not on the Transfer Record. Investigator (b)(6) documented the NFA inventory discrepancies and submitted them to the ATF NFA branch for correction. (Exhibit #4)

10 - Referrals

No referrals were generated during this Inspection.

11 - Other

Enclosed completed worksheets and worknotes.

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12 - Closing Actions

Investigator (b)(6) conducted closing conference with Tod Patrick O'Brien on May 11, 2017. Acknowledgement of Federal Firearms Regulations was discussed, in detail, with Licensee (signed/dated) and pertinent ATF Federal Firearms Licensee forms, pamphlets and correspondence were provided. (Exhibit #1)

13 - Violations

1. **27 CFR 478.124(c)(3)(i)**

Description: On (b)(6) occasions, Licensee failed to confirm the correct identification document in Section B, Item 18a, Identification, Issuing Authority and Type of Identification on ATF Form 4473, Firearms Transaction Record.

Response: Licensee stated, "I will NICS check all purchases even for LEO and CCW holders and review 4473 for accuracy."

Correction Action: Licensee was instructed to ensure ATF Forms 4473s are complete and accurate prior to transferring a firearm to a non-licensee.

2. **27 CFR 478.102(a)(1)**

Description: On (b)(6) occasions, Licensee fail to conduct a background check to a non-licensee.

Response: Licensee stated, "I will NICS check all purchases even for LEO and CCW holders and review 4473 for accuracy."

Correction Action: Licensee was instructed that before the completion of a firearms transfer, a background check must be completed on all non-licensees.

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X

Industry Operations Investigator

Index of Worksheets and Exhibits

Narrative
Report of Violations
Warning Letter

Exhibits:

- #1- Acknowledgement of Federal Firearms Regulations, signed/dated (5/11/2017)
- #2- ATF Form 5300.11, signed/dated (1/18/2017)
- #3- ATF Form 4473s documenting violations
- #4- Email to NFA Branch with attached Discrepancies Report
- #5- State of Missouri Articles of Organization
- #6- State of Missouri Retail Sales License