## **Assignment and Report**

1. OPERATING NAME AND ADDRESS	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.)						
(INCLUDE ZIP CODE AND COUNTY)	774030-2015-0282-B1B						
Mission Critical Firearms LLC	3. PERMIT/LICENSE NUMBER	4a. TARGET DATE	4b. TARGET HOURS				
48380 Van Dyke Ave., Suite 400	438099078B06200	9/30/2015					
Shelby Township,MI 48317, Macomb	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)						
			***************************************				

6. ATF OFFICER(S) ASSIGNED

(b)(6) - Assigned Investigator (b)(6) - Lead Investigator (b)(6) - Assigned Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)

(b)(6) , Acting Area Supervisor, 08/07/2015

#### 8. PURPOSE/SPECIAL INSTRUCTIONS

Please conduct a Dispostion Emphasis manufacturer of firearms compliance inspection in accordance with existing Bureau guidelines, to include a complete inventory of firearms and review of all ATF Forms 4473 available for the inspection period. Verify ownership, responsible persons status, and contact information. Document each finding, and enter all required information into N-SPECT, to include NFA.

9. INSPECTION RESULTS	CHE	CK IF NO VIOLATIONS, ADJUSTM	10. TRAVEL EXPENSES	(OPTIONAL)	
NO. OF VIOLATIONS	2	NO. OF REFERRALS	2	2111 - PER DIEM	
NO. OF TECS CHECKS	18	NO. OF TECS HITS		2112 - P.O.A.	
NO. OF TAX		\$ VALUE OF TAX INCREASES		2113 - COMM. AIR	
ADJUSTMENTS		\$ 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: 03/15/2017

An unannounced compliance inspection was conducted on August 24, 2015 at the business premises of Mission Critical Firearms LLC. IOI (b)(6) and IOI (b)(6) conducted the inspection on August 24, 2015 with Ed Pireh, President. IOIS (b)(6) and IOI (b)(6) completed the inspection on October 1, 2015. S/A (b)(6) assisted with the inspection on September 2, 2015. The inspection covered the period from August 24, 2014 through August 24, 2015 and one records and reports and one licenses violations were cited.

This inspection was conducted in conjunction with the Type 26 Dealer of High Explosives (4-MI-099-26-PA-01359, UI# 774030-2015-0286-B2A) and a Type 09 Dealer of Destructive Devices (4-38-099-09-PA-08680, UI# 774030-2015-0280-B1B).application inspections. Property ownership and zoning were verified.

Recommend a warning letter be sent to the FFL.

Viols WL ONLY and Recall Inspection

		12. TIME ACCOUNTING DATA
ATF OFFICER'S NAME (MONTH, YEAR,	HOURS)	0)(6)
AUG 2015	7.00	
SEP 2015	8.00	
OCT 2015	9.00	
ATF OFFICER'S SUBTOTAL	24.00	ATF OFFICER'S SIGNATURE
ATF OFFICER'S NAME (MONTH, YEAR,	HOURS)	b)(6)
SEP 2015	24.00	
ATF OFFICER'S SUBTOTAL	24.00	ATF OFFICER'S SIGNATURE

Bureau of Alcohol, Tobacco, Firearms and Explosives

# **Assignment and Report**

<ol> <li>OPERATING NAME AND ADDRESS</li> </ol>	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.)							
(INCLUDE ZIP CODE AND COUNTY)			774030-2015-0282-B1B					
Mission Critical Firearms LLC			3. PERMIT/LICEN	ISE NUMBER	4a. TARGET DATE	4b. TARGET HOURS		
48380 Van Dyke Ave., Suite 400			43809907	8B06200	9/30/2015			
Shelby Township, MI 48317, Macon	nb		5. REQUESTED I	BY (SIGNATURI	E, TITLE AND DATE)			
				•	•			
		12. TIME ACCOU	INTING DATA					
ATF OFFICER'S NAME (MONTH, YEAR,	HOURS)	)(6)						
AUG 2015	53.00	// /						
ATF OFFICER'S SUBTOTAL	53.00	ATF OFFICER'S SI	GNATURE					
TOTAL HOURS	101.00							
	101.00							
		13. REVIEW AN	ID ROUTING					
REVIEW COMMENTS AND RECOMMEND	ATION							
Viols WL ONLY and Recall Inspec	tion							
•								
\$**** <b>*</b>	88			88				
REVIEWED	∑ con	CUR SI	EE COMMENTS	X0	DISPOSITION			
SIGNATURE AND TITLE				REVIEW		<i>-</i>		
(b)(6) - Industry Operations Investigator					10/15/201	ວ 		
ROUTING SEQUENCE AND DATE								
1								
☐ 3.			CONTRO	DL FILE POSTE	D DATE			

