



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D. C. 20530

NOV - 9 2010

The Honorable Dianne Feinstein
United States Senate
Washington, DC 20510

Dear Senator Feinstein:

This responds to your letter to the Attorney General dated June 11, 2009, expressing concern about a potential loophole in the Department of Justice regulations governing the purchase of firearms. We apologize for our delay in responding to your letter.

In your letter you asked that the regulation requiring Federal Firearms Licensees (FFLs) to report the sale of multiple pistols and revolvers be changed to require FFLs to report the multiple sales of all firearms and destructive devices as defined by 18 U.S.C. § 921. Additionally, you requested that FFLs should be required to report multiple sales of two or more firearms within 30 days, instead of the current 5 business day period.

The multiple sales regulation at 27 CFR 478.126a implements the statutory provision of 18 U.S.C. 923 (g)(3)(A), which provides that each licensee shall prepare a report of multiple sales or other disposition whenever the licensee sells or otherwise disposes of, at one time or during any five consecutive business days, two or more pistols, or revolvers, or any combination of pistols and revolvers, totaling two or more to an unlicensed person. The report shall be prepared on a form specified by the Attorney General and forwarded to the office specified thereon and to the state police department or state law enforcement agency of the state or the local law enforcement agency of the jurisdiction in which the sale or other disposition took place, not later than the close of business on the day that the multiple sale or other disposition occurs.

We agree that information about multiple sales of firearms can be an extremely useful tool for law enforcement in investigating illegal firearms trafficking. Given our current focus on stemming the tide of illegal firearms transported across the southwest border, the Department is exploring ways to obtain more information about multiple sales that may be relevant to these cross-border investigations. A recent review of ATF's Project Gunrunner by the Justice Department's Office of the Inspector General (OIG) included a recommendation that ATF and the Department explore options for seeking a requirement for reporting of multiple sales of long guns. ATF and the Department concur with this recommendation, but have advised OIG that such a requirement may require a change to the Gun Control Act. We are committed to exploring

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the full range of options that can be utilized to obtain information about multiple sales of long guns.

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'R Weich', is written over a horizontal line.

Ronald Weich
Assistant Attorney General

FY2010 Recovery in Mexico excluding duplicates

ANY DEALER where purchaser identified (incl ZFFL)

(Trace entry date - recovery date) is less than 366 days

ST	TRC CNT
TX	1998
CA	1016
AZ	783
IL	181
NM	130
FL	105
CO	92
OK	81
NV	74
WA	57
GA	51
NC	49
KS	46
LA	39
OR	37
MI	35
AL	34
IN	33
AR	30
OH	27
MN	24
VA	24
ID	23
TN	22
NE	21
PA	21
MO	21
NY	20
KY	19
UT	19
WI	17
SC	16
MS	14
WY	13
IA	13
CT	10
WV	8
MT	8
MA	6
SD	6
AK	6
ME	5
ND	4
NH	4
NJ	4
DE	4
MD	2
RI	1
HI	1
GU	1
BC	1
VT	1
	5257

TYPE 01 Dealer with purchaser identified

ST	TRC CNT
TX	1538
CA	866
AZ	635
IL	178
NM	93
FL	75
CO	63
OK	55
NV	48
WA	46
KS	37
NC	35
MI	32
OR	31
IN	30
LA	28
AL	27
GA	25
OH	24
AR	24
MN	22
PA	19
NY	17
VA	16
WI	15
NE	15
ID	14
TN	13
MO	13
KY	13
UT	12
SC	12
WY	10
IA	9
CT	9
MS	7
AK	5
SD	5
MA	5
NH	4
DE	4
NJ	4
ME	4
MT	4
ND	3
WV	3
MD	2
VT	1
HI	1
VT	1
	4152

[REDACTED]

From: Houser, Charles J.
Sent: Monday, November 15, 2010 2:08 PM
To: Herbert, Arthur W.
Subject: FFL_TRACE_SUMMARY_nodups.xls
Attachments: FFL_TRACE_SUMMARY_nodups.xls

Sir: Additional information

This spreadsheet has all duplicates removed throughout and in now for the time frame of FY-2008 through FY-2010

This spreadsheet contains the original queries (w/o dupes)

Now there are additional worksheets

- Just the breakout of FFL for Rifles>22 cal recovered in Mex (no dupes)
- Then we have the same query (FFL for Rifles>22cal recovered in Mex, no dupes) where TTC <= 3 yrs total and by FY
- Then we have the same again where TCC<=1 yr total and by FY

For FY2008 to FY2010

All duplicates removed

Retail Final Disposition US dealers in FLS

US Recovered		MEXICO RECOVERED TRACES	
COUNT(*)	FCNT	COUNT(*)	FCNT
1 FFLS have	1836 TRACES	1 FFLS have	214 TRACES
1 FFLS have	1767 TRACES	1 FFLS have	211 TRACES
1 FFLS have	1554 TRACES	1 FFLS have	199 TRACES
1 FFLS have	1460 TRACES	1 FFLS have	132 TRACES
1 FFLS have	1301 TRACES	1 FFLS have	119 TRACES
1 FFLS have	1229 TRACES	1 FFLS have	114 TRACES
1 FFLS have	1154 TRACES	1 FFLS have	113 TRACES
1 FFLS have	1132 TRACES	1 FFLS have	97 TRACES
1 FFLS have	1112 TRACES	1 FFLS have	96 TRACES
1 FFLS have	1056 TRACES	1 FFLS have	87 TRACES
1 FFLS have	1017 TRACES	1 FFLS have	77 TRACES
1 FFLS have	981 TRACES	1 FFLS have	74 TRACES
1 FFLS have	952 TRACES	1 FFLS have	71 TRACES
1 FFLS have	914 TRACES	1 FFLS have	66 TRACES
1 FFLS have	869 TRACES	1 FFLS have	64 TRACES
1 FFLS have	856 TRACES	1 FFLS have	61 TRACES
1 FFLS have	805 TRACES	1 FFLS have	59 TRACES
1 FFLS have	797 TRACES	1 FFLS have	57 TRACES
1 FFLS have	786 TRACES	1 FFLS have	55 TRACES
1 FFLS have	785 TRACES	1 FFLS have	52 TRACES
1 FFLS have	693 TRACES	1 FFLS have	51 TRACES
1 FFLS have	692 TRACES	1 FFLS have	49 TRACES
1 FFLS have	685 TRACES	1 FFLS have	47 TRACES
1 FFLS have	681 TRACES	1 FFLS have	46 TRACES
1 FFLS have	673 TRACES	1 FFLS have	40 TRACES
1 FFLS have	632 TRACES	1 FFLS have	38 TRACES
1 FFLS have	629 TRACES	1 FFLS have	37 TRACES
1 FFLS have	607 TRACES	1 FFLS have	36 TRACES
1 FFLS have	598 TRACES	1 FFLS have	29 TRACES
1 FFLS have	593 TRACES	2 FFLS have	62 TRACES
1 FFLS have	539 TRACES	2 FFLS have	56 TRACES
1 FFLS have	534 TRACES	2 FFLS have	54 TRACES
1 FFLS have	531 TRACES	2 FFLS have	53 TRACES
1 FFLS have	530 TRACES	2 FFLS have	45 TRACES
1 FFLS have	527 TRACES	2 FFLS have	41 TRACES
1 FFLS have	525 TRACES	2 FFLS have	32 TRACES
1 FFLS have	500 TRACES	2 FFLS have	24 TRACES
1 FFLS have	497 TRACES	3 FFLS have	68 TRACES
1 FFLS have	490 TRACES	3 FFLS have	44 TRACES
1 FFLS have	475 TRACES	3 FFLS have	42 TRACES
1 FFLS have	471 TRACES	3 FFLS have	27 TRACES
1 FFLS have	465 TRACES	3 FFLS have	25 TRACES
1 FFLS have	461 TRACES	3 FFLS have	23 TRACES
1 FFLS have	456 TRACES	4 FFLS have	39 TRACES
1 FFLS have	455 TRACES	4 FFLS have	31 TRACES
1 FFLS have	453 TRACES	4 FFLS have	28 TRACES
1 FFLS have	446 TRACES	5 FFLS have	35 TRACES

