

NSSF[®]
*The Firearm Industry
Trade Association*

Avoid ATF Administrative Action

Secure Your FFL with
Expert ATF Insights



Additional NSSF Compliance Resources



Industry Compliance courses:

- “Zero Tolerance” Policy
- Winning at ATF Inspections
- Completing the Form 4473
- Multiple Sales Report
- and more

[NSSF.org/Education](https://www.nssf.org/Education)



Key Takeaways

- **FFL Protection:** Elevate your compliance game to shield your FFL from ATF administrative actions and potential license revocation.
- **Elevate Compliance Standards:** Excel in FFL compliance to ace future ATF inspections and maintain success.
- **Expert Best Practices:** Uncover top industry practices to maintain airtight FFL operations, reducing the risk of ATF scrutiny.
- **Success Strategies:** Learn from experienced FFL holders who've successfully navigated complex regulations, avoiding ATF revocation hearings.
- **Navigating ATF Hearings:** Gain insights into the ATF Notice of Revocation process and how to navigate it effectively.

First & Foremost...

- What's going on out there?
 - FFLs are experiencing **BIDEN's ZERO TOLERANCE!**
 - **The DEADLY SINS! – Is it me... Or has something changed?**
- Some Important Touchpoints – ATF STATS
 - **The Words you don't want to hear!**
 - *“Resolved as Discontinued”* – What's that mean?
 - What does a Repeat Violation mean to you?
 - And then... **OUR REALITY** – Some Statistical Truths!

DEADLY SINS

5 DEADLY SINS

5 DEADLY SINS

A large, thick red 'X' is drawn over the word 'DEADLY' in the title. The 'X' is composed of two diagonal strokes that meet in the center, with slightly irregular, hand-painted edges. It is positioned centrally, crossing out the middle of the title.

7 DEADLY SINS

7 DEADLY SINS

A large, thick red 'X' is drawn over the word 'DEADLY', crossing it out. The 'X' is composed of two diagonal strokes that meet in the center. The background features a light gray and white geometric pattern of diagonal lines.

9 DEADLY SINS

ATF 9 DEADLY SINS

1. Transferring A Firearm To A Prohibited Person
2. Failing To Conduct A Required Background Check
3. Falsifying Records, Such As A Firearms Transaction Form
4. Failing To Respond To A Trace Request
5. Refusing To Permit ATF To Conduct An Inspection
6. **Failure To Account For Firearms**
7. **Failure To Verify And Document Buyer Eligibility**
8. **Failure To Maintain Records Needed For Successful Firearms Tracing**
9. **Failure To Report Multiple Sales Of Handguns**

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DON'T WANT WORDS YOU TO HEAR...

ATF STATS – FY2022

Inspection Results – FY 2022

**YOU SHOULD
SURRENDER YOUR FFL...**

Warning Letter	606	8.68%
Warning Conference	131	1.88%
Revocation	90	1.29%
Other Disposition	62	0.89%

ATF STATS – FY2022

Inspection Results - FY 2022		
TTL Inspections Conducted	6,979	
No Violations	3,806	54.54%
Report of Violations	1,247	17.87%
Resolved as Discontinued	1,037	14.86%
Warning Letter	606	8.68%
Warning Conference	131	1.88%
Revocation	90	1.29%
Other Disposition	62	0.89%

ATF STATS – FY2022

Inspection Results - FY 2022

TTL Inspections Conducted

6,979

Resolved as Discontinued

1,037

14.86%

Warning Letter

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8.68%

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131

1.88%

Revocation

90

1.29%

Other Disposition

62

0.89%

LICENSE SURRENDERED

ATF STATS – FY2022

Inspection Results - FY 2022		
TTL Inspections Conducted	6,979	
No Violations	3,806	55%
Report of Violations	1,247	18%
Resolved as Discontinued	1,037	15%
Warning Letter	606	9%
Warning Conference	131	2%
Revocation	90	1.3%
Other Disposition	62	1%

ATF STATS – FY 2022

**REPEAT VIOLATIONS
ARE WILLFUL!**

Investigations conducted	6,979	
Reported as willful	3,801	54.47%
Reported as non-willful	3,178	45.53%
Investigations conducted as willful	1,037	14.86%
Warning Letter	606	8.68%
Warning Conference	131	1.88%
Revocation	90	1.29%
Other Disposition	62	0.89%

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ATF STATS – FY2022

**COMBINED
27 PERCENT !**

Administrative	3,806	54.11%
Confiscation	17	1.29%
Forfeiture	14	1.03%
Seizure	8	0.59%
Transfer of Title	131	1.88%
Revocation	90	1.29%
Other Disposition	62	0.89%

ATF STATS – FY2023 (AUG)

★ Current Inspection Results

- Inspections – 7,782
- Warning Conferences – 148
- **Revocations – 159**

○ End-of-Year Projections

- Inspections – 8,489
- Warning Conferences – 161
- **Revocations – 173**

ATF STATS – FY2023 (AUG)

★ Current Inspection Results

- Inspections – 6799
- Warning Conferences – 122

AVERAGE WAS 40~ISH!

