



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

www.atf.gov

March 14, 2022

REFER TO: 2020-0802

VIA Email: wjo@mindspring.com

Dear Mr. Olson:

This responds to your Freedom of Information Act (FOIA) request dated June 1, 2020, and received by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) on the same day, in which you requested records concerning the ATF Processing of Dealer "Out of Business" Records.

This is a rolling production and this is **Release Two and Final Production**. In response to your request, we have processed a total of 12 pages of responsive material.

We are withholding third party information, including the names of ATF employees, under FOIA Exemption (b)(6). To disclose personal information about a living individual to a member of the public, we need the written consent from the persons whose information you requested. Without written consent, proof of death, or an overriding public interest, personal information is exempt from disclosure under the FOIA. The FOIA does not require agencies to disclose information that would constitute a clearly unwarranted invasion of the personal privacy of third parties (5 U.S.C. § 552(b)(6)).

We are withholding the specific law enforcement techniques and procedures used in our investigation pursuant to Exemption (b)(7)(E) of the FOIA. Exemption (b)(7)(E) exempts from mandatory disclosure records or information compiled for law enforcement purposes when production of such records or information "would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law" (5 U.S.C. § 552(b)(7)(E)). The information withheld reveals specific law enforcement procedures and techniques used in this investigation. Disclosure of such information could enable individuals outside of the agency to circumvent agency functions and gain access to sensitive investigative information.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 552(c). This response is limited to those records that are subject to the requirements of the FOIA. This is a

Mr. Robert Olson

standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

You may contact our FOIA Public Liaison, Zina Kornegay, at (202) 648-7390, for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,



Adam C. Siple
Chief

Information and Privacy Governance Division

Enclosure

Order

ATF O 1340.6A

SUBJECT: OBTAINING AND SHIPPING OUT OF BUSINESS
RECORDS TO THE NATIONAL TRACING CENTER –
OUT OF BUSINESS RECORDS REPOSITORY

DATE: 9/16/2016
RECERTIFICATION
DATE: 9/16/2021
OPI: 904030

TO: All ATF Employees

1. **PURPOSE.** This order establishes the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) procedures and responsibilities for obtaining and shipping out of business records (OBR) for firearms and explosives to the National Tracing Center Division (NTC), which is ATF's Out of Business Records Repository (OBRR). Upon permanent discontinuance of a business, Federal firearms licensees (FFLs) and Federal explosives licensees/permittees (FELs/FEPs) are required to ship their records to the OBRR or have them delivered to any ATF office in the field division where the licensee or permittee is located. Active licensees or permittees may also send firearms records greater than 20 years old, and explosives records greater than 5 years old, to the OBRR or a field office as directed in 27 CFR § 478.127 and 27 CFR § 555.128.
2. **CANCELLATION.** ATF O 1340.6, Obtaining and Shipping Out of Business Records to the National Tracing Center – Out of Business Records Repository, dated 1/27/2012, is cancelled.
3. **BACKGROUND.** The NTC Tracing Operations and Records Management Branch (TORM) operates the OBRR and oversees all OBR procedures and processes. By following these procedures, ATF employees play important roles in ensuring the overall quality and effectiveness of the firearms and explosives tracing process, which generates important investigative leads to solve violent crimes.
4. **OBTAINING OBR FROM LICENSEES/PERMITTEES.** When FFLs, FELs and FEPs go out of business (OOB), they must ship their records to ATF as directed by 27 CFR §§ 478.127 and 555.128. To help the NTC catalogue and process the OBR, when such records are collected by an ATF industry operations investigator (IOI), the IOI must inspect the records and officially accept them before shipping them to the NTC. Following these steps ensures effective and accurate tracing:
 - a. Determine if the FFL is completely OOB, or still active and submitting only records that are 20 years and older. FELs/FEPs may send in OBR if completely OOB and records over 5 years old on active FELs/FEPs.
 - (1) If the licensee is going OOB, obtain a completed discontinuance of business form. This notice can be obtained from N-SPECT or future case management system.
 - (2) If an active FFL is sending in records 20 years and older, obtain a written statement from the FFL that clearly states that the FFL is not going OOB and is only sending in records 20 years and older. For the FEL/FEP, obtain a written statement that explains that the FEL/FEP is not going OOB, and is sending in records 5 years and older on an active license/permit. The IOI will keep a copy of the statement for their inspection report and the original will be placed inside "box 1" for processing at the NTC (see subparagraphs 7.a.-7.c. for shipping OOB records).

b. Examine the records for completeness.