1 FFLS have	444 TRACES	5 FFLS have	33 TRACES
1 FFLS have	440 TRACES	6 FFLS have	30 TRACES
1 FFLS have	439 TRACES	6 FFLS have	17 TRACES
1 FFLS have	434 TRACES	8 FFLS have	26 TRACES
1 FFLS have	432 TRACES	9 FFLS have	21 TRACES
1 FFLS have	430 TRACES	9 FFLS have	18 TRACES
1 FFLS have	428 TRACES	9 FFLS have	16 TRACES
1 FFLS have	423 TRACES	10 FFLS have	22 TRACES
1 FFLS have	420 TRACES	10 FFLS have	20 TRACES
1 FFLS have	418 TRACES	11 FFLS have	19 TRACES
1 FFLS have	414 TRACES	12 FFLS have	12 TRACES
1 FFLS have	409 TRACES	14 FFLS have	14 TRACES
1 FFLS have	406 TRACES	15 FFLS have	13 TRACES
1 FFLS have	400 TRACES	18 FFLS have	15 TRACES
1 FFLS have	396 TRACES	23 FFLS have	11 TRACES
1 FFLS have	390 TRACES	44 FFLS have	10 TRACES
1 FFLS have	389 TRACES	54 FFLS have	9 TRACES
1 FFLS have	386 TRACES	55 FFLS have	8 TRACES
1 FFLS have	385 TRACES	84 FFLS have	7 TRACES
1 FFLS have	381 TRACES	96 FFLS have	6 TRACES
1 FFLS have	380 TRACES	147 FFLS have	5 TRACES
1 FFLS have	373 TRACES	256 FFLS have	4 TRACES
1 FFLS have	367 TRACES	413 FFLS have	3 TRACES
1 FFLS have	366 TRACES	1127 FFLS have	2 TRACES
1 FFLS have	365 TRACES	5322 FFLS have	1 TRACES
1 FFLS have	364 TRACES		3462
1 FFLS have	362 TRACES		
1 FFLS have	355 TRACES		
1 FFLS have	350 TRACES		
1 FFLS have	342 TRACES		
1 FFLS have	335 TRACES		
1 FFLS have	334 TRACES		
1 FFLS have	333 TRACES		
1 FFLS have	330 TRACES		
1 FFLS have	325 TRACES		
1 FFLS have	324 TRACES		
1 FFLS have	313 TRACES		
1 FFLS have	307 TRACES		
1 FFLS have	303 TRACES		
1 FFLS have	296 TRACES		
1 FFLS have	295 TRACES		
1 FFLS have	294 TRACES		
1 FFLS have	288 TRACES		
1 FFLS have	287 TRACES		
1 FFLS have	271 TRACES		
1 FFLS have	264 TRACES		
1 FFLS have	263 TRACES		
1 FFLS have	257 TRACES		
1 FFLS have	256 TRACES		
1 FFLS have	254 TRACES		
1 FFLS have	253 TRACES		
1 FFLS have	250 TRACES		

1 FFLS have	245 TRACES
1 FFLS have	241 TRACES
1 FFLS have	239 TRACES
1 FFLS have	237 TRACES
1 FFLS have	231 TRACES
1 FFLS have	224 TRACES
1 FFLS have	218 TRACES
1 FFLS have	217 TRACES
1 FFLS have	216 TRACES
1 FFLS have	213 TRACES
1 FFLS have	211 TRACES
1 FFLS have	209 TRACES
1 FFLS have	206 TRACES
1 FFLS have	201 TRACES
1 FFLS have	193 TRACES
1 FFLS have	192 TRACES
1 FFLS have	190 TRACES
1 FFLS have	188 TRACES
1 FFLS have	183 TRACES
1 FFLS have	180 TRACES
1 FFLS have	176 TRACES
1 FFLS have	175 TRACES
1 FFLS have	174 TRACES
1 FFLS have	172 TRACES
1 FFLS have	165 TRACES
1 FFLS have	164 TRACES
1 FFLS have	162 TRACES
1 FFLS have	160 TRACES
1 FFLS have	153 TRACES
1 FFLS have	148 TRACES
1 FFLS have	141 TRACES
1 FFLS have	137 TRACES
2 FFLS have	619 TRACES
2 FFLS have	437 TRACES
2 FFLS have	424 TRACES
2 FFLS have	379 TRACES
2 FFLS have	378 TRACES
2 FFLS have	377 TRACES
2 FFLS have	376 TRACES
2 FFLS have	328 TRACES
2 FFLS have	320 TRACES
2 FFLS have	318 TRACES
2 FFLS have	317 TRACES
2 FFLS have	315 TRACES
2 FFLS have	305 TRACES
2 FFLS have	284 TRACES
2 FFLS have	274 TRACES
2 FFLS have	270 TRACES
2 FFLS have	268 TRACES
2 FFLS have	262 TRACES
2 FFLS have	258 TRACES
2 FFLS have	255 TRACES

2 FFLS have	247 TRACES
2 FFLS have	238 TRACES
2 FFLS have	235 TRACES
2 FFLS have	233 TRACES
2 FFLS have	229 TRACES
2 FFLS have	226 TRACES
2 FFLS have	225 TRACES
2 FFLS have	223 TRACES
2 FFLS have	221 TRACES
2 FFLS have	220 TRACES
2 FFLS have	219 TRACES
2 FFLS have	215 TRACES
2 FFLS have	212 TRACES
2 FFLS have	207 TRACES
2 FFLS have	204 TRACES
2 FFLS have	203 TRACES
2 FFLS have	194 TRACES
2 FFLS have	189 TRACES
2 FFLS have	185 TRACES
2 FFLS have	179 TRACES
2 FFLS have	178 TRACES
2 FFLS have	173 TRACES
2 FFLS have	171 TRACES
2 FFLS have	167 TRACES
2 FFLS have	159 TRACES
2 FFLS have	158 TRACES
2 FFLS have	152 TRACES
2 FFLS have	150 TRACES
2 FFLS have	147 TRACES
2 FFLS have	145 TRACES
2 FFLS have	142 TRACES
2 FFLS have	140 TRACES
2 FFLS have	136 TRACES
2 FFLS have	132 TRACES
2 FFLS have	128 TRACES
2 FFLS have	122 TRACES
2 FFLS have	113 TRACES
3 FFLS have	352 TRACES
3 FFLS have	301 TRACES
3 FFLS have	273 TRACES
3 FFLS have	266 TRACES
3 FFLS have	259 TRACES
3 FFLS have	252 TRACES
3 FFLS have	248 TRACES
3 FFLS have	234 TRACES
3 FFLS have	228 TRACES
3 FFLS have	227 TRACES
3 FFLS have	214 TRACES
3 FFLS have	205 TRACES
3 FFLS have	202 TRACES
3 FFLS have	186 TRACES
3 FFLS have	184 TRACES

