



ATF

Safety and Security Information for Federal Firearms Licensees

For Theft/Loss Reporting Procedures,
See Back Cover



ATF

**Working for a
Safer and More
Secure America
through
Innovation and
Partnerships
to Prevent
Firearms Thefts.**

Safety and Security Information for Federal Firearms Licensees

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IMPORTANT: If a crime has occurred or if inventory cannot be located, turn this booklet over and follow the directions on the back.

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ATF OFFICE/HOTLINE TELEPHONE NUMBERS

STOLEN FIREARMS HOTLINE.....TOLL FREE 888-930-9275

STOLEN FIREARMS PROGRAM FAX.....304-260-3676

ATF 24-HOUR HOTLINE.....TOLL FREE 800-800-3855

LOCAL ATF OFFICE TELEPHONE NUMBER _____

ATF WEB SITE (FOR UPDATES AND TO DOWNLOAD FORMS):

www.atf.gov

ATF DISTRIBUTION CENTER (FOR FORMS AND PUBLICATIONS).....301-583-4696

ATF DISTRIBUTION CENTER
1519 CABIN BRANCH DRIVE
LANDOVER, MD 20785

STOLEN FIREARMS PROGRAM MAILING ADDRESS:

ATF STOLEN FIREARMS PROGRAM MANAGER
244 NEEDY ROAD
MARTINSBURG, WEST VIRGINIA 25405

ATF HEADQUARTERS MAILING ADDRESS:

BUREAU OF ALCOHOL, TOBACCO, FIREARMS and EXPLOSIVES
99 NEW YORK AVENUE, NE
WASHINGTON, DC 20226

IMPORTANT TELEPHONE NUMBERS:

CONTACT	TELEPHONE	FAX
_____	_____	_____
_____	_____	_____
_____	_____	_____
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ATF STOLEN FIREARMS PROGRAM

HISTORY

The Bureau of Alcohol, Tobacco, Firearms and Explosives' Stolen Firearms Program was formally established on September 13, 1994, with the passage of the Violent Crime Control and Law Enforcement Act of 1994. For more than 20 years before this Act, ATF had been accepting voluntary reports of firearms lost/stolen from interstate shipments. This law created a statutory requirement for Federal firearms licensees (FFLs) to report the theft/loss of firearms from their inventories or collections.

Pursuant to the 1994 legislation, federally-licensed firearms dealers are required to report the theft/loss of a firearm(s) from inventory or collection within 48 hours of the discovery of the theft or loss. In order to manage this new reporting, to support law enforcement efforts to recover these firearms, and to develop strategies to prevent future thefts/losses, the Stolen Firearms Program was created. ATF staff, utilizing innovative databases, manage thousands of reports of theft/loss containing the records of more than 200,000 firearms reported lost/stolen since 1994.

Although the 1994 law did not address firearms lost/stolen from interstate shipments, ATF continues to maintain a program for the voluntary reporting of these thefts/losses. Under the ATF Stolen Firearms Program, a new database was also created specifically to manage the information from these incidents.

In the years following the Act, ATF has used the information generated by the program to identify, apprehend, and convict hundreds of firearms thieves. Thousands of stolen firearms have been taken from the hands of criminals and returned to their lawful owners. In addition, the program has highlighted the vital role that dealer security and sound inventory practices play in protecting licensed dealers and in keeping firearms out of the hands of criminals. Licensed firearms dealers are the first line in maintaining the security and lawful transfer of firearms.

The ATF Stolen Firearms Program is one of the means that licensees and law enforcement agencies use to protect our communities. ATF has developed individual programs to focus on three distinct problem areas: the criminal taking of firearms from Federal firearms licensees (theft); firearms in the inventories of Federal firearms licensees whose disposition cannot be determined (loss); and, firearms lost/stolen from interstate shipments. The operations of each of these programs, and the unique issues they address, are explained in detail in this document.

STATUTORY AND REGULATORY PROGRAM PROVISIONS

The statutory requirement for reporting theft or loss of a firearm from inventory or collection can be found in 18 U.S.C. 923(g)(6) and states: "Each licensee shall report the theft or loss of a firearm from the licensee's inventory or collection, within 48 hours after the theft or loss is discovered, to the Attorney General and to the appropriate local authorities."

The procedures for reporting are set forth in ATF Regulations, Part 478-Commerce in Firearms and Ammunition, 478.39a, Reporting Theft or Loss of Firearms. An expansive source of information on Federal firearms laws and regulations is the Federal Firearms Regulations Reference Guide, ATF Publication No. 5300.4, which can be obtained from your local ATF office or by calling the ATF Distribution Center at 301-583-4696. This publication and many ATF forms are also available on ATF's web site www.atf.gov.

The ATF Stolen Firearms Program is limited to firearms as defined by 18 U.S.C. 921(a)(3). Although property other than firearms (i.e., pellet and BB guns, black powder rifles, etc.) may be lost or stolen from an FFL, the reporting requirements apply only to firearms as defined in the above-cited law.

THE THREE PROGRAM AREAS

The Violent Crime Control and Law Enforcement Act of 1994 did not provide specific definitions for the terms “theft” and “loss” as applied to firearms in the inventories and collections of Federal firearms licensees. In order to administer the law and regulations, ATF recognizes a clear distinction between firearms taken in a crime and firearms whose dispositions are unknown due to administrative/record keeping errors. The actions taken by ATF and by other law enforcement agencies are also distinctly different when there is evidence or lack of evidence of a crime.

For this reason, ATF has recognized the Act’s distinction between theft and loss as the distinction between the presence or absence of criminal taking of firearms. In the following paragraphs, the meanings of “theft” and “loss” under the Stolen Firearms Program are clearly set forth in two distinct program areas.

The third program area has no enabling regulation. The interstate theft program addresses the many difficulties faced when firearms that are being shipped fail to arrive at their intended destination. Because the circumstances of their disappearance are so often unknown, it is not immediately clear whether they were stolen or misplaced. For this reason, this program area addresses both theft and loss under a uniform procedure, which is described in detail in the ensuing paragraphs.

THEFT (FROM A LICENSEE): Firearms Stolen from Inventory

Under the program, a “theft” of firearms occurs when one or more firearms are stolen from the inventory of a Federal firearms licensee (FFL). The term “stolen firearm” is used to refer to a firearm, or firearms, taken in a theft from a licensee. Under ATF’s program, theft is divided into three distinct categories: burglary, larceny, and robbery.

The legal definitions of these three categories of crime can vary from State to State. They do have a common tie in that they all generally refer to the criminal taking of another’s property. For program purposes, ATF recognizes each State’s respective legal definitions for these terms. Reporting licensees should follow the State or local law enforcement authority’s guidance in selecting which term applies.

The theft of firearms is a critical event and must be reported to the local enforcement authorities. Although the law allows the FFL 48 hours to make the report, ATF recommends that FFLs contact ATF and local law enforcement immediately upon the discovery that a crime has occurred. Expedient reporting can make the difference in law enforcement’s ability to catch the criminals and recover the firearms.

When submitting a report of stolen firearms to ATF, both the local police department that was notified and the resulting police report number must be identified on the ATF report. Remember that it is important to ensure individual safety and to preserve the crime scene for investigators.

(For reporting procedures turn to page A1)

LOSS (BY A LICENSEE): Firearms Missing from Inventory

A “loss” of a firearm occurs when a licensee cannot determine the disposition of a firearm and cannot locate it. The licensee’s records will generally reflect an acquisition but no disposition. These “lost” firearms are distinctly different from stolen firearms because, although they are “missing from inventory,” there is no indication that they were stolen. The Stolen Firearms Program includes the statutory requirement that licensees must report any firearms missing from inventory to ATF.

Licensees must make the notification of firearms missing from inventory to ATF and to local law enforcement within 48 hours of becoming reasonably certain that the firearms are missing. In many instances, the licensee may be able to determine the disposition of firearms by conducting a thorough inventory. If a complete inventory has been conducted, the FFL will be directed to conduct an exhaustive review of all acquisition and disposition records, shipping records, and if applicable, all ATF Forms 4473.

When all means available are exhausted, the licensee will be directed to submit a loss report to the Stolen Firearms Program Manager.