Bureau of Alcohol, Tobacco, Firearms and Explosives

## **Report of Violations**

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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 Mission Critical Firearms LLC	Street Address 48380 Van Dyke Ave.	, Suite 400	City Shelby Townshi	р	State MI	Zip Code 48317-	County Macomb	Page 1 of 2 Pages
License/Permit/Registry Number (If any) 438099078B06200		Expiration Date 2/1/2018		` ´		f Inspection h 10/01/2015		

#### **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:

The licensee failed to record dispositions in the A&D Record not later than 7 days following the date of such transaction. The licensee was missing the firearms.

See attached

**Citation:** 27 CFR 478.125(e)

**Date Corrections to be Made:** 

(If not corrected immediately)

(If not corrected immediately)

Corrective Action to be Taken: The licensee was instructed to record the dispositions in the A&D Record. At all times in the future the licensee will accurately, timely, and completely record the dispositions in the A&D Records. The licensee was instructed to locate the missing firearms. The licensee was instructed to complete a FFL Theft/Loss Report, ATF F 3310.11 for the missing firearms and enter the ATF incident number from the FFL Theft/Loss Report, ATF F 3310.11 in their A&D Record. The licensee corrected the violation on September 4, 2015.

Bureau of Alcohol, Tobacco, Firearms and Explosives

# **Report of Violations**

Please write firmly with a ball point pen when con representative. The remaining copies will be subm		officers will prepare th						esponsible	
Name of Proprietor Mission Critical Firearms LLC	Street Address 48380 Van Dyke Ave., Suite 400		'		State MI	Zip Code 48317-	County Macomb	Page 2 of 2 Pages	
License/Permit/Registry Number (If any) 438099078B06200			Date(s) or Period of Inspection 08/24/2015 through 10/01/2015				I		
An examination of your premises, records and oper	estions has disable and the	<del>-</del>	ion Results	lainad					
Number: 2  Nature of Violation:  The licensee was engaging in the business of buy proper Federal Firearms License (Type 09 Dealer Disposition (selling):  (b)(3) 112 Public Law 55 125 (Selling):  Acquisitions (buying):  (b)(3) 112 Public Law 55 1	er in Destructive Device	es).	Date Correct (If not correct e (If not correct)	cted imme ction to l	ediately) oe Taken:	Destructive Device destructive device	instructed to apply toes prior to acquiring es. The licensee was tive Devices on Aug	s issued the Type 09	
I Have Received a Copy of This Report of Violations	(Proprietor's signati	ure and title)						Date	
Signature and Title of ATF Officer								Date	

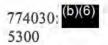


Bureau of Alcohol, Tobacco, Firearms and Explosives

Detroit Field Division

10/15/2015

www.atf.gov



Mission Critical Firearms LLC 48380 Van Dyke Road, Suite 400 Shelby Township, MI 48219 FFL No. 4-38-099-07-8B-06200

Dear Mr. Pireh:

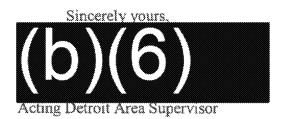
During a recent compliance inspection at your firearms business covering the period of August 24, 2014 through August 24, 2015, you were cited for violations of 27 Code of Federal Regulations, Part 478. A copy of the amended Report of Violations, Form 5030.5 is enclosed.

All violations were fully explained to you by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Investigator. 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.

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 Industry Operations Intelligence Specialist (b)(6)



# Enclosure

cc: National Licensing Center Detroit Area Office

Address: 48380 Van Dyke Road, Suite 400

Shelby Township, MI 48219 (Macomb)

#### 1 - Introduction

#### **Inspection Profile:**

An unannounced compliance inspection was conducted on August 24, 2015 at the business premises of Mission Critical Firearms LLC a type 07 Manufacture of Firearms, Firearms, Federal Firearms Licensee (FFL). Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Industry Operations Investigator (IOI) (b)(6) and IOI (b)(6) conducted the inspection with Youshia (Ed) Pireh, President (b)(6) and IOI (b)(6) completed the inspection on October 1, 2015. Special Agent (b)(6) assisted with the inspection on September 2, 2015. The inspection covered the period from August 24, 2014 through August 24, 2015 and one records and reports and one licenses violations were cited.