3 FFLS have	182 TRACES
3 FFLS have	166 TRACES
3 FFLS have	163 TRACES
3 FFLS have	156 TRACES
3 FFLS have	151 TRACES
3 FFLS have	146 TRACES
3 FFLS have	144 TRACES
3 FFLS have	143 TRACES
3 FFLS have	134 TRACES
3 FFLS have	127 TRACES
3 FFLS have	120 TRACES
3 FFLS have	117 TRACES
4 FFLS have	230 TRACES
4 FFLS have	191 TRACES
4 FFLS have	168 TRACES
4 FFLS have	161 TRACES
4 FFLS have	157 TRACES
4 FFLS have	149 TRACES
4 FFLS have	138 TRACES
4 FFLS have	133 TRACES
4 FFLS have	130 TRACES
4 FFLS have	125 TRACES
4 FFLS have	123 TRACES
4 FFLS have	118 TRACES
4 FFLS have	114 TRACES
4 FFLS have	111 TRACES
4 FFLS have	109 TRACES
5 FFLS have	200 TRACES
5 FFLS have	187 TRACES
5 FFLS have	155 TRACES
5 FFLS have	154 TRACES
5 FFLS have	135 TRACES
5 FFLS have	126 TRACES
5 FFLS have	105 TRACES
5 FFLS have	104 TRACES
5 FFLS have	103 TRACES
5 FFLS have	100 TRACES
5 FFLS have	99 TRACES
5 FFLS have	93 TRACES
6 FFLS have	208 TRACES
6 FFLS have	195 TRACES
6 FFLS have	181 TRACES
6 FFLS have	121 TRACES
6 FFLS have	116 TRACES
6 FFLS have	102 TRACES
6 FFLS have	98 TRACES
6 FFLS have	94 TRACES
6 FFLS have	90 TRACES
7 FFLS have	108 TRACES
7 FFLS have	107 TRACES
7 FFLS have	106 TRACES
8 FFLS have	139 TRACES

8 FFLS have	129 TRACES
8 FFLS have	124 TRACES
8 FFLS have	112 TRACES
8 FFLS have	101 TRACES
8 FFLS have	95 TRACES
9 FFLS have	131 TRACES
9 FFLS have	115 TRACES
9 FFLS have	110 TRACES
9 FFLS have	97 TRACES
9 FFLS have	92 TRACES
9 FFLS have	91 TRACES
10 FFLS have	119 TRACES
10 FFLS have	89 TRACES
10 FFLS have	84 TRACES
10 FFLS have	73 TRACES
11 FFLS have	88 TRACES
11 FFLS have	87 TRACES
11 FFLS have	85 TRACES
11 FFLS have	83 TRACES
11 FFLS have	76 TRACES
12 FFLS have	96 TRACES
12 FFLS have	86 TRACES
12 FFLS have	70 TRACES
12 FFLS have	68 TRACES
13 FFLS have	81 TRACES
13 FFLS have	67 TRACES
14 FFLS have	77 TRACES
14 FFLS have	71 TRACES
15 FFLS have	82 TRACES
16 FFLS have	79 TRACES
18 FFLS have	66 TRACES
18 FFLS have	65 TRACES
18 FFLS have	56 TRACES
19 FFLS have	78 TRACES
19 FFLS have	69 TRACES
19 FFLS have	64 TRACES
20 FFLS have	72 TRACES
21 FFLS have	75 TRACES
21 FFLS have	54 TRACES
22 FFLS have	80 TRACES
22 FFLS have	74 TRACES
22 FFLS have	62 TRACES
22 FFLS have	61 TRACES
22 FFLS have	60 TRACES
23 FFLS have	63 TRACES
23 FFLS have	55 TRACES
24 FFLS have	59 TRACES
24 FFLS have	51 TRACES
24 FFLS have	46 TRACES
27 FFLS have	58 TRACES
27 FFLS have	52 TRACES
30 FFLS have	57 TRACES

31 FFLS have	47 TRACES
34 FFLS have	53 TRACES
34 FFLS have	50 TRACES
36 FFLS have	49 TRACES
38 FFLS have	42 TRACES
39 FFLS have	43 TRACES
41 FFLS have	45 TRACES
45 FFLS have	40 TRACES
48 FFLS have	44 TRACES
49 FFLS have	39 TRACES
51 FFLS have	41 TRACES
51 FFLS have	37 TRACES
53 FFLS have	48 TRACES
58 FFLS have	38 TRACES
59 FFLS have	36 TRACES
64 FFLS have	35 TRACES
71 FFLS have	34 TRACES
72 FFLS have	33 TRACES
74 FFLS have	31 TRACES
82 FFLS have	32 TRACES
83 FFLS have	30 TRACES
94 FFLS have	29 TRACES
102 FFLS have	27 TRACES
107 FFLS have	28 TRACES
127 FFLS have	26 TRACES
127 FFLS have	25 TRACES
133 FFLS have	24 TRACES
138 FFLS have	23 TRACES
161 FFLS have	22 TRACES
165 FFLS have	21 TRACES
194 FFLS have	20 TRACES
212 FFLS have	18 TRACES
214 FFLS have	19 TRACES
256 FFLS have	17 TRACES
273 FFLS have	16 TRACES
332 FFLS have	15 TRACES
367 FFLS have	14 TRACES
413 FFLS have	13 TRACES
494 FFLS have	12 TRACES
603 FFLS have	11 TRACES
685 FFLS have	10 TRACES
826 FFLS have	9 TRACES
1064 FFLS have	8 TRACES
1322 FFLS have	7 TRACES
1742 FFLS have	6 TRACES
2362 FFLS have	5 TRACES
3370 FFLS have	4 TRACES
5219 FFLS have	3 TRACES
9908 FFLS have	2 TRACES
32421 FFLS have	1 TRACES

Weapons Type Rifle and Shotgun

US Recovered

COUNT(*)	FCNT	
1 FFLS have	413	TRACES
1 FFLS have	407	TRACES
1 FFLS have	285	TRACES
1 FFLS have	270	TRACES
1 FFLS have	261	TRACES
1 FFLS have	236	TRACES
1 FFLS have	215	TRACES
1 FFLS have	214	TRACES
1 FFLS have	206	TRACES
1 FFLS have	200	TRACES
1 FFLS have	188	TRACES
1 FFLS have	185	TRACES
1 FFLS have	183	TRACES
1 FFLS have	182	TRACES
1 FFLS have	178	TRACES
1 FFLS have	169	TRACES
1 FFLS have	165	TRACES
1 FFLS have	156	TRACES
1 FFLS have	154	TRACES
1 FFLS have	151	TRACES
1 FFLS have	144	TRACES
1 FFLS have	132	TRACES
1 FFLS have	127	TRACES
1 FFLS have	118	TRACES
1 FFLS have	116	TRACES
1 FFLS have	112	TRACES
1 FFLS have	108	TRACES
1 FFLS have	107	TRACES
1 FFLS have	103	TRACES
1 FFLS have	102	TRACES
1 FFLS have	100	TRACES
1 FFLS have	99	TRACES
1 FFLS have	91	TRACES
1 FFLS have	86	TRACES
1 FFLS have	81	TRACES
1 FFLS have	77	TRACES
1 FFLS have	73	TRACES
1 FFLS have	70	TRACES
1 FFLS have	68	TRACES
1 FFLS have	66	TRACES
1 FFLS have	60	TRACES
1 FFLS have	59	TRACES
2 FFLS have	225	TRACES
2 FFLS have	141	TRACES
2 FFLS have	114	TRACES
2 FFLS have	97	TRACES
2 FFLS have	96	TRACES