(For reporting procedures turn to page A2)

INTERSTATE THEFT/LOSS: Firearms Lost or Stolen from Interstate Shipments

An interstate “theft/loss” occurs when a firearm that was shipped through a common carrier, including shipping and moving companies and the U.S. Postal Service, is lost or stolen while in transit. The reporting of these incidents is not required by regulation but is strongly recommended as a best business practice. ATF accepts voluntary reporting of the theft or loss of firearms from interstate shipments completed by a licensee or non-licensee. ATF provides ATF Form 3310.6, Interstate Firearms Shipment Theft/Loss Report, to assist in reporting. Under the program, ATF receives reports on hundreds of firearms “lost” or “stolen” from interstate shipments each year.

Licensees are reminded that when shipments of firearms are received, it is a best practice to review the shipment to ensure that it contains all of the expected firearms documented. It is also a best practice, upon receipt of firearms, that their acquisition be recorded immediately. The acquisition of firearm(s) must be recorded not later than the close of the next business day following the date of acquisition. Limited exceptions to this requirement can be found at 27 CFR, Part 478.125 Record of receipt and disposition.

ATF provides this program to protect the public and to assist law enforcement in locating and recovering stolen firearms and in prosecuting thieves. Since its inception in 1975, the program has proven to be effective and successful in helping to solve numerous crimes and recover thousands of firearms. ATF’s Interstate Theft Program fills a gap in law enforcement jurisdiction that is created by the interstate nature of these shipments.

That gap is created because the movements of these shipments make the point of theft/loss difficult to determine. State and local law enforcement agencies often lack the jurisdiction or authority to investigate these interstate movements, particularly when the point of loss has not been determined.

Most commercial carriers have established procedures under which they conduct a search for missing items, including firearms. These internal searches are often extensive, and in many instances the firearms are located and delivered to their intended destinations. When a firearm cannot be located, it is considered stolen.

A smaller number of firearms fall into the “interstate loss” classification. If a cargo ship carrying firearms sinks or a truck carrying firearms is destroyed, the firearms are considered “lost.” Although there is no indication of theft, an accident has occurred and as a result the firearms cannot be located.

Interstate Theft/Loss Reports may be filed by the shipper, by the carrier, and/or by the intended recipient (consignee). It is not uncommon for an individual theft or loss to be reported by more than one party. Reporting is not limited to licensed dealers. There are several scenarios under which non-licensed persons may lawfully ship firearms in interstate commerce. A report may be filed by any person who lawfully ships a firearm and experiences a theft or loss. For example, this would include the theft/loss of a firearm during a change in residence wherein the firearm was being carried by a moving company.

The most active participants in the program are the carriers themselves. Commercial carriers do not require a Federal firearms license to ship firearms, and many carriers actively participate in the program. This close working relationship between ATF and the carriers has resulted in the recoveries of thousands of firearms over the years.

Licensees who ship firearms are encouraged to amend their disposition record upon learning of a non-receipt of a firearm by the receiving entity or consignee. (For reporting procedures turn to page A3)

LICENSEE RESPONSIBILITY

Lost or Stolen Firearms Pose a Threat to Public Safety

Report Theft/Loss within 48 Hours

Federal firearms licensees who discover the theft or loss of a firearm or firearms are required by law to report the incident to the local law enforcement authority and to ATF within 48 hours. The distinction between theft and loss is explained in depth in the preceding chapters, and the procedures to report a theft or loss can be found by following the directions on the back of this brochure.

Protect Inventory

ATF recommends that Federal firearms licensees take every precaution available to protect their firearms from theft or loss. This includes conducting periodic and thorough, physical inventories, then reconciling the count to the book inventory. At a minimum, an annual inventory or its equivalent is highly recommended. Physical security including alarm systems and safe business practices are also highly recommended and in some cases may be required by State or local law. The following chapter contains many tips and ideas that the licensee can utilize to enhance the safety of their inventory.

Report Firearms Violations

Federal firearms licensees may not knowingly transport, ship, or receive firearms with serial numbers that have been altered, removed, or obliterated. Licensees also may not knowingly receive or sell stolen firearms. Firearms taken on pawn or for resale that are determined to be stolen must also be surrendered to the appropriate law enforcement authority. In all circumstances, licensees should immediately report violations to the appropriate law enforcement agency.

TRENDS

Thefts of firearms from federally licensed firearms manufacturers, importers, dealers, and collectors continue to be a significant concern for law enforcement and for the general public. The ATF Stolen Firearms Program is at the center of efforts by licensees to protect their inventories and by law enforcement to capture and prosecute firearms thieves. These initiatives are greatly assisted when

licensees maintain accurate inventories and records and fulfill their legal responsibility to provide timely and accurate notifications regarding any thefts or losses of firearms.

At the center of any effort to protect firearms from theft is the process of accurate and reliable inventories. When a firearm theft occurs, the records maintained by the owner are pivotal to the recovery of those firearms and the prosecution of the thieves. Failure to conduct periodic inventories and maintain accurate records leads to confusion regarding the true dispositions of firearms and can result in false arrests and/or seizures of firearms mistakenly reported stolen. Law enforcement is greatly assisted when Federal firearms licensees maintain accurate records of firearms inventories.

However, an accurate determination of the full extent of all firearm thefts and losses in America is not possible. One of the leading factors is that there is no requirement that non-licensees report stolen firearms. A second is that among those non-licensees that want to report firearms thefts and losses, there is frequently an inability to accurately identify the firearms. Because of factors like these, there is no law enforcement database or statistical collection protocol that was designed to track, or which can accurately track, the numbers and types of firearms stolen outside of the regulated firearms industry.

Without accurate identification of these firearms, law enforcement officials face considerable obstacles in investigating these firearms thefts. In contrast, firearms that are under the control of federally licensed firearms importers, manufacturers, dealers, and collectors must be carefully inventoried and identified. In 1968, Congress established specific marking requirements for firearms, so that they could be identified and distinguished by law enforcement (see *Properly Identifying Firearms*, page 15).

Specifically, firearms manufactured after 1968 must be identified by make, model, caliber, serial number, and other features that generally allow each individual firearm to be definitively identified and uniquely distinguished from all other firearms (more information on required markings is available in ATF Publication 5300.4, Federal Firearms Regulations Guide). Because the firearms industry utilizes and records these required markings, if they experience a theft or loss, it can be accurately reported to law enforcement and the firearms readily identified when recovered. Firearms taken in residential and industrial burglaries, stolen from shipments, and otherwise taken illegally or simply lost, frequently go unreported or cannot be fully documented because the firearms' individual descriptions were not fully documented by their owners.

ATF has reintroduced ATF Publication 3312.8, Personal Firearms Record (see page 21), to assist firearms owners and law enforcement in correctly documenting and identifying lost or stolen firearms. These pamphlets are available at no cost from the ATF Distribution Center (301-583-4696). Whenever a firearm is sold to a non-licensee, we recommend that the FFL provide the buyer with a copy of this publication. If a copy of the publication is not available, we recommend that the purchaser be encouraged to keep a record in some form, including a full description of the firearm, separate from the firearm's storage location.

ATF also works closely with the interstate carriers who ship and transport firearms, including the U.S. Postal Service, to ensure that lost or stolen firearms can be identified and reported. A number of these carriers have developed sophisticated protocols to ensure the safety of firearms shipments and to accurately report any thefts or losses.

Although only Federal firearms licensees are required to report firearms thefts, the information being received makes it clear that thefts are not declining. This trend underscores the need for licensees and non-licensees to continue efforts to properly record firearm inventory and identification information, and to safeguard firearms from theft or loss.

DEFINITIONS USED IN THIS PUBLICATION

NOTE: Although the following terms may have many definitions, their meanings within the Stolen Firearms Program are provided here.

Appropriate local authorities. These authorities are either the local police department, sheriff's office or the State police agency having primary law enforcement responsibility for the licensee's business premises.

Collection. Curio and relic firearms acquired by and in the inventory of a federally licensed collector of firearms. For more information on curio and relic firearms, see ATF Publication 5300.11, Firearms Curios and Relics List and ATF Regulation 27 CFR 478.93.

Common or contract carrier. The term "common or contract carrier" refers to any individual or organization engaged in the business of transporting passengers or goods.

Consignee. The term "consignee" means the business or individual to whom the firearm(s) was shipped, even if the firearm(s) is lost or stolen and never delivered to such business or individual.