- (1) The FFL records that must be forwarded to the NTC, Attn: OBRR, include: ATF F 8 (5310.11), Federal Firearms License; ATF F 4473 (5300.9), Firearms Transaction Records [including those where a National Instant Criminal Background Check System (NICS) check was made, but a transfer was not completed for the last 5 years]; Acquisition and Disposition (A&D) records; ATF F 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers; ATF F 3310.12, Report of Multiple Sale or Other Disposition of Certain Rifles; and ATF F 3310.11, Federal Firearms Licensee Firearms Inventory Theft-Loss Report. For FFLs who were in business prior to November 30, 1998, the records may also include ATF F 5300.35, Statement of Intent to Obtain a Handgun.
- (2) FEL/FEP records that must be forwarded include: ATF F 5400.14/5400.15, License or Permit; Records of Acquisition and Disposition; inventory reports; ATF F 5400.5, Report of Theft and Loss – Explosives Materials; other permanent records or invoices; Daily Summary of Magazine Transactions (DSMT); ATF F 6 (5330.3A), Application and Permit for Importation of Firearms, Ammunition and Implements of War (for certain military explosives or propellant powder or other components of small arms ammunition); and ATF F 6A (5330.3C), Release and Receipt of Imported Firearms, Ammunition and Implements of War (for certain military explosives or propellant powder or other components of small arms ammunition).
- (3) When sending in records on an OOB FFL/FEL/FEP, ensure that all periods of business activity have corresponding records. If there are missing records, ATF personnel must contact the FFL/FEL/FEP and obtain a signed and dated written statement that provides an explanation for the missing records. If the FFL/FEL/FEP fails to provide an explanation and the discrepancy is noted at the field level, the IOI must acquire or write a discrepancy statement; if the discrepancy is noted at the NTC, NTC personnel will attempt to contact the FFL/FEL/FEP for a statement. Attach the statement to the original license/permit and place it in "box 1" of the OBR.
- (4) If the FFL/FEL/FEP is not permanently discontinuing business and is submitting records 20 years old (5 years for FEL/FEP) or older, ATF personnel must inspect the records to ensure all records meet the appropriate age requirements.
- (5) If ATF personnel discover the FFL/FEL/FEP has prior OOB records that have not been sent to the NTC, complete records should be obtained to include the complete records for all OOB FFL/FEL/FEP records.
- (6) Regulations (27 CFR § 478.127) require where a business is discontinued and succeeded by a new licensee, the records may be delivered to the successor to maintain or they must be delivered to the NTC. It should be noted that licenses/permits are not transferable and where a corporate reorganization results in a new and different "person" operating the firearms or explosives business, a new license/permit must be obtained by the successor before taking over the business. A new license/permit is also required when a sole proprietor becomes a corporation and when a partnership becomes a corporation (change in entity). Questions on whether a new license/permit is required should be referred to the Firearms and Explosives Services Division, Federal Firearms or Federal Explosives Licensing Center.
- (7) The NTC is the repository for explosives (FEL/FEP) records as directed by 27

NO!

CFR § 555.128. Field IOIs will follow the same procedures for obtaining the records of FELs/FEPs that go OOB.

- (8) Field IOIs should query NFORCE or current case management system for open criminal investigations prior to contacting the NTC for shipping instructions and verify that ATF Law Enforcement does not require the records for the investigation.
- (9) The NTC generally does not accept records that are considered evidence in an active criminal investigation, or on active judicial status, such as court appeals. If ATF personnel send records to the NTC and want them returned, they must submit a written request that explains that he/she wants the original records returned after the NTC has processed them. Keep in mind that processing the records requires the NTC to take the pages apart and to discard the attachments; for example, invoices, slips, and sale notes. Normally, the NTC destroys records after they have been processed. The NTC will not store or hold records for field divisions. Additionally, the NTC will not accept partial shipment of records unless the partial records are all that exist.
- (10) Field IOIs should advise multi-licensed/permitted companies, such as large chain stores to send their store records to the OBRR and not to their corporate offices.