Weapons Type Rifle and Shotgun

MEXICO RECOVERED TRACES

COUNT(*)	FCNT	
1 FFLS have	170	TRACES
1 FFLS have	146	TRACES
1 FFLS have	143	TRACES
1 FFLS have	103	TRACES
1 FFLS have	83	TRACES
1 FFLS have	68	TRACES
1 FFLS have	65	TRACES
1 FFLS have	64	TRACES
1 FFLS have	60	TRACES
1 FFLS have	56	TRACES
1 FFLS have	55	TRACES
1 FFLS have	51	TRACES
1 FFLS have	49	TRACES
1 FFLS have	43	TRACES
1 FFLS have	41	TRACES
1 FFLS have	40	TRACES
1 FFLS have	39	TRACES
1 FFLS have	37	TRACES
1 FFLS have	36	TRACES
1 FFLS have	32	TRACES
1 FFLS have	31	TRACES
1 FFLS have	29	TRACES
1 FFLS have	24	TRACES
1 FFLS have	23	TRACES
1 FFLS have	22	TRACES
2 FFLS have	66	TRACES
2 FFLS have	35	TRACES
2 FFLS have	27	TRACES
2 FFLS have	26	TRACES
3 FFLS have	34	TRACES
3 FFLS have	25	TRACES
3 FFLS have	21	TRACES
4 FFLS have	19	TRACES
4 FFLS have	17	TRACES
4 FFLS have	15	TRACES
5 FFLS have	20	TRACES
5 FFLS have	12	TRACES
7 FFLS have	13	TRACES
8 FFLS have	18	TRACES
8 FFLS have	16	TRACES
8 FFLS have	14	TRACES
13 FFLS have	11	TRACES
17 FFLS have	10	TRACES
22 FFLS have	9	TRACES
26 FFLS have	8	TRACES
40 FFLS have	7	TRACES
55 FFLS have	6	TRACES

2 FFLS have	95 TRACES	65 FFLS have	5 TRACES
2 FFLS have	92 TRACES	120 FFLS have	4 TRACES
2 FFLS have	88 TRACES	225 FFLS have	3 TRACES
2 FFLS have	87 TRACES	600 FFLS have	2 TRACES
2 FFLS have	85 TRACES	2999 FFLS have	1 TRACES
2 FFLS have	83 TRACES		
2 FFLS have	78 TRACES		
2 FFLS have	75 TRACES		
2 FFLS have	74 TRACES		
2 FFLS have	72 TRACES		
2 FFLS have	71 TRACES		
3 FFLS have	76 TRACES		
3 FFLS have	65 TRACES		
3 FFLS have	62 TRACES		
3 FFLS have	61 TRACES		
3 FFLS have	55 TRACES		
3 FFLS have	52 TRACES		
4 FFLS have	67 TRACES		
4 FFLS have	64 TRACES		
4 FFLS have	53 TRACES		
4 FFLS have	51 TRACES		
4 FFLS have	50 TRACES		
5 FFLS have	69 TRACES		
5 FFLS have	63 TRACES		
5 FFLS have	57 TRACES		
6 FFLS have	58 TRACES		
6 FFLS have	54 TRACES		
7 FFLS have	48 TRACES		
7 FFLS have	44 TRACES		
8 FFLS have	56 TRACES		
8 FFLS have	46 TRACES		
8 FFLS have	41 TRACES		
9 FFLS have	49 TRACES		
9 FFLS have	43 TRACES		
10 FFLS have	42 TRACES		
11 FFLS have	47 TRACES		
11 FFLS have	45 TRACES		
11 FFLS have	40 TRACES		
12 FFLS have	36 TRACES		
14 FFLS have	38 TRACES		
15 FFLS have	39 TRACES		
17 FFLS have	35 TRACES		
18 FFLS have	37 TRACES		
21 FFLS have	29 TRACES		
23 FFLS have	32 TRACES		
24 FFLS have	26 TRACES		
27 FFLS have	31 TRACES		
27 FFLS have	30 TRACES		
28 FFLS have	27 TRACES		
29 FFLS have	34 TRACES		
29 FFLS have	28 TRACES		
30 FFLS have	33 TRACES		

40 FFLS have	25 TRACES
40 FFLS have	24 TRACES
45 FFLS have	23 TRACES
55 FFLS have	21 TRACES
56 FFLS have	22 TRACES
78 FFLS have	20 TRACES
80 FFLS have	18 TRACES
89 FFLS have	19 TRACES
102 FFLS have	17 TRACES
102 FFLS have	16 TRACES
146 FFLS have	14 TRACES
153 FFLS have	15 TRACES
182 FFLS have	13 TRACES
221 FFLS have	12 TRACES
249 FFLS have	11 TRACES
291 FFLS have	10 TRACES
413 FFLS have	9 TRACES
532 FFLS have	8 TRACES
670 FFLS have	7 TRACES
923 FFLS have	6 TRACES
1285 FFLS have	5 TRACES
1850 FFLS have	4 TRACES
2991 FFLS have	3 TRACES
5596 FFLS have	2 TRACES
17120 FFLS have	1 TRACES

Weapons Type Rifle

US Recovered

COUNT(*)	FCNT
1 FFLS have	288 TRACES
1 FFLS have	264 TRACES
1 FFLS have	253 TRACES
1 FFLS have	238 TRACES
1 FFLS have	160 TRACES
1 FFLS have	154 TRACES
1 FFLS have	150 TRACES
1 FFLS have	140 TRACES
1 FFLS have	131 TRACES
1 FFLS have	127 TRACES
1 FFLS have	124 TRACES
1 FFLS have	113 TRACES
1 FFLS have	104 TRACES
1 FFLS have	95 TRACES
1 FFLS have	90 TRACES
1 FFLS have	79 TRACES
1 FFLS have	75 TRACES
1 FFLS have	73 TRACES
1 FFLS have	70 TRACES
1 FFLS have	67 TRACES
1 FFLS have	65 TRACES
1 FFLS have	62 TRACES
1 FFLS have	60 TRACES
1 FFLS have	57 TRACES
1 FFLS have	51 TRACES
1 FFLS have	50 TRACES
1 FFLS have	47 TRACES
2 FFLS have	120 TRACES
2 FFLS have	100 TRACES
2 FFLS have	92 TRACES
2 FFLS have	76 TRACES
2 FFLS have	69 TRACES
2 FFLS have	66 TRACES
2 FFLS have	63 TRACES
2 FFLS have	43 TRACES
2 FFLS have	38 TRACES
3 FFLS have	56 TRACES
3 FFLS have	52 TRACES
3 FFLS have	42 TRACES
3 FFLS have	41 TRACES
3 FFLS have	40 TRACES
3 FFLS have	39 TRACES
4 FFLS have	55 TRACES
4 FFLS have	45 TRACES
4 FFLS have	33 TRACES
5 FFLS have	48 TRACES
5 FFLS have	44 TRACES