Federal Firearms Licensee. A Federal firearms licensee (FFL) is any person, partnership, or business entity holding a valid license issued under the authority of 18 U.S.C. 923, which allows them to "engage in the business" of dealing (manufacturing, importing, selling retail or wholesale, repairing, or pawn brokering) firearms. It also refers to collectors licensed under 18 U.S.C. 923. By law, all FFLs must keep records of their firearms transactions. (See 18 U.S.C. 921(a)(21) for a definition of "engaged in the business.")

Firearm. As defined under Federal law, 18 U.S.C. 921(a)(3), the term "firearm" refers to (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

Licensee. The term "licensee" refers to a Federal firearms licensee, also abbreviated "FFL."

Loss. The term "loss" refers to firearms whose disposition is unknown but for which there is no evidence of theft.

Shipper. The term "shipper" refers to the business or individual who delivers the firearm(s) to the common or contract carrier.

Stolen firearm. A firearm that has been taken from its lawful owner by the act of burglary, larceny, or robbery.

Theft. The term "theft" refers to a specific criminal act or event in which a firearm, or firearms, are stolen.

FEDERAL STOLEN FIREARMS LAWS

Individual States, and localities, often have laws and ordinances that apply to the theft of firearms, possession of stolen firearms, and the sale of stolen firearms. Be sure to familiarize yourself and your employees with those laws that apply to your business.

Federal law also addresses stolen firearms and prescribes penalties for violations of those laws. The following briefly sets forth some of the laws that apply specifically to federally licensed firearms dealers:

Unlawful to transport or ship stolen firearms. “It shall be unlawful for any person to transport or ship in interstate or foreign commerce, any stolen firearm or stolen ammunition, knowing or having reasonable cause to believe that the firearm or ammunition was stolen.” 18 U.S.C. 922(i).

Unlawful to possess, store, sell or pawn stolen firearm. “It shall be unlawful for any person to receive, possess, conceal, store, barter, sell, or dispose of any stolen firearm or stolen ammunition, or pledge or accept as security for a loan any stolen firearm or stolen ammunition, which is moving as, which is a part of, which constitutes, or which has been shipped or transported in, interstate or foreign commerce, either before or after it was stolen, knowing or having reasonable cause to believe that the firearm or ammunition was stolen.” 18 U.S.C. 922(j).

Unlawful to steal a firearm from a federally licensed firearms dealer. “It shall be unlawful for a person to steal or unlawfully take or carry away from the person or premises of a person who is licensed to engage in the business of importing, manufacturing or dealing in firearms, any firearm in the licensee’s business inventory that has been shipped or transported in interstate or foreign commerce.” 18 U.S.C. 922(u).

Fines and imprisonment up to 10 years for stealing a firearm. “A person who steals any firearm which is moving as, or is a part of, or which has moved in, interstate or foreign commerce shall be imprisoned for not more than 10 years, fined under this title, or both.” 18 U.S.C. 924(l).

Fines and imprisonment for stealing a firearm from a licensed dealer. “A person who steals any firearm from a licensed importer, licensed manufacturer, licensed dealer, or licensed collector shall be fined under this title, imprisoned not more than 10 years, or both.” 18 U.S.C. 924(m).

Contact your local ATF Field Office for more information on these and other laws and regulations that apply to the theft of firearms.

SAFETY AND SECURITY

STEPS FOR REDUCING YOUR VULNERABILITY TO THEFT/LOSS AND PERSONAL INJURY

Each year ATF receives thousands of reports of theft/loss from federally licensed firearms dealers. These reports document more than 25,000 firearms that are stolen or whose disposition is unknown to these businesses. It is clear that criminals target businesses that sell firearms. Experience has shown that in many instances, the thieves spend a considerable amount of time evaluating these businesses to determine and capitalize on their vulnerabilities.

Although it may be impossible to balance an impenetrable security system with the requirements of a business that receives and transfers property openly to the public, there are many steps that can be taken to diminish risk. The following text sets forth six areas available to the licensed firearm dealer for guidance and assistance in avoiding theft/loss and preventing personal injury. Some of these ideas can be implemented at no cost while others may involve considerable investment. If circumstances warrant it, obtaining sufficient security may cause you to consider moving to a more secure building or location. Read through the following text, think about how each point may apply to your business, and determine which steps are right for you.

STRUCTURAL SECURITY

- Structural security is a combination of the physical characteristics of your business facility and its location. A thorough evaluation of your structural security should be done on a regular basis. Look at the physical structure of your building and consider the position your business occupies within the context of adjoining businesses. Can the roof of your establishment withstand an attempted break in? Does poor or absent structural security make your establishment an attractive target, and consequently, the most likely victim of criminals or criminal opportunity?
- **Evaluate your business location.** Have property crimes been recurring or increasing in your area? Is your business in a rural area in which a crime is unlikely to be witnessed and in which police response time may be slow? Have you already been a victim of theft/loss? If so, your business location may require you to increase your security measures by following some of the ideas below:
- **Evaluate your door and window locks.** Can any door or window be opened from the outside without keys? Do any former or non-employees have access to keys? Are keys stored or kept near the container or door for which they are used? Have any of your business keys been lost or stolen? If so, it is time to replace, re-key, improve locks, and improve procedures for storing and tracking keys.
- **Evaluate your windows and doorjamb.** Can any of these be opened or broken through from the outside with minimal force? Is it time to reinforce or replace windows and/or doors? It may be important to invest in burglar bars or roll-down security gates on windows, doors, and vents. Barriers such as concrete filled posts or large cement planters may deter thieves who would consider using a vehicle to smash into the building to gain access. Consider replacing any exterior hollow core doors with solid metal or sheet metal faced solid wood doors. Also consider

steel doorframes, long throw dead bolts, and welding or preening any hinge pins to prevent their easy removal.

- **Evaluate other unsecured openings.** Does your premises have air conditioning units in open windows or a hole in an exterior wall? These units are easily removed, and many theft entries are made in this way. Are chimneys and other vents blocked or narrowed sufficiently to prevent entry?
- **Evaluate the walls and ceilings.** In many instances of theft, criminals have ignored doors and windows and cut through adjoining walls or the ceiling to gain access. In some cases, the wall next to the doorway was simply pushed through. Poorly protected adjoining businesses also provide an easy entry point for criminals who choose to go through unreinforced walls. This form of entry may have a second unintended negative effect in that it may avoid triggering the alarm system. A common precaution is the installation of floor to ceiling steel mesh in the gun vault and in exterior walls. If circumstances warrant it, consider moving to a more secure building.
- **Evaluate exterior lighting and surrounding structures, shrubs, and trees.** Is your business and the surrounding area well lit at night? Are there areas in which criminals can conceal themselves to monitor your business and by which they could enter/leave the building unseen or under the cover of darkness? Are there structures or objects such as trash cans or dumpsters next to the building that may provide cover or easy access to the roof or windows?
- **Evaluate the front windows and entrance.** Can employees see persons approaching the store or vehicles parked outside? Can passersby see into the store or are persons inside the store concealed from public view so that a robbery would be undetected while it was being committed?
- **Obtain an alarm system.** There is no logical justification for a firearms business to be unalarmed. Most alarm companies will evaluate your needs and make recommendations at no cost. A simple system is far less expensive than the cost of replacing inventory. Many States require an alarm system on specific types of businesses, particularly firearms dealers. Are you in compliance with State and local law on your alarm system and other security requirements?
- **Evaluate your existing alarm system.** Is it sufficient for the nature and size of your business? Are all points of entry protected? Do you have, or need, a panic button? Tamper alarm? Cellular backup (cellular backup is considered an industry standard to protect during power failures and/or if power/phone lines are cut)? Have you tested the system on a regular basis? Who is on the call list and are the phone numbers correct and current? Have you met with the local authorities to agree on protocols when the alarm is tripped? Have you had a series of apparent false alarms? If so, is the problem in the system, or is your response procedure being studied by a savvy criminal?
- **Protect your alarm codes.** Have you limited the number of people who know the codes? Are your codes unrelated to family names, numbers, and other easily recognizable names and number sequences? Do you change the codes on a regular basis and whenever there is employee turnover? Have you written the codes where they are easily accessible to thieves or unauthorized employees?