#### **Business Profile:**

The licensee had bid firearms in inventory and sells approximately firearms annually. The licensee acquire in the past year from non-licensees, Police Departments, and FFL's, which include (b) (4)

The licensee sells approximately in ew and inventory and sells approximately in the past year from non-licensees, Police Departments, and FFL's, which include (b) (4)

The licensee sells approximately in ew and inventory and sells approximately in the past year from non-licensees, Police Departments, and FFL's, which include (b) (4)

The licensee sells approximately in the past year from non-licensees, Police Departments, and FFL's. The licensee sells in the past year from non-licensees, Police Departments, and FFL's. The licensee sells in the past year from non-licensees, Police Departments, and FFL's, which include (b) (4)

The licensee sells approximately in the past year from non-licensees, Police Departments, and FFL's, which include (b) (4)

The licensee sells approximately in the past year from non-licensees, Police Departments, and FFL's. The licensee sells in the past year from non-licensees is a part of the past year from non-licensees. The licensee is a manufacturer and has manufactured 6 firearms since receiving his FFL in 2012.

The business premises is a storefront located in a commercial urban area.

During the application inspection on September 3, 2015 (774030-2015-0280-B1B), IOIS (b)(6) verified that the licensee rents the business premises from (b) (4), (b)(6) IOIS (b)(6) also verified, through Accurint, that the property is owned by (b)(6) IOIS (b)(6) received a memo, which is attached to the application inspection (UI# 774030-2015-0286-B2A), from (b)(6) stating that he acknowledges that Mission

 Name:
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 Trade Name:
 FFL#:
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Critical Firearms LLC is a FFL, and allows Mission Critical to do business at Shelby Financial office building.

On September 23, 2015, IOIS (b)(6) spoke with (b)(6) Director, Planning & Zoning Department, Shelby Township (b)(6) and he said zoning is approved for this location.

IOIS (b)(6) informed the licensee of ATF's right of entry and that the records, inventory, premises, and all off-site storage locations are subject to inspection.

## **Ownership and Control:**

During the application inspection on September 3, 2015 (774030-2015-0280-B1B), IOIS (b)(6) verified that the FFL is a Limited Liability Corporation (LLC), the president is Ed Pireh, and he owns 100% of the LLC. IOIS (b)(6) also verified that the LLC is registered with the State of Michigan. No signs of hidden ownership were found. The license has two additional responsible persons Matthew Tuzas, Weapons and Tactics Master Instructor and Daniel Zaremba, Chief Firearm Instructor.

#### Variance:

The licensee submitted a variance/notice request to store his NFA firearms at Daniel Zaremba, Chief Firearms Instructor, Responsible Person's residence, (b)(6)

see exhibit 1. NFA stated the licensee does not need a variance, so no further action is required.

#### 2 - Recommendation

Recommend a warning letter be sent to the FFL.

#### 3 - Inspection History

Date of Inspection:
Type of Inspection:
UI#:

Inspection Results:
Cited Violations:

December 21, 2011
Application Inspection
774030-2012-0138-B1B
Approve Application
No violations cited.

**Date of Inspection: Type of Inspection:** 

UI#:

 Name:
 Mission Critical Firearms LLC
 UI#:
 774030-2015-0282-B1B

 Trade Name:
 FFL#:
 4-38-099-07-8B-06200

**Inspection Results:** Cited Violations:

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

IOI (b)(6) conducted a full inventory by comparing 118 firearms in inventory (NFA and Sales) to the 121 open dispositions in the Acquisition and Disposition Records (A&D Record) with a discrepancy of firearms.

The licensee failed to record dispositions in the A&D Record not later than 7 days following the date of such transaction, see exhibit 2. The licensee is missing firearms, see violation 1 (27 CFR 478.125(e)), worksheet 1, exhibits 3 and 4.

A review of the licensee's A&D Record revealed that it has the proper format and the acquisitions and dispositions are recorded accurately. IOIS (b)(6) compared 7 dispositions in the A&D Record, from the inspection period, to the Firearm Transaction Record, ATF Form 4473 (ATF Forms 4473) and no discrepancies were found. IOIS (b)(6) compared 7 acquisitions to the A&D Record and no discrepancies were found. There was no theft/loss in the past year.

Ed Pireh said he will be running the business. Ed Pireh will be ordering the firearms, completing the required forms, and recording them in the A&D Record. IOIS (b)(6) suggested to Ed Pireh that he should double check his records for accuracy. IOIS (b)(6) also suggested to Ed Pireh that he should conduct an inventory at least once a year by comparing the firearms in inventory to the A&D Record for accuracy.