Weapons Type Rifle

MEXICO RECOVERED TRACES

COUNT(*)	FCNT
1 FFLS have	169 TRACES
1 FFLS have	143 TRACES
1 FFLS have	140 TRACES
1 FFLS have	103 TRACES
1 FFLS have	77 TRACES
1 FFLS have	68 TRACES
1 FFLS have	66 TRACES
1 FFLS have	64 TRACES
1 FFLS have	63 TRACES
1 FFLS have	55 TRACES
1 FFLS have	49 TRACES
1 FFLS have	46 TRACES
1 FFLS have	43 TRACES
1 FFLS have	40 TRACES
1 FFLS have	37 TRACES
1 FFLS have	36 TRACES
1 FFLS have	35 TRACES
1 FFLS have	34 TRACES
1 FFLS have	31 TRACES
1 FFLS have	26 TRACES
1 FFLS have	25 TRACES
1 FFLS have	24 TRACES
1 FFLS have	23 TRACES
1 FFLS have	22 TRACES
1 FFLS have	19 TRACES
2 FFLS have	51 TRACES
2 FFLS have	39 TRACES
2 FFLS have	29 TRACES
2 FFLS have	28 TRACES
2 FFLS have	21 TRACES
2 FFLS have	13 TRACES
3 FFLS have	20 TRACES
3 FFLS have	16 TRACES
4 FFLS have	27 TRACES
5 FFLS have	17 TRACES
6 FFLS have	15 TRACES
6 FFLS have	14 TRACES
6 FFLS have	12 TRACES
7 FFLS have	18 TRACES
8 FFLS have	9 TRACES
10 FFLS have	11 TRACES
19 FFLS have	10 TRACES
27 FFLS have	8 TRACES
27 FFLS have	7 TRACES
46 FFLS have	6 TRACES
51 FFLS have	5 TRACES
105 FFLS have	4 TRACES

5 FFLS have	37 TRACES	183 FFLS have	3 TRACES
5 FFLS have	32 TRACES	480 FFLS have	2 TRACES
8 FFLS have	46 TRACES	2540 FFLS have	1 TRACES
8 FFLS have	36 TRACES		1824
8 FFLS have	35 TRACES		
8 FFLS have	34 TRACES		
9 FFLS have	31 TRACES		
9 FFLS have	30 TRACES		
10 FFLS have	29 TRACES		
10 FFLS have	27 TRACES		
13 FFLS have	28 TRACES		
17 FFLS have	25 TRACES		
18 FFLS have	26 TRACES		
19 FFLS have	22 TRACES		
19 FFLS have	21 TRACES		
23 FFLS have	24 TRACES		
27 FFLS have	23 TRACES		
28 FFLS have	19 TRACES		
29 FFLS have	20 TRACES		
36 FFLS have	18 TRACES		
49 FFLS have	17 TRACES		
51 FFLS have	16 TRACES		
55 FFLS have	15 TRACES		
81 FFLS have	14 TRACES		
94 FFLS have	13 TRACES		
107 FFLS have	12 TRACES		
110 FFLS have	11 TRACES		
156 FFLS have	10 TRACES		
194 FFLS have	9 TRACES		
260 FFLS have	8 TRACES		
367 FFLS have	7 TRACES		
542 FFLS have	6 TRACES		
787 FFLS have	5 TRACES		
1217 FFLS have	4 TRACES		
2037 FFLS have	3 TRACES		
4270 FFLS have	2 TRACES		
14085 FFLS have	1 TRACES		
	5065		

Weapons Type Rifle with Caliber > 22
US Recovered

COUNT(*)	FCNT
1 FFLS have	241 TRACES
1 FFLS have	224 TRACES
1 FFLS have	146 TRACES
1 FFLS have	126 TRACES
1 FFLS have	123 TRACES
1 FFLS have	114 TRACES
1 FFLS have	90 TRACES
1 FFLS have	89 TRACES
1 FFLS have	77 TRACES
1 FFLS have	76 TRACES
1 FFLS have	75 TRACES
1 FFLS have	74 TRACES
1 FFLS have	73 TRACES
1 FFLS have	70 TRACES
1 FFLS have	64 TRACES
1 FFLS have	59 TRACES
1 FFLS have	57 TRACES
1 FFLS have	56 TRACES
1 FFLS have	53 TRACES
1 FFLS have	52 TRACES
1 FFLS have	51 TRACES
1 FFLS have	50 TRACES
1 FFLS have	46 TRACES
1 FFLS have	42 TRACES
1 FFLS have	37 TRACES
2 FFLS have	61 TRACES
2 FFLS have	48 TRACES
2 FFLS have	45 TRACES
2 FFLS have	39 TRACES
3 FFLS have	60 TRACES
4 FFLS have	36 TRACES
4 FFLS have	35 TRACES
4 FFLS have	28 TRACES
5 FFLS have	43 TRACES
5 FFLS have	40 TRACES
5 FFLS have	32 TRACES
5 FFLS have	31 TRACES
6 FFLS have	41 TRACES
6 FFLS have	33 TRACES
6 FFLS have	30 TRACES
6 FFLS have	29 TRACES
7 FFLS have	25 TRACES
8 FFLS have	34 TRACES
8 FFLS have	27 TRACES
9 FFLS have	26 TRACES
9 FFLS have	24 TRACES
9 FFLS have	22 TRACES

Weapons Type Rifle with Caliber > 22
MEXICO RECOVERED TRACES

COUNT(*)	FCNT	
1 FFLS have	167 TRACES	167
1 FFLS have	143 TRACES	143
1 FFLS have	133 TRACES	133
1 FFLS have	103 TRACES	103
1 FFLS have	73 TRACES	73
1 FFLS have	68 TRACES	68
1 FFLS have	62 TRACES	62
1 FFLS have	51 TRACES	51
1 FFLS have	43 TRACES	43
1 FFLS have	40 TRACES	40
1 FFLS have	39 TRACES	39
1 FFLS have	36 TRACES	36
1 FFLS have	29 TRACES	29
1 FFLS have	28 TRACES	28
1 FFLS have	25 TRACES	25
1 FFLS have	24 TRACES	24
1 FFLS have	23 TRACES	23
1 FFLS have	19 TRACES	19
1 FFLS have	16 TRACES	16
2 FFLS have	64 TRACES	128
2 FFLS have	37 TRACES	74
2 FFLS have	34 TRACES	68
2 FFLS have	26 TRACES	52
2 FFLS have	21 TRACES	42
2 FFLS have	13 TRACES	26
3 FFLS have	20 TRACES	60
4 FFLS have	27 TRACES	108
4 FFLS have	17 TRACES	68
4 FFLS have	14 TRACES	56
4 FFLS have	12 TRACES	48
5 FFLS have	18 TRACES	90
5 FFLS have	9 TRACES	45
6 FFLS have	15 TRACES	90
8 FFLS have	11 TRACES	88
12 FFLS have	10 TRACES	120
16 FFLS have	8 TRACES	128
16 FFLS have	7 TRACES	112
31 FFLS have	6 TRACES	186
37 FFLS have	5 TRACES	185
57 FFLS have	4 TRACES	228
111 FFLS have	3 TRACES	333
289 FFLS have	2 TRACES	578
1761 FFLS have	1 TRACES	1761
	1506	0
		5796