- **Evaluate the need for or condition of your video camera system.** Having video cameras can have a significant deterrent effect on crime. They can also be instrumental in solving thefts. Do your cameras face in a direction that will capture people's faces and features? Are you recording at all times? If your recorder is a VCR, do you have fresh videotapes, or have they been used hundreds of times? VCR tapes lose their integrity with repeated recording. It may be time to switch to a digital recorder whose picture quality is far superior and will not degrade over time. In some instances, insurance savings may offset updating obsolete or inferior equipment. Is your recording system in plain view or protected from view, tamper and/or theft?
- **Evaluate the installation of a remotely activated electronic security entrance.** Would there be value in screening customers to prevent access to suspicious persons? Businesses in or near high crime areas and those who have already been a victim of a crime may want to give this some serious consideration.
- **Evaluate the business-hours store layout.** Are unsecured firearms displayed within reach of customers? Does your business have blind spots in which customers can access inventory? Are display cases kept locked unless an employee is displaying a firearm or other item from that case? Are there times/situations wherein all employees have their backs to customers? Do any business activities require that employees enter the rear of the store/storage locations, leaving customers unattended?
- **Evaluate after-hours business layout.** Have firearms and ammunition been secured? If thieves break into the store, are firearms readily accessible or are secondary measures in place (i.e. firearms secured by locking cable, etc.)? The best business practice is to remove all firearms from display cases and racks and place them in a gun vault at night. As an alternative, some businesses utilize reinforced display cases with shatterproof glass.
- **Evaluate the level of security provided by an answering machine.** Avoid using the answering machine to announce weekends and other times when you will be out of town. When the message says you are closed so that you can attend a show, the underlying message is that your business is unprotected.

INVENTORY SECURITY

Inventory security is the way in which business merchandise and equipment is accounted for from the date it is received (acquired) by the business to the date of its disposition (sale, trade, etc.). At the core of inventory security is the practice of complete and consistent documentation. For firearms inventory, accurately completed ATF Form 4473 forms and an up-to-date and accurately completed Acquisition and Disposition Record are required by law. The following additional steps are recommended practices to help protect inventory:

- **Conduct periodic physical inventories and reconcile to book inventory.** Complete physical inventory counts and reconciliation to book inventory enable an FFL to know which firearms have been transferred legally and which firearms may have been lost/stolen. This includes ensuring that all firearms in inventory are recorded in the Acquisition and Disposition book and that for all open entries in the book, there is a firearm. The frequency of inventories may be dictated by the nature of the business, but at a minimum, an annual "floor to ceiling" inventory is recommended. Without reliable records, it is impossible to determine if firearms have been transferred or are still in inventory. If this cannot be established and a crime occurs, the licensee will not be able to provide ATF and/or the local law enforcement authorities with an accurate list

of stolen firearms. An inaccurate report could result in the arrest of an honest citizen or freedom from prosecution for a criminal. Without reliable records, you may not even become aware that a crime has occurred.

- **Accurately record your physical inventory in your records.** Remove firearms from containers/boxes when recording acquisition. An accurate inventory must include physical comparison of firearms with the acquisition description. Many times firearms are shipped that do not match firearms listed in shipping manifests. The markings on firearms boxes can bear markings that are different than those which appear on the firearms. Do not rely on packaging or labeling to record firearms acquisition.
- **Require two-party inventories.** Never allow one person to have singular oversight of any part of your business, including sales transactions, handling monies and particularly the inventory process. Many internal thefts stem from situations in which a single person was in control of the physical firearms inventory and/or records. In addition to incorporating a second party in a regular review of the acquisition and disposition records, physical inventories should always be conducted by at least two persons.
- **Protect your inventory records.** Thefts of firearms often include the theft of records. Some criminals are aware that the records may be the only way to determine which firearms were stolen. Secure records after hours in a location separate from the firearms inventory.
- **Keep timely acquisition and disposition records.** Federal regulations generally require that acquisitions be recorded by the close of the next business day, and that dispositions be recorded within 7 days. However, it would be safer to record them at the time the firearms transaction occurs. If you are a victim of theft, having current records is essential.
- **Examine each shipment of firearms that you receive.** Federal law requires that common and contract carriers who deliver firearms in interstate commerce obtain written acknowledgement of receipt from the actual recipient. Before you sign, examine the shipment. Determine, at a minimum, that the number of firearms indicated on the carrier's documents is the number you received. A best practice would be to open each package to verify that the shipment matches the order exactly.
- **Keep display cases locked at all times.** This is a standard practice in the jewelry trade, another industry that is prone to shoplifting and internal theft.

EMPLOYEE SCREENING

The same care that is given to the safe handling and storage of firearms should be given to the selection of the people whom the licensee authorizes to do that work. Reluctance to embarrass or offend strangers or acquaintances must be set aside to ensure the security of the business. It is neither lawful nor in the licensee's interest to knowingly allow a prohibited person to possess firearms or engage in firearms sales. The importance of conscientiousness and trustworthiness is underscored by the high level of responsibility placed upon persons who are in a position to transfer firearms.

- **Institute an employee screening process.** ATF recommends conducting background checks on all employees and applicants (even relatives). Many private companies are available to perform these checks on a fee basis. Background checks should be repeated after an established period of time has elapsed. Applicants/employees should also provide references. These references

should be contacted, interviewed, and asked to provide the names of other potential references, not listed by the applicant/employee.

- **Require proof of identity.** Require that each applicant/employee produce a government-issued identification card – a driver’s license, for example – and a social security card.
- **Discuss questions with the local police or ATF.** If it appears that an applicant or employee may not be eligible to possess or transfer firearms, the local police or local ATF office should be contacted for guidance. (For assistance in locating the nearest ATF office, visit the Web site at <http://www.atf.gov/field>)

SAFE BUSINESS PRACTICES

Safe business practices are the least expensive and perhaps the most immediately beneficial steps that the licensee can take to limit the risks of becoming a victim of crime. As with all of the recommendations in this pamphlet, the following methods and ideas have proven to be effective for many licensees. A structured training program is also recommended to implement and encourage safe business practices and procedures among employees.

- **Familiarize yourself with State and local ordinances.** Many jurisdictions have established security requirements for businesses, some specifically for businesses that sell firearms. Many jurisdictions require by law that a working alarm system be installed in your business.
- **Show only one firearm at a time to a customer.** If the customer requests to handle another firearm, secure the first firearm before displaying another. If the firearms are kept in a locking display case or other security device, ensure that only one firearm is unlocked or unsecured at a time.
- **Disable display firearms.** Use trigger locks or plastic ties to ensure that the firearms cannot be loaded or fired while being examined. In some situations, the best practice may be the removal of the firing pin. Another best practice to consider is placing display firearms in a safe at night, a protocol followed by most jewelry stores.
- **Do not leave a customer who is handling a firearm unattended.** If an employee leaves a customer who is handling a firearm, control of that firearm has been relinquished to the customer. To prevent this, instruct your staff to return a firearm to its storage location before leaving the customer unattended.
- **Keep ammunition stored separately from the firearms and out of the reach of customers.** This practice can help eliminate shoplifting of ammunition and help ensure that firearms remain unloaded while on display.
- **Do not meet with customers after hours or off site.** This is particularly important if the customer asks that some firearms be brought to the meeting. Advise your local ATF office of any such requests and provide them with the identity of the requestor.
- **Wipe down all countertops and doors each night.** A clean surface makes it easier to capture and preserve fingerprints. Those fingerprints could be the difference between an unsolved crime and capturing the criminals.