5. **NOTIFYING THE NTC.** After ATF personnel have obtained and reviewed all the appropriate OBR, advise the NTC.
 - a. Send an email to the (b) (7)(E) email address to advise that OBRs have been surrendered by a FFL/FEL/FEP. In the email, include the FFL/FEL/FEP number, the business name, and the reason for the surrender of the records. Provide the approximate date (i.e., mm/dd/yy) that ATF personnel will send the records to the NTC.
 - b. If ATF personnel need to retain the records and delay shipping them, inform the NTC as soon as possible. Send an email to the (b) (7)(E) email address, and include the FFL/FEL/FEP number and name, the current location of the records, a point of contact to help with potential traces, and an approximate time (i.e., mm/dd/yy to mm/dd/yy) ATF personnel will need to hold onto the records.
6. **COMPUTERIZED RECORDS.** The FFL/FEL/FEP must print out the required records or download them to a physical storage device (i.e. hard drive, CD, DVD, USB Flash Drive) or at the discretion of the licensee, both. The complete printout or download must provide an American Standard Code for Information Interchange (ASCII) text file (conforming to common industry standards) containing all acquisition and disposition records, and a file description. The complete printout or downloaded ASCII text file (and file description) must contain all information prescribed by regulation. The NTC converts these files into image files not searchable by name.
7. **SHIPPING OBR TO THE NTC.** Follow the procedures, outlined below, for packing and shipping OBR to the NTC:
 - a. Include the original or a copy of the ATF F 8 (5310.11), Federal Firearms License, or ATF F 5400.14/5400.15, License or Permit.
 - b. When shipping more than one set of OOB records at the same time, be sure to separate the packages and identify each by the appropriate FFL/FEL/FEP license or permit.
 - c. When ATF personnel need to ship more than one box per FFL/FEL/FEP, mark each

box with the FFL/FEL/FEP number. The NTC does not pay for or provide boxes for shipping. Label each box as such: one of total, two of total, etc. For example, if sending three boxes, each box must be labeled as follows:

FFL 1-62-01234, number 1 of 3
FFL 1-62-01234, number 2 of 3
FFL 1-62-01234, number 3 of 3

- d. Ship the OOB records to:

Bureau of Alcohol, Tobacco, Firearms and Explosives
National Tracing Center - Out of Business Records Repository
244 Needy Road
Martinsburg, WV 25405

- e. Notify the NTC when the records are shipped by sending an email to the (b) (7)(E) email address and include:

- (1) ATF office, name and phone number of person sending packages;
- (2) Number of packages in shipment;
- (3) Method and date of shipment;
- (4) License or permittee number which must be placed on each OOB package; and
- (5) Indicate that ATF personnel have examined the records and include a written statement about any discrepancies found.

8. SHIPMENT OF FIREARM AND EXPLOSIVES RECORDS. ATF employees must use a shipping tracking method, and must send the tracking number to the NTC via email to the (b) (7)(E) email address. The following additional guidelines apply:

- a. ATF personnel are responsible for weighing the pieces, not the FFL/FEL/FEP.
- b. There are instances when OBR packages may be picked-up directly from the FFL/FEL/FEP premises because it would be a burden to move large boxes or pallets of OBR to an ATF office for further shipping. In these cases, an IOI or other ATF Employee must be present to validate the information on the shipping documents is correct.
- c. If ATF offices need help with shipping funding, send an email to the (b) (7)(E) email address, and provide the following information:
 - (1) Number of pieces in the shipment;
 - (2) The weight of each piece; and
 - (3) The requestor's information, (i.e., field office, address, email address, and telephone number).
- d. The TORM Branch will select the shipping company, check the availability of funds, and send additional instructions for shipping the records to the OBRR.

9/16/2016

9. **QUESTIONS.** Personnel who have questions regarding this order should contact the OBR Program Manager, National Tracing Center Division, Tracing Operations & Records Management Branch, at (800) 788-7133 or (b) (6) Direct email inquiries should be addressed to the (b) (7)(E) email address.