13 FFLS have	23 TRACES
15 FFLS have	21 TRACES
16 FFLS have	19 TRACES
19 FFLS have	20 TRACES
20 FFLS have	18 TRACES
21 FFLS have	15 TRACES
22 FFLS have	17 TRACES
24 FFLS have	16 TRACES
46 FFLS have	14 TRACES
50 FFLS have	13 TRACES
54 FFLS have	12 TRACES
68 FFLS have	11 TRACES
79 FFLS have	10 TRACES
93 FFLS have	9 TRACES
156 FFLS have	8 TRACES
167 FFLS have	7 TRACES
259 FFLS have	6 TRACES
394 FFLS have	5 TRACES
606 FFLS have	4 TRACES
1209 FFLS have	3 TRACES
2822 FFLS have	2 TRACES
10865 FFLS have	1 TRACES
	3208

RECOVERY MM, Caliber > 22 Retail FFL's

FFL

ST	COUNT
AZ	167
AZ	143
TX	133
AZ	103
TX	73
AZ	68
TX	64
TX	64
TX	62
TX	51
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TX	25
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TX	24
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AZ	19
AZ	18
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TX	18
TX	18
CA	17

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AZ 15
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AZ 15
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AZ 15
TX 14
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TX 12
IL 12
AZ 11
WA 11
FL 11
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NC 10
CA 10
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NM 9
CA 9
AZ 9
TX 9
TX 9
AZ 9
AZ 8

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CA 4
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AZ 4
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TX 4
KS 4
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TX 4
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MI 4
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WA 4
FL 4
TX 4
NM 4
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AZ 4
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IL 4
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NM 4
AZ 4
TX 4
OK 4

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MN 3
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MI 3
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OK 3
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SC 3
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AZ	2
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AL	2

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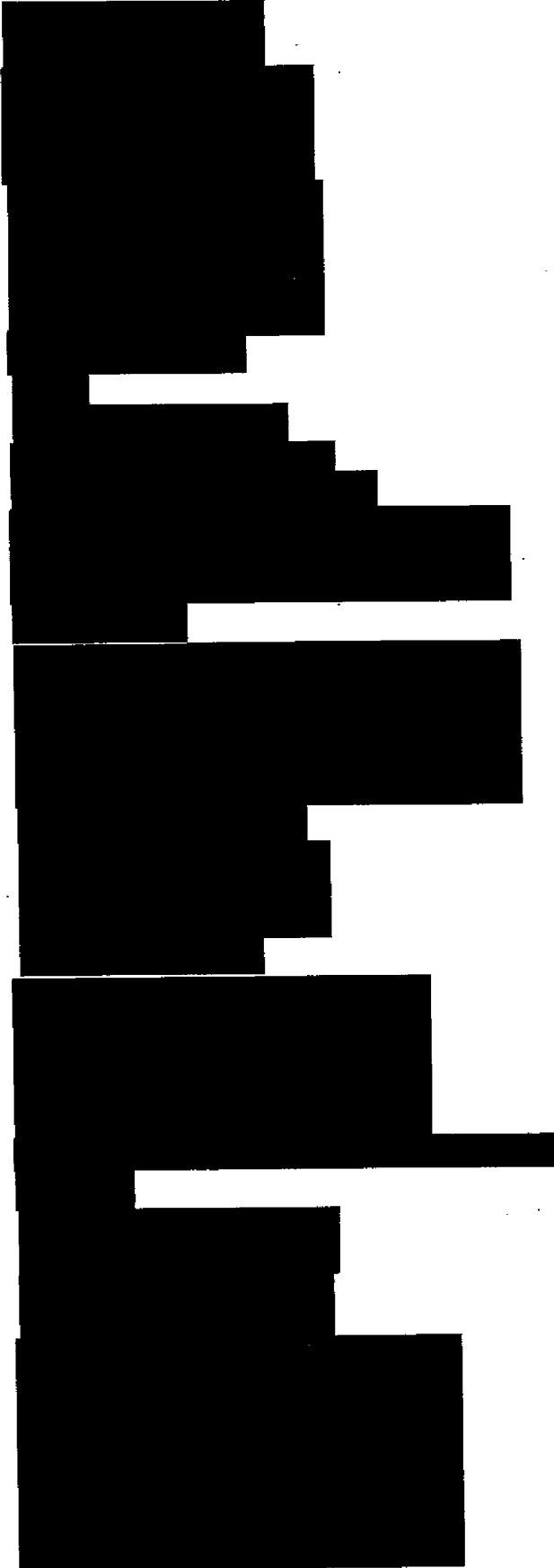
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[REDACTED]

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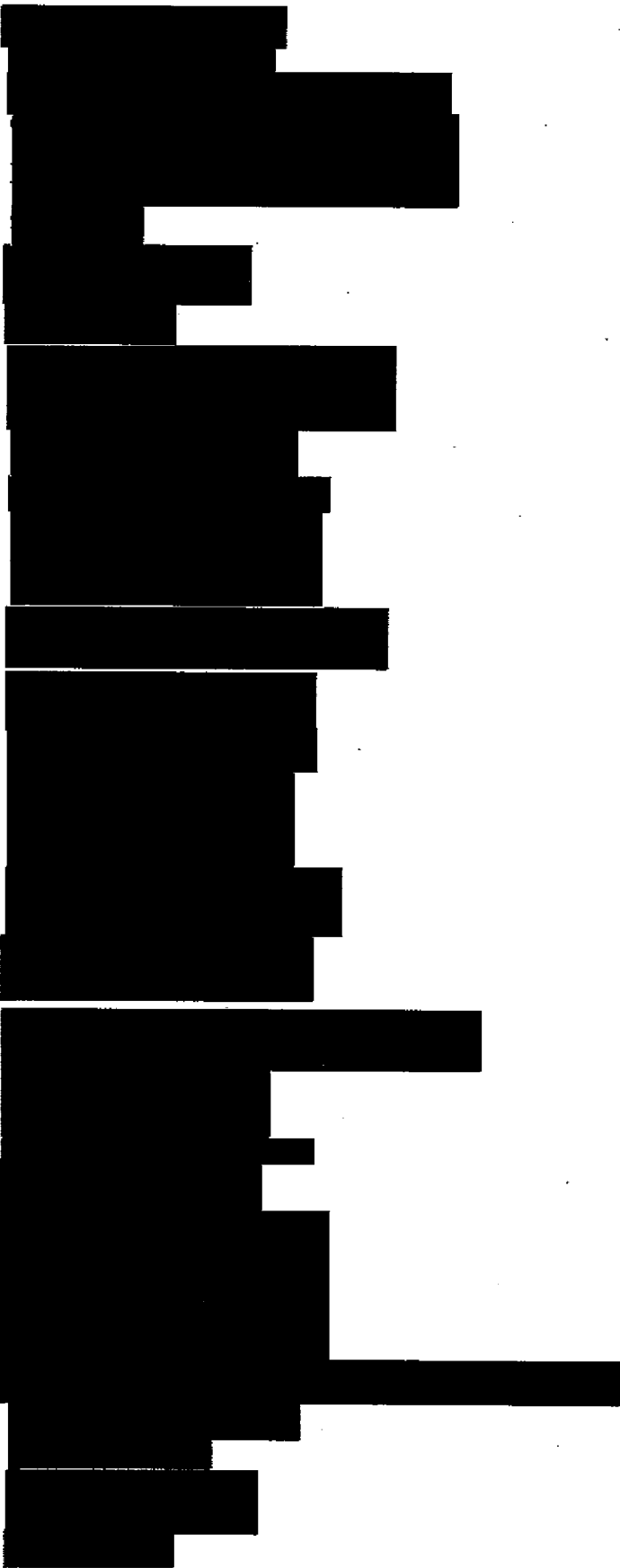