- **Do not keep large sums of cash on hand.** Keeping large sums of cash during business hours or at night creates an opportunity for your business to experience a substantial financial loss. Limit the amount of cash on hand by making regular deposits. You may want to consider recording the serial numbers on paper money left in the cash register at night. Store this record away from the cash so that if the money is taken, it can be more easily tracked.
- **Do not leave counter and safe keys in the cash register at night.** Many burglaries have been made worse by ready access to keys left in the cash register. The cash register is logically one of the first targets in a burglary.
- **Ship firearms in a way that requires signatures or recording of transfers.** In many cases, the most inexpensive means of shipping provide little accountability. Using a shipping method that includes some form of tracking is strongly encouraged. Ask the carrier if and how each point of transfer will be documented. Detailed documentation makes it easier to track a lost or damaged shipment. When shipping a firearm, using a method that is most reliable is suggested.
- **Provide safety and security training for your employees.** Ensure that they know what to do if a crime is committed or discovered. Prepare a specific procedure for them to follow. Post important telephone numbers and keep procedures where they can be readily utilized (this booklet, if opened from back to front, contains a recommended series of steps in the event of a theft or loss). Explain the importance of protecting keys, combinations, codes, alarm system features, and any other security plans or procedures you have. Advise your employees not to reveal this information to non-employees, including family members.
- **Familiarize your employees with firearms laws.** Sales personnel must be shown, understand, and be able to explain the firearms laws that apply to them and to your customers. Ensure that they understand how to make a lawful transfer and what transactions to avoid. For assistance with this type of training, you can request a “Don’t Lie for the Other Guy” package from your local ATF office and visit the Internet learning theatre on the ATF Web site www.atf.gov. You can also contact your local ATF field office to inquire about FFL seminars (<http://www.atf.gov/field>).
- **Record the description of suspicious persons and their vehicles.** If an individual, or individuals, raise your suspicions or specifically ask you to assist them in subverting the law, record their identification, their physical description and the vehicle description and license plate, if you can safely do this (a suspicious person guide can be found on page 25). Criminals frequently visit the stores they intend to victimize before the crime in an effort to assess their target. Many crimes have been solved through physical and vehicle descriptions recorded by employees and witnesses who grew suspicious of a person or a customer’s actions, questions, or activity.
- **Post the Theft Warning Notice in a conspicuous location.** This publication contains, on page 23, a theft warning notice that can be removed and placed in a window or other conspicuous location. A lunchroom or other area frequented by business staff should also be considered as a beneficial location for this warning.
- **Request the assistance of the local law enforcement authorities.** Contact your local police department and request a visit for safety and security advice. Ask if there have been any thefts in the area or patterns of theft to which you may be vulnerable. Develop a relationship with the law

enforcement officers who work in the area that includes your business. Offer your parking lot to them at night. Obtain the best telephone numbers to use in emergency and non-emergency situations.

- **Strictly control firearms at gun shows.** Prepare an inventory of all firearms removed from the store for display or sale at a gun show and store the list separately. ATF recommends that you not take your acquisition/disposition record to the gun show if you will be returning to your premises in time to record your transactions as required by law. Thoroughly record all transfers and make those entries as soon as you return from the show (see 27 CFR 478.125(e) for guidance).
- **Do Not advertise that your business is unprotected.** Avoid leaving a sign in the window or a message on your answering machine announcing that you will be closed or are out of town. This only puts every friend and stranger who reads or hears it on notice that your store may be unattended for several days.

CUSTOMER SAFETY

Purchasers of firearms inherit the significant responsibility of protecting themselves and the public from theft or loss of their firearms. Federal firearms licensees have an opportunity to provide information and products that can help purchasers with this responsibility. Please review the following suggestions:

- **Insist on complete firearms safety.** By demonstrating safe firearms handling, including clearing and unloading procedures, customers have the opportunity to learn and repeat these firearms safety procedures after they leave your store. This is the highest form of customer service. Include a copy of the Disposition of Firearms flier shown on page 20 to assist purchasers in complying with Federal laws relating to firearms ownership and transfer.
- **Recommend safe storage methods.** Federal law requires that firearms safety or locking devices be available for purchase and provided to anyone purchasing a firearm. We recommend that you advertise these to your customers for storing their firearms. Advise customers to take their firearms directly home rather than leave the firearms in their vehicle while taking care of other errands. Remind your customers that firearms should always be unloaded when being stored.
- **Personal Firearms Record.** Provide customers with a free copy of ATF Publication 3312.8, Personal Firearms Record. This pamphlet was developed to provide firearms owners an easy and complete way to maintain a record of their firearms. In the event of theft or loss, the firearm(s) can be fully identified for law enforcement and for insurance purposes. (A sample of this pamphlet can be found on page 21.)

DISASTER PREPAREDNESS

Every business should have a disaster plan. Federal firearms licensees have a double interest in having a plan in place because they need to safeguard their business to facilitate a quick recovery, and they need to protect the public from the risk of theft/loss of firearms and ammunition in the event of a disaster.

The following suggestions can form a guide for developing a plan to follow in the event of impending disaster:

- Create and maintain a current set of records (and consider a second set maintained at a second, secure location) that includes: insurance policies; supplier and contact list; computer records backup; and a second set of business records.
- Create a list of employee phone numbers and establish a plan under which, in the event of a disaster, they have a phone number to call to report that they are OK.
- Secure your inventory. Utilize safes and cable locks that can retain and protect inventory.
- Perform a full inventory and take Acquisition and Disposition records to a safe location until the threat has passed.
- Make your disaster plan “multi-hazard” by taking into account each possibility: fire; tornado; hurricane; flooding; looting; etc.
- ATF can approve variances to move business operations (including NFA firearms) in special circumstances, which can include impending natural disasters.
- For more information on disaster preparedness, request a copy of ATF Publication 3317.7, Disaster Preparedness for Federal Firearms Licensees from the ATF Distribution Center by calling 301-583-4696.

YOUR LOCAL ATF OFFICE

The local ATF office can be an invaluable resource for information and assistance in the safe and compliant operation of your business. This office should be your first point of contact with questions regarding anything associated with your Federal firearms license. The local office can also assist you in the preparation of the theft/loss reports that must be submitted to the Stolen Firearms Program Manager. (For assistance in locating the nearest ATF office, visit the Web site at <http://www.atf.gov/field>).

PROPERLY IDENTIFYING AND RECORDING FIREARMS

In order to conduct business, the FFL relies on the accurate description of firearms and the timely recording of acquisition and disposition. Without this, law enforcement agencies are forced to rely on inaccurate information when they endeavor to investigate firearms thefts. Inaccurate and missing records also impact the ability to determine ownership of recovered firearms and their return to the lawful owners.

In 1968, Congress established unique marking requirements for all firearms imported into or manufactured within the United States (see 27 CFR 478.92(a)(1) and 27 CFR 478.102). Unfortunately, marking requirements that existed before 1968 did not apply to all firearms and, in particular, allowed for duplication of serial numbers. Many thousands of firearms manufactured and imported prior to 1968 bear no serial numbers, product codes, patent numbers, or other markings that appear to be serial numbers. Some of these pre-1968 firearms bear virtually no markings at all. Licensees who receive these firearms should note in each descriptive column in the acquisition record the physical marking that appear on the firearms. If no serial number was placed on the firearm, it should be specifically noted that “Firearm has no serial number.” Remember, however, it is illegal to remove a firearm’s serial number, and a licensee should report such a firearm to the nearest ATF office.

Under the 1968 law, manufacturers and importers may not duplicate serial numbers. Both must utilize or place a serial number that they have not used before, and may not issue again, on the firearm’s frame or receiver. The serial numbers themselves are generated by the licensee, and many are so unique that their appearance can readily identify the manufacturer or importer.

To accurately identify a firearm, FFLs receiving firearms must record the **Serial Number** in their A&D book. Be careful to use the number on the frame or receiver. Parts of the firearm, such as the slide or barrel, may be marked with a part or model number, different from the serial number.

The following additional information must be marked on the frame, receiver, or barrel of post-1968 firearms, and must be recorded in the A&D book: **model** (if such designation has been made); **caliber** or **gauge**; **name of the manufacturer** (or recognized abbreviation); and **importer** (if applicable). Although not required to be recorded in the A&D record, for domestically produced firearms, the **city and State** (or recognized abbreviation) of the manufacturer’s place of business, and for imported firearms, the **country of manufacture** and the **city and State** (or recognized abbreviation) of the importer’s place of business must also be marked on the frame, receiver, or barrel.

This description of the marking requirements is brief and concise and may not guide you in the identification of each firearm you examine. Refer to the diagram on the following page for more guidance and contact your local ATF office for further assistance.

Firearms Inventory

Record the firearm description directly from the firearm. Do not rely on the box, invoice or other packaging materials (refer to diagram for guidance).