Assistant Director
(Office of Enforcement Programs and Services)

Order

ATF O 1340.6B

SUBJECT: OBTAINING AND SHIPPING OUT OF BUSINESS
RECORDS TO THE NATIONAL TRACING CENTER –
OUT OF BUSINESS RECORDS REPOSITORY

DATE: 10/4/2021
RECERTIFICATION
DATE: 10/4/2026
OPI: 904030

TO: All ATF Employees

1. **PURPOSE.** This order establishes the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) procedures and responsibilities for obtaining and shipping out of business records (OBR) for firearms and explosives to the National Tracing Center Division (NTC), which is ATF's Out of Business Records Repository (OBRR). Unless State or local law requires otherwise, upon permanent discontinuance of business, Federal firearms licensees (FFLs) and Federal explosives licensees/permittees (FELs/FEPs) are required to deliver their records to the OBRR or to any ATF office in the field division where the licensee or permittee is located. Active licensees or permittees may also deliver firearms records greater than 20 years old, and explosives records greater than 5 years old, to the OBRR or a field office as directed in 27 CFR § 478.127 and 27 CFR § 555.128.
2. **CANCELLATION.** ATF O 1340.6A, Obtaining and Shipping Out of Business Records to the National Tracing Center – Out of Business Records Repository, dated 9/16/2016, is cancelled.
3. **AUTHORITY.**
 - a. 27 CFR § 478.127
 - b. 27 CFR § 478.129
 - c. 27 CFR § 555.128
 - d. 27 CFR § 555.121
4. **BACKGROUND.** The NTC Tracing Operations and Records Management Branch (TORM) operates the OBRR and oversees all OBR procedures and processes. By following these procedures, ATF employees play an important role in ensuring the overall quality and effectiveness of the firearms and explosives tracing process, which generates important investigative leads to solve violent crimes.
5. **OBTAINING OBR FROM LICENSEES/PERMITTEES.** When FFLs, FELs and FEPs go out of business (OOB), they must deliver their records to either ATF, or otherwise if directed by State or local law, as directed by 27 CFR § 478.127 and § 555.128. To assist the OBRR with cataloging and processing the OBR, when such records are collected by an ATF Industry Operations Investigator (IOI), the IOI should inspect the records for completeness and accuracy before shipping them to the OBRR. IOIs should take the following steps to facilitate effective and accurate tracing.
 - a. Determine if the FFL is completely OOB, or still active and submitting only records of sale or disposition of transactions over 20 years of age. FELs/FEPs must send in OBR if completely OOB or may send in records over 5 years from the date a transaction occurs.

- (1) If the licensee or permittee is going OOB, obtain a completed discontinuance of business/operations form. This notice can be obtained from SPARTAN or future case management system. In lieu of a notice of discontinuance of business/operations, the IOI may also obtain a letter signed and dated by a Responsible Person (RP) indicating the OOB status. This letter should reference the OOB FFL/FEL/FEP Name and OOB FFL/FEL/FEP Number, and the effective date of license or permit closure.
 - (2) If an active FFL is sending in records greater than 20 years old, obtain a written statement from the FFL that clearly states that the FFL is not going OOB and is only sending in records greater than 20 years old. For the FEL/FEP, obtain a written statement that explains that the FEL/FEP is not going OOB, and is sending in records over 5 years old. The IOI will keep a copy of the statement as part of the inspection report and the original will be placed inside "Box 1" for processing at the OBRR (see subparagraphs 8.a.-8.c. for shipping OOB records).
- b. Examine the records for completeness:
- (1) The FFL records that must be forwarded to the OBRR include: ATF F 8 (5310.11), Original (if available) Federal Firearms License; ATF F 4473 (5300.9 and 5300.9A)--Firearms Transaction Records [including those where a National Instant Criminal Background Check System (NICS) check was made, but a transfer was not completed within 5 years after the date of the NICS inquiry]; Acquisition and Disposition (A&D) Records; ATF F 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers; ATF F 3310.12, Report of Multiple Sale or Other Disposition of Certain Rifles; and ATF F 3310.11 and 3310.11A, Federal Firearms Licensee Firearms Inventory/Firearms in Transit Theft/Loss Report.
 - (2) FEL/FEP records that must be forwarded include, but are not limited to: Original (if available) license or permit; Records of Acquisition and Disposition; ATF F 5400.4, Limited Permittee Transaction Report; ATF F 5400.5, Report of Theft and Loss - Explosives Materials; other permanent records or invoices; Daily Summary of Magazine Transactions (DSMT); ATF F 6 (5330.3) Application of Firearms, Ammunition and Defense Articles; ATF F 6A (5330.3C), Release and Receipt of Imported Firearms, Ammunition and Implements of War (for certain military explosives or propellant powder or other components of small arms ammunition); all other required records commensurate with the license(s) or permit(s) held by the OOB entity.
 - (3) When sending in records related to an OOB FFL/FEL/FEP, ensure that all periods of business activity have corresponding records. If there are missing records, ATF personnel will contact the FFL/FEL/FEP and obtain a signed and dated written statement that provides an explanation for the missing records. If the FFL/FEL/FEP is unable to provide an explanation and the discrepancy is noted at the field level, the IOI will acquire or write a discrepancy statement. If the discrepancy is noted at the OBRR, OBRR personnel will attempt to contact the FFL/FEL/FEP for a statement. Any statements should be attached to the original license/permit and placed in "Box 1" of the OBR.
 - (4) If the FFL/FEL/FEP is not permanently discontinuing business, and the FFL is submitting records greater than 20 years after the date of sale or disposition, or the FEL/FEP is submitting records greater than 5 years from the date of a transaction, ATF personnel should inspect the records to ensure they meet the appropriate age requirements.