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

The licensee had 328 ATF Forms 4473 for the past 12 months. IOIS (b)(6) and IOI (b)(6) reviewed 328 ATF Forms 4473 from August 24, 2014 through August 24, 2015 and no discrepancies were found.

A review of FFL Audit Report from National Instant Criminal Background Check System (NICS) did not disclose any discrepancies on the 6 NICS compared to the ATF Forms 4473 out of 11 total NICS transactions. The licensee transfers firearms to Police Departments. IOIS (b)(6) reviewed 8 FFL's during the inspection period and no discrepancies were found. The licensee keeps the ATF Forms 4473 in numerical order.

### 6 - Multiple Sales

According to the Firearm Trace History, the licensee had 6 multiple sales for the past year. After reviewing the ATF Forms 4473, the licensee completed all the required

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Report of Multiple Sale or Other Disposition of Pistols and Revolvers, ATF Form 3310.4 (ATF Form 3310.4).

### 7 - Suspicious/Prohibited Purchasers

All ATF Forms 4473 from the inspection period including denied, were analyzed for possible firearms traffickers, straw purchasers, and prohibited persons. A query of Openfox, Law Enforcement Information Network (LEIN), and On-Line Lead was conducted on 13 purchasers and no hits were found.

#### 8 - Trace Activity

The licensee had successful and no unsuccessful traces in the past year. A query of Openfox and On-Line Lead was conducted on used firearms. The queries did not reveal any stolen or traced firearms. The licensee acquired approximatel used firearms in the past year.

## 9 - NFA/Importer/Collector/Manufacturer

The licensee does not import or is not a collector. The licensee is a manufacturer and has manufactured 6 firearms since receiving his FFL in 2012. The licensee completed the AFMER reports for 2013, 2014, and 2015, see exhibit 5. IOIS (b)(6) compared the AFMER reports to the A&D Record and no discrepancies were found. The licensee recorded all the manufactured firearms in the A&D Record.

The licensee deals in NFA firearms. The licensee has paid their Special Occupation Tax (SOT) for 2016 (2015-159-N57-013).

IOI(b)(6) received a phone call from Ed Pireh on May 10, 2015. IOI(b)(6) explained to Ed Pireh that he will need to acquire the proper license to acquire and dispose of destructive devices and the licensee is limited to two destructive devices, see exhibit 11.

During the inventory, it was discovered that the licensee acquired and disposed of destructive device prior to obtaining a Type 09 Dealer in Destructive Devices FFL. The licensee was engaged in the business of acquiring and disposing of destructive devices without the proper FFL (Type 09 Dealer in Destructive Devices), see violation 2 (27-CFR 478.41(a)), exhibits 6, 7, 8, and referrals 2015-0041 and 2015-0042. The destructive devices for transfer were frozen until the licensee acquired a Type 09 Dealer in Destructive Devices (4-38-099-09-8K-08680). The licensee acquired a Type 09 Dealer in Destructive Devices and the destructive devices were approved for transfer on October 6, 2015.

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IOI (b)(6) conducted a full NFA inventory. A query of the Weapons Inventory by Owner Report from NFA was compared to the inventory and open dispositions in the NFA A&D Record and discrepancies were found.

The licensee failed to record dispositions in the A&D Record not later than 7 days following the date of such transaction, see item 4 A&D Record Inventory, violation 1 (27 CFR 478.125(e)), worksheet 2, exhibits 2, 3, 4, and 7. The licensee has firearms that were not on the Weapons Inventory by Owner Report, but the transferees have not picked up the firearms as of September 3, 2015. IOIS (b)(6) advised Ed Pireh that he needs to contact the individuals and have them pick up their firearms. If they do not, he will need to void out the transfers.

The licensee has a G36, (b)(3) 112 Public Law 55 125 STAT 552 listed on the Weapons Inventory by Owner Report. However, the Chino Police Department made a mistake on the serial numbers that were recorded ATF Form 3. IOIS (b)(6) contacted (b)(6) , Section Chief FESB and she said the forms have been voided out, but because of the way the NFA database works, it still shows them as being registered to the FFL even though they are not, see exhibit 9.

#### 10 - Referrals

A referral was forwarded to ATF, Director of Industry Operations (DIO), Atlanta GA for transferring destructive devices to a licensee who does not have a Type 09 or Type 10 FFL, see referral number 2015-0041.

A referral was forwarded to ATF, Director of Industry Operations (DIO), Phoenix AZ for transferring destructive devices to a licensee who does not have a Type 09 or Type 10 FFL, see referral number 2015-0042.