FIREARMS ACQUISITION & DISPOSITION RECORD BOOK

Buyer's Name _____
 Address _____
 City _____ State _____ Zip _____
 License No. _____ Date Expired _____
 Date Issued _____ Date Expired _____

FIREARMS ACQUISITION & DISPOSITION RECORD

This book provides a permanent record of all purchases and sales of firearms and explosives. It is a required record for all licensees and is optional for others. It has been approved by the Bureau of Alcohol, Tobacco and Firearms of the U.S. Department of the Treasury.

File Period Covered From () To ()

BE SURE TO FILL OUT FORM 4473 ON FIREARMS SALES

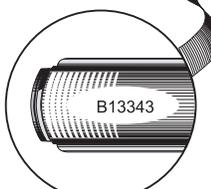
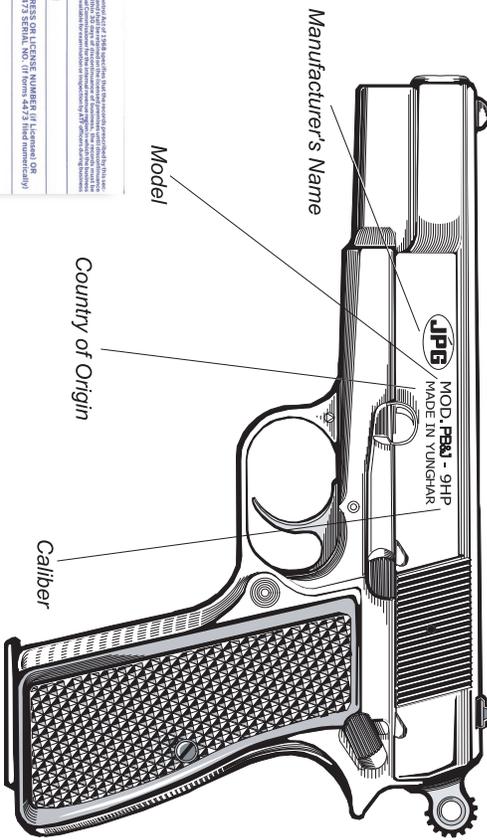
File Period Covered From () To ()

MANUFACTURER and/or IMPORTER	MODEL	SERIAL NUMBER	TYPE	CALIBER (OR GAUGE)	DATE	RECEIPT FROM WHOM RECEIVED (Name and License Number)
J&B/B&A, Inc. Anytown, USA	Mod. PB&I	B13343	Pistol	9mm		

FIREARMS ACQUISITION AND DISPOSITION RECORD

DATE	NAME	DISPOSITION

NOTE: THESE FORMS ARE DESIGNED TO FIT A ONE-INCH, THREE-RINGED BINDER. IF YOU USE OTHER RING SIZES, YOU MAY HAVE TO CUT AT THIS FOLD.



The purchase or acquisition of firearms generally must be recorded not later than the close of the next business day following the date of purchase or acquisition.



BASIC FIREARMS SAFETY

FIREARMS HANDLING AND STORAGE

1. Treat every firearm as if it were loaded.
2. Always keep the muzzle of the firearm pointed in a safe direction.
3. Always keep your finger off the trigger and outside the trigger guard unless you intend to fire the weapon.
4. Wear appropriate ear and eye protection when discharging the firearm.
5. If you have children in your residence, use child safety locks or other commercially available locking mechanisms on your firearms and/or keep your firearms locked in a secure location accessible to adults only. Keep your ammunition locked in a secure location away from the firearms.
6. Become familiar with, and obey, all Federal, State, and local laws regarding the purchase, possession, carrying, use, storage, and disposition/sale of firearms.

CLEARING/UNLOADING A FIREARM

1. Always keep the muzzle pointed in a safe direction AND always keep your finger off the trigger and outside the trigger guard while cleaning or unloading a firearm. (Consider obtaining a commercially made firearm clearing barrel for safe clearing/unloading purposes.)
2. Remove the magazine or other source of ammunition.
3. Open the breech and visually as well as physically inspect the chamber to ensure the firearm is completely unloaded. Repeat this step twice to be sure the firearm is completely unloaded.

NON-LICENSED FIREARMS SALES

If you do not have a Federal firearms license and you later decide to sell, trade, transfer, or otherwise dispose of the firearm(s) you have purchased, keep in mind the following basic guidelines contained within the Gun Control Act (GCA) of 1968 that may apply to such dispositions:

1. The GCA prohibits persons from engaging in the business of dealing in firearms without a license issued by ATF (18 U.S.C. 921(a)(11)(A)). A sentence of up to 5 years imprisonment and/or a fine of up to \$250,000 may be imposed on anyone found guilty of dealing in firearms without a license. The GCA defines the term “dealer” in firearms as “a person who devotes time, attention and labor to dealing in firearms as a regular course of trade or business with the principle objective of livelihood and profit through the repetitive purchase and resale of firearms” (18 U.S.C. 921(a)(21)(C)). The term “dealer” in firearms does not include a person who makes occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or who sells all or part of a personal collection of firearms. In general, the following applies to an unlicensed person:
 - You may occasionally acquire or dispose of firearms to, and from, residents of your State as long as this activity does not fall under the definition of “dealer” in firearms and as long as the intended receiver of the firearm may legally possess the firearm.
 - You may dispose of firearms to a licensed firearms dealer in any State.
 - You may not acquire from or dispose of firearms to residents of any State other than your own.
 - You may not engage in the business of dealing in firearms without being licensed.
2. In addition, the GCA prohibits any person from:
 - Selling or disposing a firearm to any person the transferee knows or has reasonable cause to believe is under indictment for, or has been convicted of, a crime punishable by a term of imprisonment exceeding one year; is a fugitive from justice; is an unlawful user of or is addicted to any controlled substance; has been adjudicated as a mental defective or committed to any mental institution; is an alien unlawfully or illegally in the U.S. or is a nonimmigrant alien and no exception under 18 U.S.C. 922(y) applies; has a dishonorable discharge from the Armed Forces; has renounced their U.S. citizenship; is subject to a qualifying, court order for restraint; or has been convicted of a misdemeanor crime of domestic violence (18 U.S.C. 922(d)).
 - Transferring a firearm to any person who intends to use the firearm in a crime of violence or serious drug trafficking offense (18 U.S.C. 924(h)).
 - Transferring handguns or handgun ammunition to juveniles (persons under 18 years of age) except for purposes of employment, military, hunting, or a safety course provided the juvenile has a parent or guardian’s prior written consent (18 U.S.C. 922(x)).
3. **General Advice for non-licensed seller/purchaser:** While it is not required by law, it is highly recommended that the purchaser provide some form of identification and that this information, along with the date, place of sale, and full firearms description be recorded. The purchaser should keep this information in a location separate from the firearm(s).



Lost/Stolen Firearms Investigations



Each year, thousands of firearms are reported lost or stolen. The owners' ability to adequately identify these firearms is central to law enforcement's ability to investigate these crimes and losses. Insurance claims and reacquisition of recovered firearms will also hinge on the ability to correctly identify these firearms.

By completing this record and maintaining it in a safe location, separate from your firearms, you will be taking an important first step in the effort to prevent thefts and to keep firearms out of the hands of criminals.

Remember:

“A stolen gun threatens everyone.”

Personal Firearms Record

Keep this list separate from your firearms to assist police in the event your firearms are ever lost or stolen.