- (5) Regulations (27 CFR § 478.127) require where a firearms business is discontinued and succeeded by a new licensee, the records shall be delivered to the successor; or, in the alternative, the records may be delivered to the OBRR or any ATF office in the division in which the business was located. In either instance, if a Field IOI is involved, he/she should provide written notification to the OBRR regarding the status of the records. Questions on whether a new license/permit is required should be referred to the Firearms and Explosives Services Division, Federal Firearms or Federal Explosives Licensing Center.
- (6) The OBRR is the repository for explosives (FEL/FEP) records as directed by 27 CFR § 555.128. Field IOIs will follow the same procedures outlined in this order for obtaining the records of FELs/FEPs that go OOB.
- (7) Field IOIs should query NFORCE or current case management system for open criminal investigations prior to contacting the OBRR for shipping instructions and verify that ATF Law Enforcement does not require the records for an investigation.
- (8) The OBRR generally does not accept records that are considered evidence in an active criminal investigation, or on active judicial status, such as court appeals. If ATF personnel send records to the OBRR and want them returned, they must submit a written request that explains that he/she needs the original records returned after the OBRR has processed them. Keep in mind that processing the records requires the OBRR to take the pages apart and to discard the attachments, for example, invoices, slips, and sale notes. Normally, the OBRR destroys records after they have been processed. The OBRR will not store or hold records for field divisions.

6. NOTIFYING THE OBRR. After ATF field personnel have obtained and reviewed all the appropriate OBR, advise the OBRR:
 - a. Send an email to the "NTC-OBRRReceivingSection@atf.gov" email address to advise that OBRs have been surrendered by a FFL/FEL/FEP. In the email, include the FFL/FEL/FEP number, the business name, and the reason for the surrender of the records. Provide the approximate date (i.e., mm/dd/yy) that ATF personnel will send the records to the OBRR.
 - b. If ATF personnel need to retain the records and delay shipping them, inform the OBRR as soon as possible. Send an email to the "NTC-OBRRReceivingSection@atf.gov" email address, and include the FFL/FEL/FEP number and name, the current location of the records, a point of contact to help with potential traces, and an approximate time frame (i.e., mm/dd/yy to mm/dd/yy) ATF field personnel will need to retain the records.
7. ELECTRONIC RECORDS. The FFL/FEL/FEP should download electronic records to a physical storage device (i.e. hard drive, CD, DVD, USB Flash Drive), or, if possible, as dictated by the size of the file, e-mail them to "NTC-OBRRReceivingSection@atf.gov". The electronic submission must contain all information prescribed by Federal firearms regulations. The OBRR converts these files into image files not searchable by purchaser name.
8. SHIPPING OBR TO THE OBRR. Follow the procedures, outlined below, for packing and shipping OBR to the OBRR:
 - a. Prior to preparing the OBR shipment, except as provided in subparagraph d., ensure all boxes contain records, in either electronic or paper formats, and are free of all other items to include, but not limited to firearms, ammunition, currency, and jewelry.