#### 11 - Other

The licensee has posted the FFL, Youth Handgun Safety Act Poster, ATF Information 5300.1, and provides the Youth Handgun Safety Act Notice, ATF Information 5300.2 to handgun purchasers. The licensee has secure gun storage and safety devices available for sale. IOIS (b)(6) reviewed the Child Safety Lock Act of 2005 with the licensee. A query of Lein was conducted on the responsible persons Ed Pireh. Daniel Zaremba, and Matthew Tuzas and no hits were found.

#### 12 - Closing Actions

A closing conference was held on October 1, 2015 with Ed Pireh. The licensee was issued the violations, they were explained to him, a copy was provided to him, and his

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questions were answered. A review of the Federal Firearms Laws and Regulations was conducted with Ed Pireh on September 3, 2015. A copy of the Acknowledgment of Federal Firearms Laws and Regulations and an informational packet was provided to the licensee, see exhibit 10.

### 13 - Violations

1. **27 CFR 478.125(e)** 

#### Nature of violation:

A full inventory was conducted by comparing 118 firearms in inventory to the dispositions in the A&D Records with a discrepancy of firearms.

The licensee failed to record dispositions in the A&D Record not later than 7 days following the date of such transaction.

The licensee was missing the following firearms:



#### Licensee's response:

Ed Pireh said he was not entering the dispositions in the A&D Record as they occurred, but now he is putting them in right away.

#### **Corrective action:**

The licensee was instructed to record the dispositions in the A&D Record. At all times in the future the licensee will accurately, timely, and completely record the dispositions in the A&D Records.

The licensee was instructed to locate the missing firearms. The licensee was instructed to complete a FFL Theft/Loss Report, ATF F 3310.11 for the missing firearms and enter the ATF incident number from the FFL Theft/Loss Report, ATF F 3310.11 in his A&D Record. The licensee completed FFL Theft/Loss Report, ATF F 3310.11 on September 4, 2015 (ATF incident number

On September 3, 2015, IOIS (b)(6) reviewed the licensee's A&D Record and the licensee recorded the dispositions in the A&D Record.

See worksheet 1, exhibits 2, 3 and 4

2. **27-CFR 478.41(a)** 

Name: Mission Critical Firearms LLC UI#: 774030-2015-0282-B1B

Trade Name: FFL#: 4-38-099-07-8B-06200

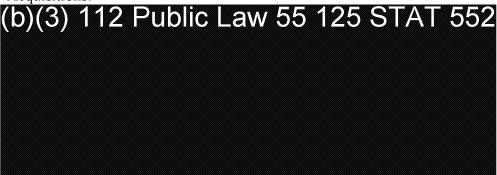
#### **Nature of violation:**

A full inventory was conducted and it was discovered that the licensee was engaging in the business of buying and selling destructive devices without the proper FFL (Type 09 Dealer in Destructive Devices).

Disposition:

(b)(3) 112 Public Law 55 125 STAT 552

Acquisitions:



# Licensee's response:

Ed Pireh said the ATF examiner said he can receive the destructive devices with a letter from him and complete an ATF Form 3. He said he sent a letter to ATF requesting approval to transfer the five destructive devices and he received approval from ATF. He said since it was approved, he can transfer the destructive devices without the FFL.

Ed Pireh said I wish ATF didn't approve the transfers. IOI (b)(6) said, "ATF is not the only one at fault here. The transfer should not have been approved, but you should not have sent in the form. You know you did not have the right license. Your FFL says firearms other than destructive devices right on it." Ed Pireh said "Yea."

### **Corrective action:**

The licensee was instructed to apply for a Type 09 Dealer of Destructive Devices prior to acquiring and disposing of destructive devices. The licensee acquired a Type 09 Dealer of Destructive Devices (4-38-099-09-8K-08680) prior to the closing conference.

See exhibits 6, 7, 8, referrals 2015-0041 and 2015-0042

- 3.
- 4.
- 5.
- 6.

 Name:
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 FFL#:
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**Industry Operations Investigator** 

## **Index of Worksheets and Exhibits**

#### Worksheets

1 Inventory and A&D Review

### **Exhibits**

- 1 Variance Request
- 2 ATF Form 4473 (Violation 1)
- 3 Theft/Loss Report (Violation 1)
- 4 A&D Record (Violation 1)
- 5 AMER Report
- 6 ATF Form 3 (Violation 2)
- 7 NFA Record Inventory by Owner (Violation 2)
- 8 Memo to NFA (Violation 2)
- 9 Chino PD Letter
- 10 Acknowledgement of Federal Laws and Regulations
- 11 Memo of Conversation

#### Referrals

2015-0041

2015-0042