WARNING



THE THEFT OF FIREARMS FROM A FEDERALLY LICENSED FIREARMS DEALER IS A VIOLATION OF FEDERAL LAW (18 U.S.C. § 922 (u)) INVESTIGATED BY THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES (ATF) AND IS PUNISHABLE BY IMPRISONMENT FOR UP TO 10 YEARS AND A FINE OF \$250,000. CALL **1-800-ATF-GUNS TO REPORT ALL VIOLATIONS.**

ATF THEFT HOTLINE:

1-888-930-9275

24 HOUR ATF HOTLINE:

1-800-800-3855

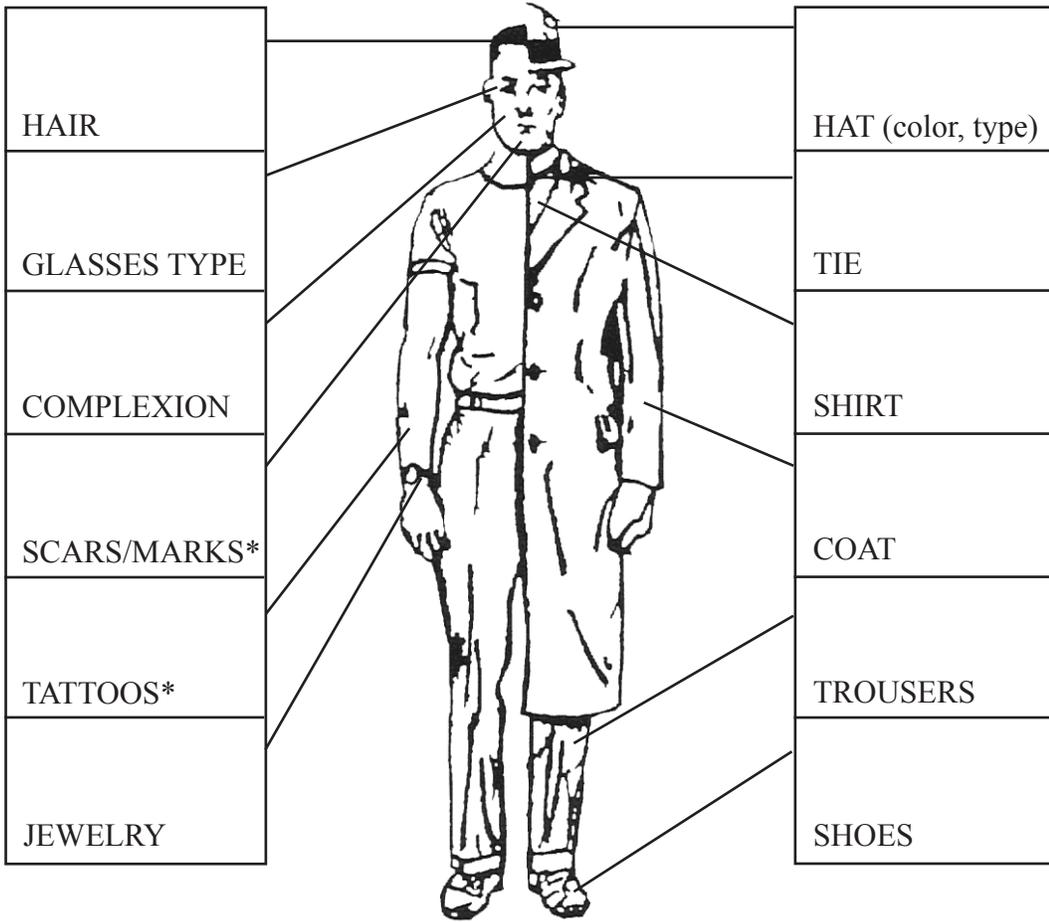
LOCAL POLICE:

LOCAL ATF OFFICE:

GUIDE TO RECORDING SUSPICIOUS PERSON DESCRIPTION

PLEASE RECORD AS MUCH INFORMATION AS POSSIBLE

SEX	RACE	AGE	HEIGHT	WEIGHT	WEAPON TYPE
-----	------	-----	--------	--------	-------------



AUTO LICENSE, MAKE, COLOR	DIRECTION OF TRAVEL
ADDITIONAL INFORMATION	

**Be sure to describe appearance as well as location.*

End of Text

For Theft/Loss Reporting Procedures,
See Back Cover of Publication

Paperwork Reduction Act Notice

This request is in accordance with the Paperwork Reduction Act of 1995. The information collection documents reports of theft or loss of firearms experienced by common carriers in interstate shipment. ATF uses the information to investigate and perfect criminal cases. The information requested is voluntary.

The estimated average burden associated with this collection of information is 20 minutes per respondent or recordkeeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be addressed to Reports Management Officer, Document Services Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, Washington, DC 20226.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Interstate Firearms Shipment Theft / Loss Report

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

Name	Address	Telephone Number
Shipper/Transferor	Carrier	Consignee/Transferee
Shipment Tracking Number	Shipper/Carrier Claim Number	Date Shipped
Name of Reporting Company		Federal Firearms License Number (if applicable)

Name and Title of Person Making Report (Please print AND sign name)

Telephone Number	Date
------------------	------

Firearm(s) Description (Use reverse side if additional space is needed)

Type	Manufacturer	Model	Caliber	Serial Number	Date Acquired

Shipment Description

Individual Parcel
 Pallet

Shrink Wrapped Pallet
 Other (Describe): _____

Brief Summary of Incident:

MAIL THIS FORM TO: ATF, STOLEN FIREARMS PROGRAM MANAGER
 244 NEEDY RD.
 MARTINSBURG, WV 25405
 FOR MORE INFORMATION YOU MAY CALL TOLL FREE 888-930-9275

Important Notice

Section 923 (g), Title 18 U.S.C., requires each Federal Firearms Licensee (FFL) to report the theft/loss of a firearm from the licensee's inventory or from the collection of a licensed collector, within 48 hours of discovery, to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) by calling 1-888-930-9275 and to local law enforcement authorities.

FFLs who report a firearm as missing and later discover its whereabouts should advise ATF that the firearms have been located. Licensees reporting theft/loss of firearms registered under the National Firearms Act must provide written notification to the National Firearms Act Branch, pursuant to 27 C.F.R. § 179.141.

This form should not be used by common carriers for reporting the theft/loss of firearms. Thefts/losses from interstate shipments must continue to be reported on ATF Form 3310.6, Interstate Firearms Shipment Report of Theft/Loss.

Instructions To Federal Firearms Licensees

1. FFLs must report the theft/loss of firearms to the ATF Stolen Firearms Program Manager within 48 hours of discovery (toll free 888-930-9275).

2. This form is to be used to provide written notification of firearms thefts/losses in addition to reporting firearms thefts/losses by telephone to the ATF Stolen Firearms Program Manager. Document in Section B the date that you reported the information by telephone. If the call is after normal business hours, you will be directed to call the ATF Hotline where a representative will contact the ATF Field Office in your area. During normal business hours, or on the following business day, the Stolen Firearms Program Manager will provide you with an ATF Incident Number to record in this report. You will then be directed to forward a copy of this report to the address set forth in item 5 below.

3. A separate form is required for each theft/loss report. This form must be prepared in ink, signed, and dated. Please use ATF Form 3310.11A, Federal Firearms Licensee Theft/Loss Report Continuation Sheet, when the number of lost/stolen firearms exceeds the space allowed in Section C.

4. The description of the lost or stolen firearms provided in Section B of this form should be identical to the information contained in the Record of Acquisition and Disposition required by 27 CFR Part 178 Subpart H.

5. Upon completion, the original must be forwarded to the following address:

**Bureau of Alcohol, Tobacco, Firearms and Explosives
National Tracing Center
Attn: Firearms Interstate Theft Program Manager
244 Needy Road
Martinsburg, WV 25405**

6. Copy 1 should be removed and retained as part of the licensee's permanent records.

7. FFLs must reflect the theft/loss as a disposition entry in the Record of Acquisition and Disposition required by 27 CFR Part 178, Subpart H. The disposition entry should indicate whether the incident is a theft or loss, the ATF issued Incident Number, and the Incident Number provided by the local law enforcement agency.

8. Should any of the firearms be located, they should be re-entered into the Record of Acquisition and Disposition as an acquisition entry.

9. Additional forms may be obtained through the ATF Distribution Center, P.O. Box 5950, Springfield, Virginia, 22150-5950, (703) 455-7801.

Paperwork Reduction Act Notice

The information required on this form is in accordance with the Paperwork Reduction Act of 1995. The purpose of this information is to provide notification to ATF of the theft or loss of firearms from the inventory of a Federal firearms licensee and from the collection of a licensed collector. The information is subject to inspection by ATF offices. The information on this form is required by 18 U.S.C. 923(g)(6).

The estimate average burden associated with this collection is 24 minutes per respondent or recordkeeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to Reports Management Officer, Document Services Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, Washington, DC 20226.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Federal Firearms Licensee Firearms Inventory Theft/Loss Report

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

All entries must be in ink. Please read notices and instructions on reverse carefully before completing this form.

Section A - Federal Firearms Licensee Information

Federal Firearms Licensee Number	Trade/Corporate Name and Address of Federal Firearms Licensee (Address should include the number, street address, city, State and zip code)
Federal Firearms Licensee Telephone Number (include area code)	

Name, Address and Telephone Number of Person Making Report (Address should include the number, street address, city, State and zip code. Include area code in the telephone number.)