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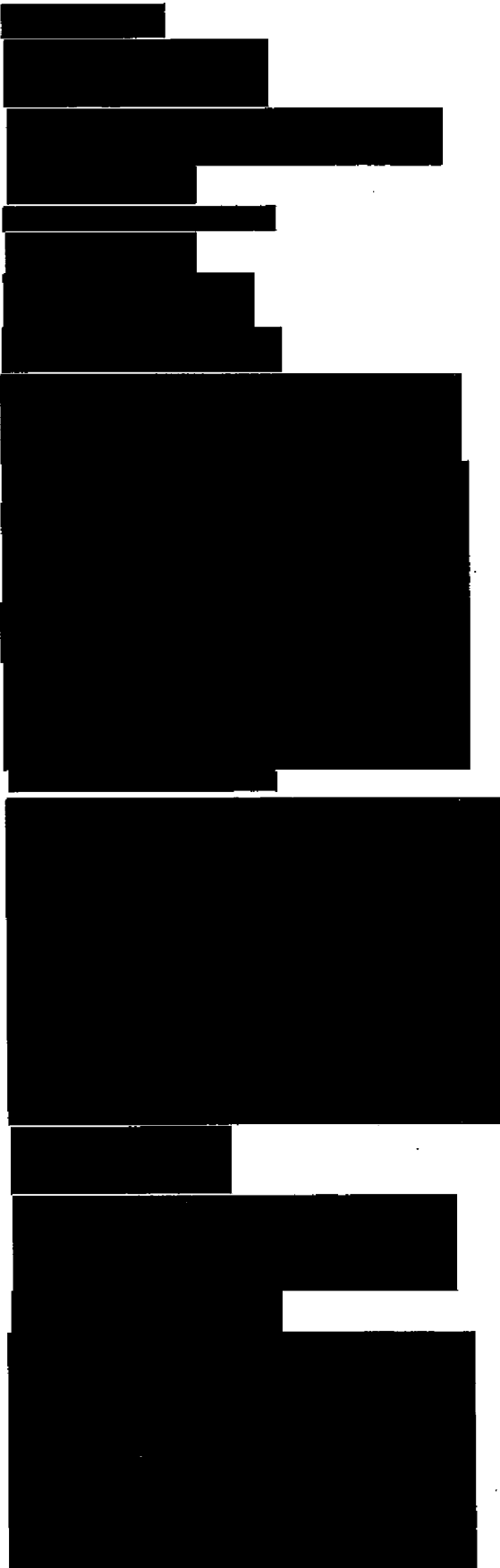
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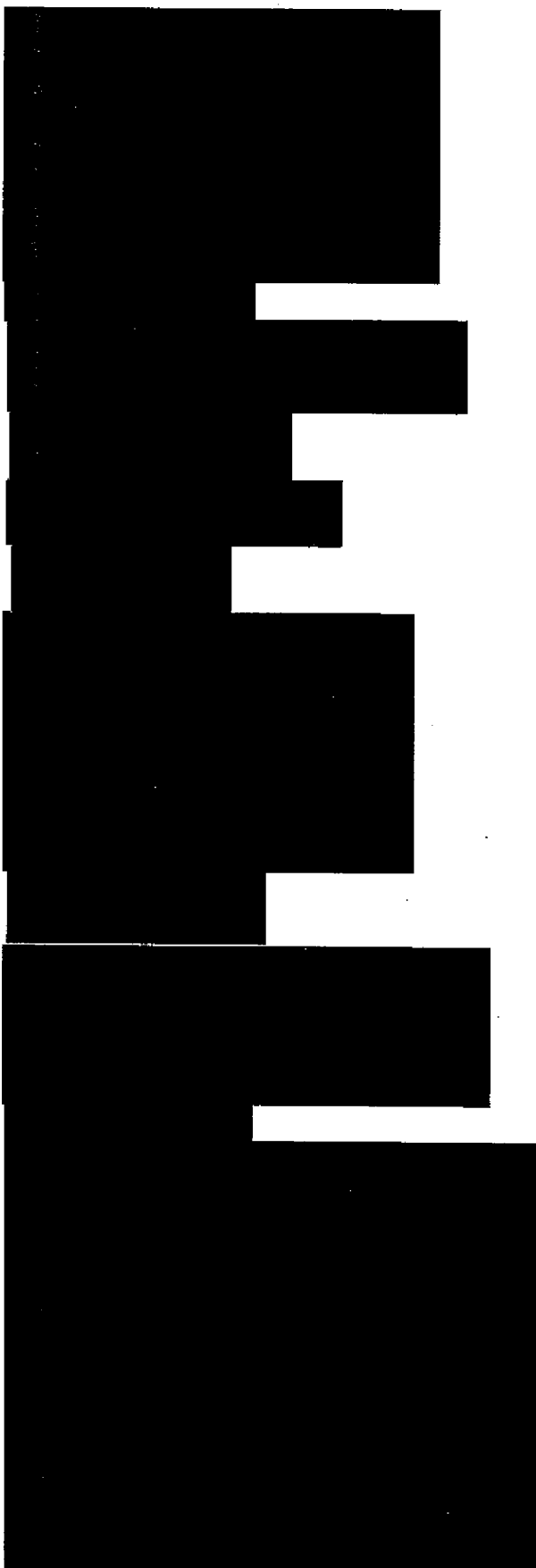
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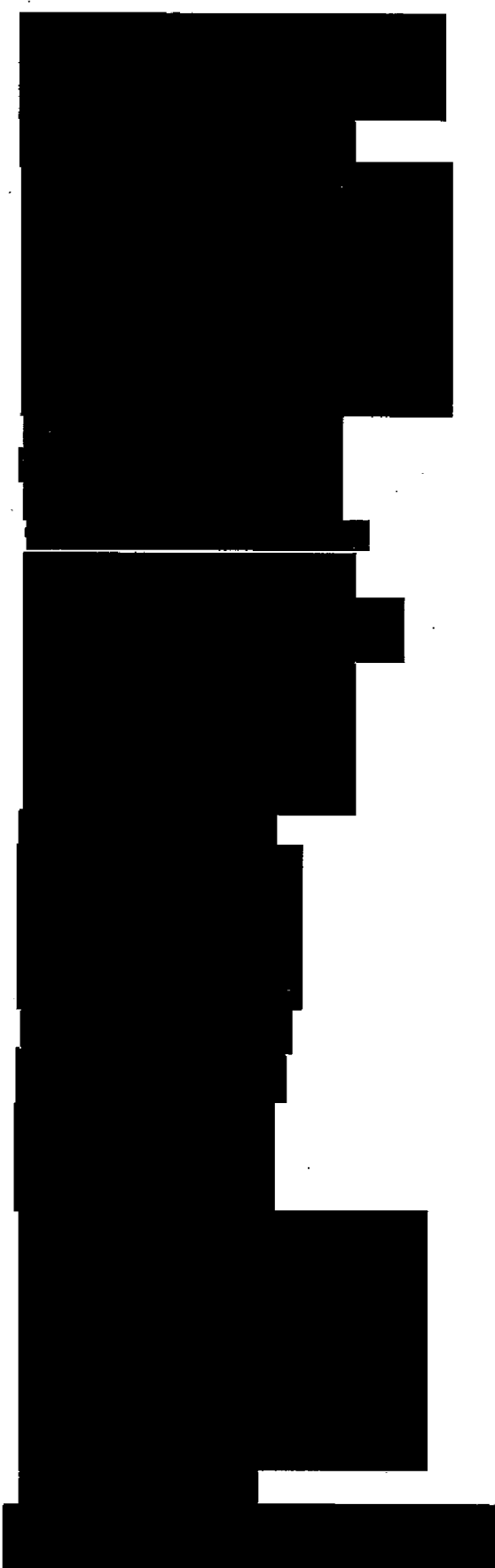
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ID 1
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MS 1
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TX 1
OH 1