- b. In Box 1, include the original or a copy of the ATF F 8 (5310.11), Federal Firearms License, or ATF F 5400.14/5400.15, Explosives License or Permit.
 - c. In Box 1, include a cover letter detailing ATF field office; name and phone number of person sending packages; number of packages in shipment; license and/or permit number(s) for which records are being shipped; and a brief explanation depicting any identified discrepancies in the records. A copy of this cover letter should be e-mailed to the "NTC-OBRRReceivingSection@atf.gov" email address prior to records shipment.
 - d. If electronic records are submitted via physical storage device, include the device in Box 1 of delivery.
 - e. Preferred box dimensions for shipping records are: Banker Box style (10"H x 12"W x 15"L) or similar size.
 - f. When shipping more than one set of OBR at the same time, be sure to separate the packages and identify each by the appropriate FFL/FEL/FEP license or permit number.
 - g. When ATF personnel need to ship more than one box per FFL/FEL/FEP, mark each box with the FFL/FEL/FEP number. The OBRR does not pay for or provide boxes for shipping. Label each box as such: one of total, two of total, etc. For example, if sending three boxes, each box must be labeled as follows:
 - FFL 1-62-01234, number 1 of 3
 - FFL 1-62-01234, number 2 of 3
 - FFL 1-62-01234, number 3 of 3
 - h. Weigh each individual box in the shipment. Record each box's weight on the outside packaging. Label each box with the following shipping address: National Tracing Center--Out of Business Records Repository, 244 Needy Rd., Martinsburg, WV 25405.
 - i. The need for financial assistance with the shipping cost should first be discussed with your Division Management Team. If after this discussion it is determined that financial assistance is needed with the shipping cost, send an e-mail to the (b) (7)(E) email address requesting shipping funds. This e-mail should include: the field office address, phone number, FFL Name(s), FFL Number(s), number of boxes in the shipment, and weight of each box.
 - j. The TORM Branch will check the availability of funds, select the shipping company, and send additional instructions for shipping the records to the OBRR.
 - k. There are instances when OBR packages may be picked-up directly from the FFL/FEL/FEP premises because it would be a burden to move large boxes or pallets of OBR to an ATF office for further shipping. In these cases, an IOI or other ATF Employee should be present to validate the information on the shipping documents is correct. To coordinate these direct records pick-ups, send an e-mail to the (b) (7)(E) e-mail address.
 - l. In all instances, OBR should be delivered to: National Tracing Center – Out of Business Records Repository, 244 Needy Road, Martinsburg, WV 25405.
9. FORM AVAILABILITY. The forms outlined in this order are available on the ATFConnect > Forms and Policy > Forms.

10. RETENTION REQUIREMENTS. Documents referred to in this order must be retained in accordance with ATF's records management guidelines.
11. QUESTIONS. Personnel who have questions regarding this order should contact the OBRR Program Manager, National Tracing Center Division, Tracing Operations & Records Management Branch, at (800) 788-7133 or (b) (6) [REDACTED]. Direct email inquiries should be addressed to the (b) (7)(E) [REDACTED] e-mail address.

A handwritten signature in black ink, appearing to read "Alphonse J. [REDACTED]", with a horizontal line extending to the right.

Assistant Director
(Office of Enforcement Programs and Services)

Multiple Sale Forms

Licensees must follow the directions relating to the reporting requirements on the ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers and ATF Form 3310.12, Report of Multiple Sale or Other Disposition of Certain Rifles. A completed copy of the Form must be forwarded to the NTC by email, fax, or mail:

EMAIL: multiplehandgunsalesforms@atf.gov
multiplelonggunsalesforms@atf.gov

FAX: 1-800-283-0288

MAIL: U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
National Tracing Center
244 Needy Road, Martinsburg, WV 25405

Report of Theft/Loss

Federal firearms licensees who experience a theft or loss of a firearm(s) from inventory must report that loss to ATF on ATF Form 3310.11 and to the local law enforcement authority within 48 hours of discovery. Firearms stolen or lost in transit must be reported by the shipping FFL. For ATF assistance in the reporting process, call 888-930-9275 during normal business hours and 800-800-3855 after hours and on weekends and holidays. If lost or stolen firearms are recovered or returned, this should be reported immediately to ATF.