Section B - Theft/Loss Information

Date of Theft/Date Loss	Date	Time	Description of Incident
Discovered			<input type="checkbox"/> Burglary <input type="checkbox"/> Robbery
Police Notification			<input type="checkbox"/> Larceny <input type="checkbox"/> Missing Inventory
ATF Notification			ATF Issued Incident Number

Name and Address of Local Authority to Whom Reported (For burglary, larceny or robbery, include the police report number and officer/detective name):

Name and Telephone Number of the ATF Representative Notified (If this report is the result of an ATF compliance inspection, provide the name and telephone number of the ATF Inspector.)

Brief Description of Incident (e.g., How firearms were stolen, etc.):

Section C - Description of Firearms

Acquisition Date	Type	Manufacturer	Model	Caliber/ Gauge	Serial Number

Certification

I hereby certify that the information contained in this report is true and correct. I also understand that failure to report the theft or loss of a firearm from my inventory or collection within 48 hours of the discovery of the theft/loss is a violation of 18 U.S.C. § 923(g)(6) punishable as a felony.

Signature of Licensee

Date

VOLUNTARY PROCEDURES TO FOLLOW WHEN FIREARMS ARE

MISSING FROM AN INTERSTATE SHIPMENT

ALTHOUGH REPORTING THE INTERSTATE THEFT/LOSS OF FIREARMS IS NOT REQUIRED BY LAW, IT IS RECOMMENDED AS A BEST PRACTICE. HOWEVER, ATF MAINTAINS A PROGRAM TO INVESTIGATE THESE THEFTS/LOSSES AND TO ATTEMPT TO LOCATE THESE FIREARMS.

□ CONTACT THE CARRIER

ATF recommends that any shipment of firearms be done under a carrier's tracking number. Many carriers have web sites that allow you research your shipment and to verify if your shipment is overdue. Often the carrier may not be aware that some or all of a shipment is missing until they are contacted by the shipper, consignee or a law enforcement agency.

□ CONTACT ATF STOLEN FIREARMS PROGRAM

Local ATF Office Telephone Number:

The local ATF office will work with the local law enforcement authorities investigating the theft. They can also assist in the preparation of the Theft/Loss Report for submission to the ATF Stolen Firearms Manager.

□ PREPARE ATF THEFT/LOSS REPORT

The ATF Form 3310.6, Interstate Firearms Shipment Theft/Loss Report form (see page A5) was prepared to facilitate this voluntary reporting. The Stolen Firearms Program Manager can be contacted for assistance with interstate theft/loss reporting. This can be done by calling toll-free (888) 930-9275.

□ NOTIFY ATF OF ANY FIREARM RECOVERIES

It is not uncommon to find that a firearm initially thought to have been part of a group that was stolen or missing, has arrived or been located. It is extremely important that these be reported to the Stolen Firearms Program Manager. Stolen firearms are placed into the National Crime Information Center (NCIC) system so that law enforcement all over the country will know if a firearm they recover from someone is stolen. If a firearm is inaccurately reported as stolen, a law enforcement officer may arrest someone, or seize a firearm from someone based on the belief that the firearm he/she possesses is stolen, when in fact that firearm may have been lawfully purchased.

□ ENSURE ACCURACY OF ACQUISITION AND DISPOSITION RECORDS

Ensure that Acquisitions and Disposition records accurately reflect the disposition of any firearm not received by the person to whom shipped.

PROCEDURES TO FOLLOW WHEN FIREARMS ARE

MISSING FROM INVENTORY (E.G., DISPOSITION UNRECORDED/UNKNOWN)

□ **PREPARE ATF THEFT/LOSS REPORT**

An ATF Form 3310.11, Federal Firearms Licensee Firearms Inventory Theft and Missing Inventory (Loss) Report (see page A4), must be prepared when it is discovered that firearms are missing from inventory. Submit the original to the Stolen Firearms Program Manager and keep a copy for your records.

The Stolen Firearms Program Manager must be notified within 48 hours of the discovery, and should be notified as soon as possible. This can be done by calling toll-free (888) 930-9275. The Stolen Firearms Program Manager will issue an incident number that is to be placed in the disposition section.

If not already done, a “floor to ceiling” inventory is highly recommended both to locate missing firearms and to prevent inventory losses in the future. Poor inventory procedures invite problems such as employee and customer thefts.

□ **NOTIFY THE LOCAL POLICE**

Local Police Telephone Number:

Making this notification is a requirement for all federal firearms licensees. However, it should be made clear to the authorities that there is no evidence of a crime and that the disposition of these firearms is unknown/unrecorded. No local police report number is required to be placed in the disposition records because many departments will not issue a police report if no crime has occurred. However, if the department does issue an incident or report number, this should be placed in the disposition section along with the ATF issued incident number for each firearm that is missing.

Firearms reported missing from inventory are not placed into the National Crime Information Center (NCIC) system by ATF because there is no evidence that they were taken in a crime (e.g. burglary, larceny or robbery). If these firearms were to be reported as stolen, a law enforcement officer might arrest someone, or seize a firearm from someone based on the belief that the firearm he/she possesses was stolen, when in fact that firearm may have been lawfully purchased.

□ **NOTIFY ATF OF ANY FIREARM RECOVERIES**

It is not uncommon to find a firearm that initially could not be accounted for or located. It is extremely important that these discoveries be reported to the Stolen Firearms Program Manager so that the list of firearms reported missing from inventory can be corrected.

PROCEDURES TO FOLLOW WHEN FIREARMS ARE TAKEN IN A CRIME (E.G., BURGLARY, LARCENY OR ROBBERY)

- **CONTACT POLICE**
Local Police Telephone Number: _____
Swift notification may be the key in identifying and capturing thieves and in preserving evidence. Making this notification is also a requirement for all Federal firearms licensees.
- **CONTACT LOCAL ATF OFFICE**
Local ATF Office Telephone Number: _____
The local ATF office will work with the local law enforcement authorities investigating the theft. They can also assist in the preparation of the Theft/Loss Report for submission to the ATF Stolen Firearms Manager.
- **ENSURE SAFETY AND PRESERVE EVIDENCE**
If there is any possibility that criminals may be present, do not enter a crime scene until law enforcement authorities indicate that it is safe. Do not disturb the crime scene until law enforcement authorities have completed evidence gathering. Unless you are asked to assist, avoid the temptation to assess damage/losses until they are finished.

- **PREPARE ATF THEFT/LOSS REPORT**

An ATF Form 3310.11, Federal Firearms Licensee Firearms Inventory Theft and Missing Inventory (Loss) Report (see page A4), must be prepared when a theft of firearms from a licensee's inventory occurs. This includes firearms stolen from gun shows and in transit to and from those shows. Submit the original to the Stolen Firearms Program Manager and keep a copy for your records.

The Stolen Firearms Program Manager must be notified within 48 hours of the theft, and should be notified as soon as possible. This can be done by calling toll-free (888) 930-9275. The Program Manager will issue an incident number that is to be placed in the disposition section (along with the police report number) of the Acquisition/Disposition Records for every firearm that is stolen.

- **NOTIFY ATF OF ANY FIREARM RECOVERIES**

It is not uncommon to find that a firearm initially thought to have been part of a group that was stolen, was in fact sold lawfully or is still in inventory. It is extremely important that these be reported to the Stolen Firearms Program Manager. Stolen firearms are placed into the National Crime Information Center (NCIC) system so that law enforcement all over the country will know if a firearm they recover from someone is stolen. If a firearm is inaccurately reported as stolen, a law enforcement officer may arrest someone, or seize a firearm from someone based on the belief that the firearm he/she possesses is stolen, when in fact that firearm may have been lawfully purchased.



HOW TO REPORT A THEFT OR LOSS OF FIREARMS

IF A CRIME HAS OCCURRED:
*NOTIFY THE POLICE AND TURN
TO PAGE A1 FOR REPORTING
INSTRUCTIONS*

IF INVENTORY IS MISSING:
*TURN TO PAGE A2 AND FOLLOW
REPORTING INSTRUCTIONS*

**IF FIREARMS ARE MISSING
FROM A SHIPMENT:**
*TURN TO PAGE A3 FOR
REPORTING INSTRUCTIONS*