- Inspections – 8152
- Warning Conferences – 161
- Revocations – 173

FFL Protection

- ⊕ **Get it Right the First Time!** There are no do-overs!
- ⊕ **Responsible Person:** It is Your Responsibility to ensure that Every Transaction is conducted PROPERLY & LAWFULLY!
- ⊕ Written Policies, Procedures & Practices **(The SOP!)**
- ⊕ **Compliance Efforts:** **Engage a Regulatory Compliance Specialist!**
- ⊕ **Be INSPECTION READY EVERY DAY!**
- ⊕ **Make the Call, BEFORE You Make the MISTAKE!**

Elevate Compliance Standards

- EACH & EVERY TRANSACTION – **GET IT RIGHT THE FIRST TIME!**
 - **DON'T DISCOUNT THE DOUBLE-CHECK** – Before the firearm is transferred!
 - Train Your Team – Your Role, deliver the message... You're Saving Your Job and Your Co-Workers Jobs!
- **Daily**
 - NICS/POC Detail – Print or Save it, it's a Business Record! & Match 'em Up!
 - NICS/POC Daily History – End of Day
- **Weekly / Monthly**
 - Audit your NICS/POC History
- **Quarterly**
 - Inventory! Inventory! Inventory! – This is the BARE MINIMUM!
- **Internal Audit – Multi-Unit FFLs**
 - Dedicated Compliance Role
 - Peer Review

Success Strategies

- **BE PREPARED! Recordkeeping**
 - Last 12 months of ATF F 4473s – **CLEAN 'EM UP!!!**
 - **Last 5 Years of DENIED TRANSACTIONS**
 - Dealer Cancelled vs NICS/POC Denied – Separate but Equal!
 - NFA Form 3 & 4 – Current Inventory Recordkeeping
- **Before & During – The ATF Firearms Compliance Inspection**
 - Participate – Ensure you're engaged and ask questions!
 - **Request that the IOI “flag” any concerns with ATF F 4473's**
 - Request that the IOI recap with you at the end of each day
 - Review “Set-Asides” – ATF F 4473s set-aside by the IOI
 - **Request a DRAFT copy of the Report of Violations Prior to Close!**

ADMINISTRATIVE ACTION

Navigating ATF Hearings

- Know your FIREARMS COMPLIANCE INSPECTION History
- DON'T WAIT FOR THE WARNING or REVOCATION NOTICE!
- TAKE ACTION! Correct Your Mistakes IMMEDIATELY!
- Get Support for ANY WARNING!
- Notice of Revocation
 - 15 Days to Request a Hearing!
- Don't Wait to ENGAGE SUPPORT! The time is BEFORE Receipt!
- Prepare Your Defense: Don't WAIT! Timing is EVERYTHING!

IT'S THE ATF... HELP!

Firearms Compliance Inspection

★ **DON'T REFUSE ENTRY – BE WELCOMING!**

- Set them up in a Comfortable Spot – Off the Sales Floor!
- Be Prepared – Be Organized!

★ **The ASK...**

- Ask if ATF would “Flag & Notate” any violations identified (ATF F 4473)
 - You're asking because... **You want the ability to ensure you can “Train Staff”!**
- Ask if they would review each day's findings prior to leaving.

★ **Make every attempt to reconcile identified violations!**

★ **End of Inspection**

- Ask if they would provide a “DRAFT” Copy of Report of Violations
 - We want it PRIOR to the INSPECTION CLOSING CONFERENCE
 - You want to formulate your LICENSEE RESPONSES!

★ **REMEMBER – IT AIN'T OVER, UNTIL IT'S OVER!**

BUT MY IOI
IS MY FRIEND !

**NO...
WE'RE YOUR FRIEND !**

**CONTACT YOUR
NSSF COMPLIANCE CONSULTANT TEAM !**

Resources... & MORE Resources

⊕ Tools You Can Use!

- NSSF – ATF F 4473 Overlay Guide
- **Create & Maintain – ATF/LE Comm & Training Log**
- Don't Lie Program – Preventing Straw Purchases
- **Manufacturing vs. Gunsmithing – Parts 1 & 2**
- NSSF Members >NSSF.org >Resources >SHOT University®
- Attend ATF Seminars & NSSF Webinars – **DOCUMENT IT !!!**
 - This is “ONGOING TRAINING”! = “CORPORATE RESPONSIBILITY”
- **NSSF Compliance Consultant Team – DUH! Sooo HUGE!**
 - We Are Here to SUPPORT YOU!

WHAT TO DO
RIGHT NOW!

RIGHT NOW! Don't Wait, Make It Happen!

- ⊕ **Review Last 12 months of ATF F 4473s (IOI Requirement)**
 - **CONDUCT AN AUDIT!** **WHAT WILL CAUSE A NOTICE OF REVOCATION?**
 - Remove unnecessary supplemental documents, these are Business Records
 - Want to keep Business Records? **Create a "Buddy File"!**
 - There are only 5 to 6 documents required to be filed with the ATF F 4473!
- ⊕ **Prevent NICS/POCS Violations**
 - Print the NTN Print Detail Results – **"Proceed" Transactions**
 - Print the NTN Display MDI – **"Delayed" Transactions**
 - Print or Export Search History Query – End of Day
 - Print or Export Search History Query – End of Week or Month
 - Notate the NICS/POCS Expiration Date - **Block #32**
- ⊕ **Account for YOUR INVENTORY! (Maintain Inv History For Your Records)**
- ⊕ **Account for ALL ATF F 4473's – Cross Reference to NICS/POC Reports**

**WHAT'S THE
COST OF COMPLIANCE ?**

What's the Cost of Compliance?

- What did it cost you to start your business?
- What did it cost you to grow your business?
- What is it going to cost you to keep your business if you receive a Notice of Revocation?

What's the Cost of Compliance?

**WHAT ARE YOU GOING TO DO
THE DAY AFTER
YOU LOSE YOUR FFL ?**

- What did it cost you to start your business?
- What did it cost you to grow your business?
- What is it going to cost you to keep your business?

NSSF Premium Retail Membership

Offering Unmatched Benefits



Legal Defense Funds



FFL Compliance
Consultant Visit &
Ongoing Support



24/7 FFL
Compliance
Hotline



Acquisition and
Disposition Record
Books



Industry Research



SHOT Show®
Benefits



Discounts and
Benefits

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THANKS!