PROTECTING THE PUBLIC
SERVING OUR NATION

Law/Regulation

18 U.S.C. 923(g)(6) and 27 CFR 478.39a

ATF Disclosure Restrictions

In December 2004, Congress passed the Omnibus Appropriations Act that now prohibits ATF from disclosing to the public any information required to be kept as a record by FFLs or reported to ATF (see U.S.C. 923 note). Therefore, ATF is no longer capable of assisting individuals in searching records from an FFL who went out of business and from whom a firearm was purchased. ATF recommends that firearm owners keep a record of their firearm information, particularly the serial number. The Personal Firearms Record (ATF P 3312.8) is a great tool for recording such information and is available through the ATF Distribution Center and online at www.atf.gov.

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
99 New York Avenue, NE
Washington, DC 20226

For more information about ATF visit:
www.atf.gov



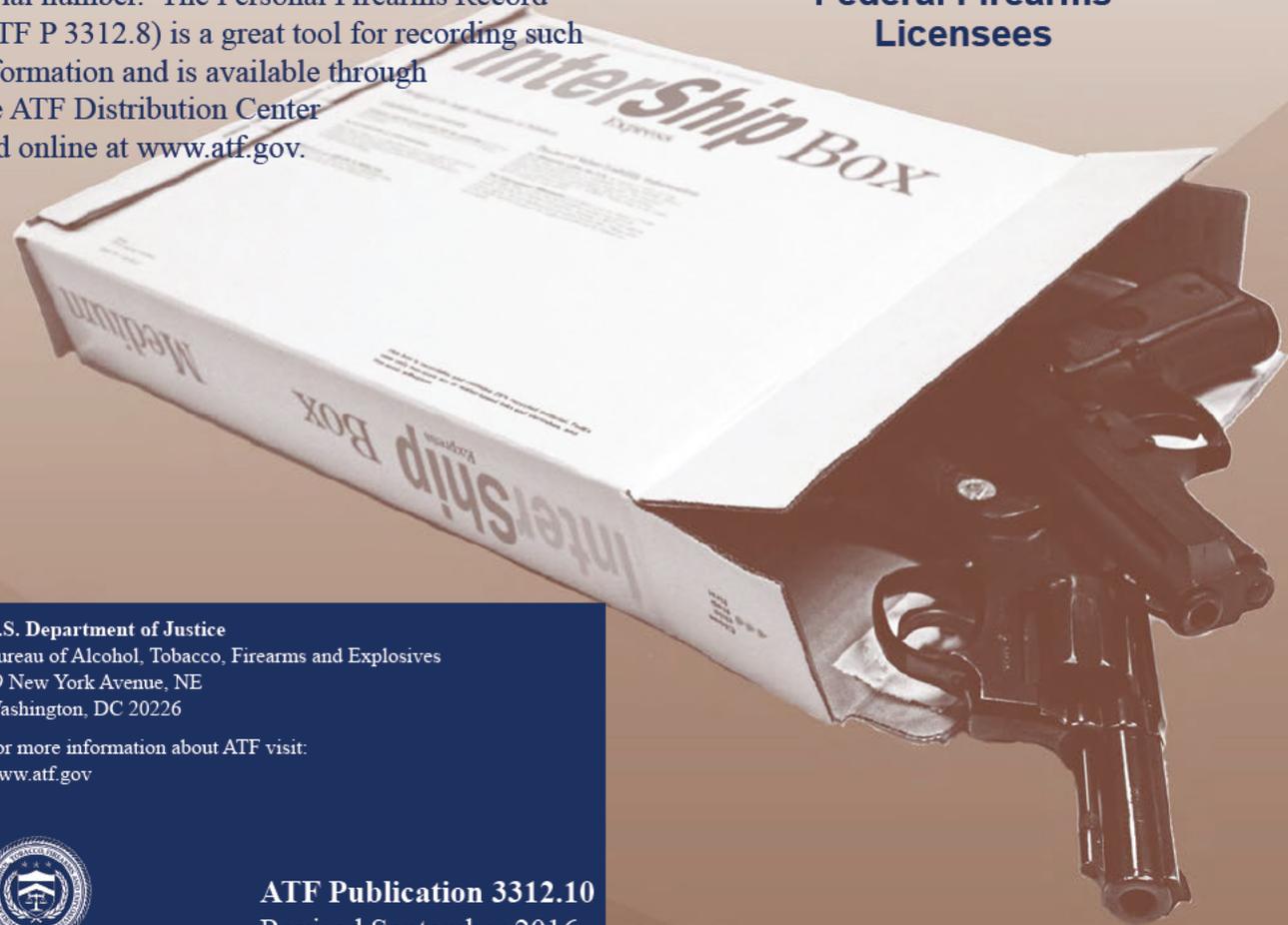
ATF Publication 3312.10
Revised September 2016

U.S. Department of Justice
Bureau of Alcohol, Tobacco,
Firearms and Explosives
Office of Enforcement Programs and Services



ATF NATIONAL TRACING CENTER DIVISION

Information for
Federal Firearms
Licensees



What is the National Tracing Center Division (NTC)?

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Tracing Center Division (NTC) is the only organization authorized to trace U.S. and foreign manufactured firearms for international, Federal, State, and local law enforcement agencies. Its purpose is to provide investigative leads in the fight against violent crime and terrorism and to enhance public safety.

What is Firearms Tracing?

Firearms tracing is the systematic tracking of the movement of a firearm recovered by law enforcement officials from its first transfer by the manufacturer or importer through the distribution chain (wholesaler/retailer) to identify a retail purchaser.

Law/Regulation

18 U.S.C. 923(g)(3) and 27 CFR 478.126a

Response to Requests from the NTC

The Gun Control Act and ATF regulations require each licensee to respond to a trace request from the NTC for a firearm disposition no later than 24 hours after the request was received.

Law/Regulation

18 U.S.C. 923(g)(7) and 27 CFR 478.25a

The identity of a person or persons requesting information can be verified as set forth in 27 CFR 478.25a, by contacting 800-788-7133, or faxing information to 800-578-7223.

What is the NTC's Out-of-Business Records Repository?

In 1986 Congress mandated that ATF centralize out-of-business records of Federal Firearms Licensees (FFLs) by establishing a records repository.

The purpose of the Out-of-Business Records Repository is to maintain records (for use in firearms tracing) of FFLs who have gone out of business.

Law/Regulation

18 U.S.C. 923(g)(4) and 27 CFR 478.127 generally requires that FFLs who have discontinued business must forward their required records to ATF within 30 days of discontinuance.

Penalty

FFLs who willfully fail to forward their required records to ATF upon discontinuance face a penalty of \$250,000 and/or 5 years in jail. Note: It is the licensee's responsibility to send records in a manner that enables the FFL to prove that the records have been received by ATF.

Required Records

Original Federal firearms license; Acquisition/Disposition (A&D) records; ATF Forms 4473, Firearms Transaction Records; ATF Forms 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers; ATF Forms 3310.12 Report of Multiple Sale or Other Disposition of Certain Rifles; ATF Forms 3310.11, Federal Firearms Licensee Theft/Loss Report; and law enforcement certification letters. If the licensee maintained a computerized record keeping system, the required records must be printed out or download to a physical storage device (i.e. hard drive, CD, DVD, USB Flash

Drive)

or at the discretion of the licensee, both. The computerized records (if applicable) must be provided in American Standard Code for Information Interchange (ASCII) text file format (conforming to common industry standards) containing all acquisition and disposition records and file description. The NTC converts these files into image files not searchable by name. See 27 CFR 478.129 for details on the length of time records must be kept.

Additional Information

Starting in 2004, ATF began accepting records that are more than 20 years old from dealers, in lieu of the FFL destroying them. If an FFL wants to send such records to the ATF Out-of-Business Records Repository, a letter should accompany the records stating that the licensee is not going out of business, but the records are being submitted in lieu of being destroyed. Please note, a licensed manufacturer or importer must permanently retain records of manufacture, importation, and/or acquisitions.

ACCESS 2000 is a partnership between ATF and specific firearms industry members, such as importers, manufacturers, and wholesalers. It provides the NTC with online access to their firearms disposition records in order to assist in the tracing process. For questions or additional information, contact the ACCESS 2000 Program Manager at 1-800-788-7133.