[REDACTED]

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NE	1
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CO	1
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AZ	1
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TX	1
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NM	1



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NE	1
VA	1
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ND	1
LA	1
NY	1
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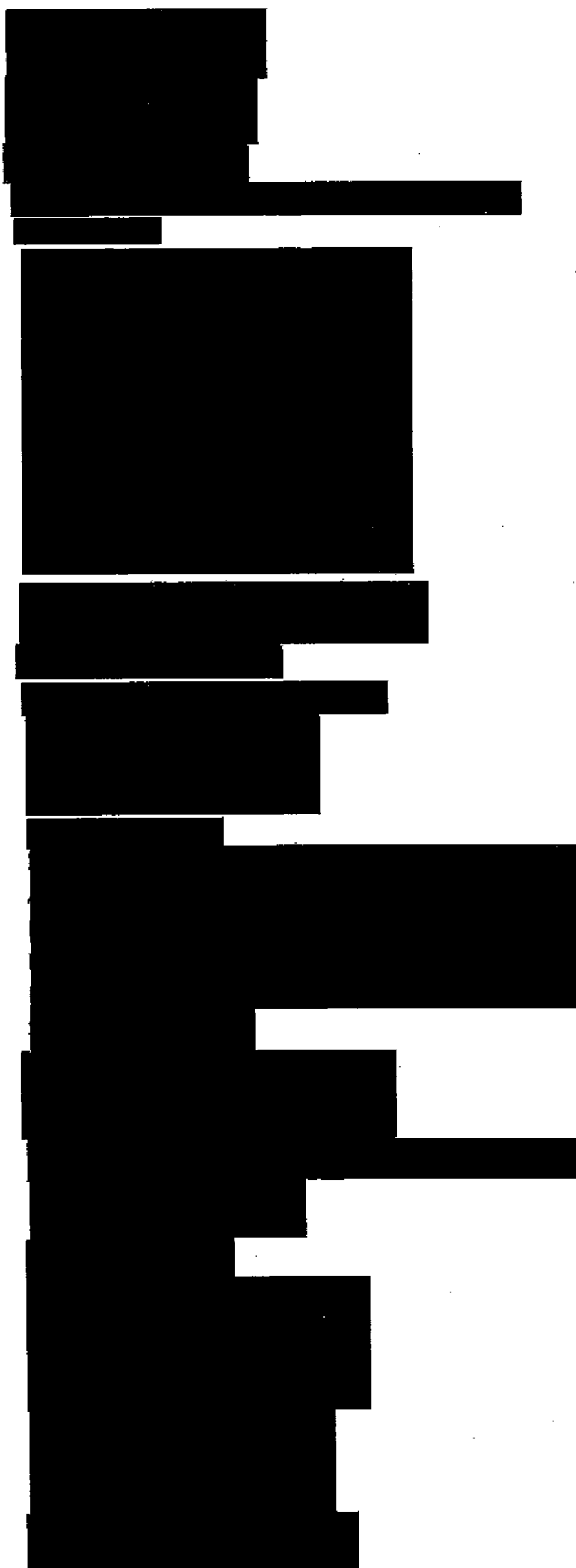


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[REDACTED]

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[REDACTED]

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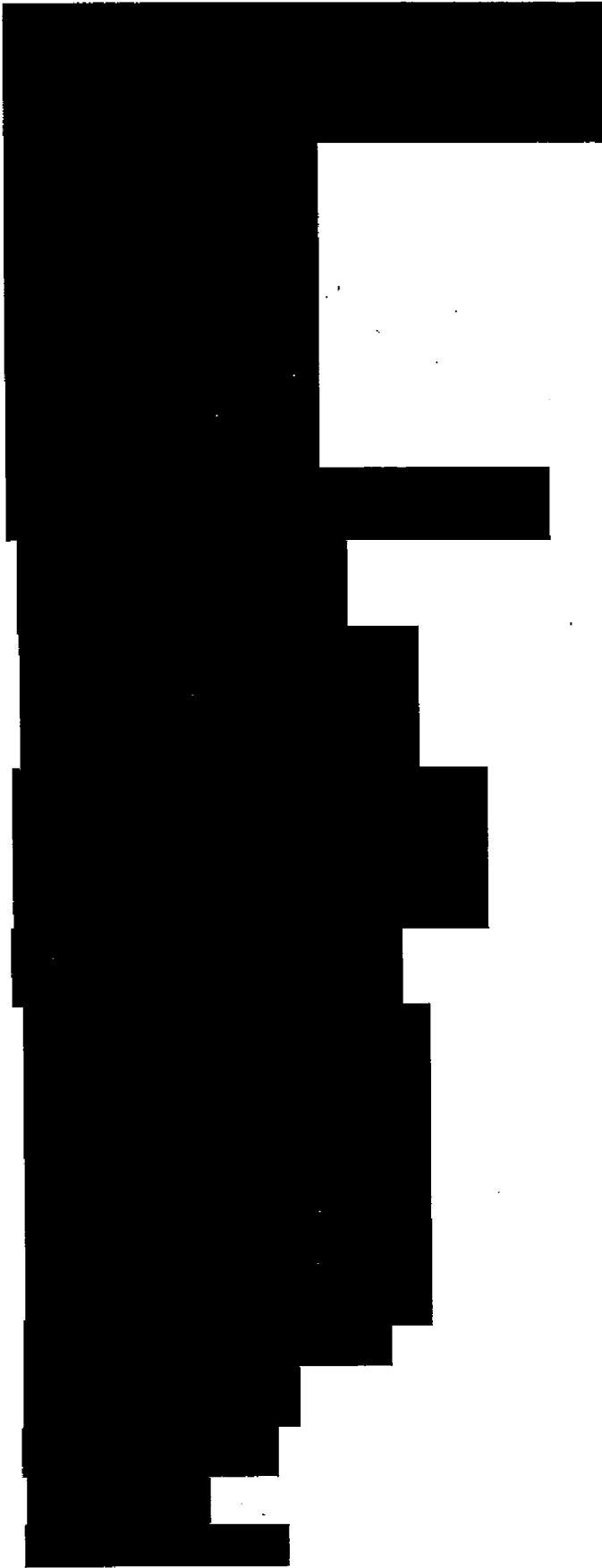
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[REDACTED]

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KS	1
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[REDACTED]

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[REDACTED]

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[REDACTED]

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[REDACTED]

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[REDACTED]

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MI	1
IL	1
TX	1
CO	1
CA	1
TX	1
OK	1
NV	1
TX	1
TX	1
AZ	1
FL	1
CA	1

[REDACTED]

From: Mendoza, B. Scott
Sent: Monday, November 22, 2010 12:06 PM
To: Herbert, Arthur W.
Cc: Albro, Stephen B.
Subject: Current 01&02 FFL Count in 4 SW States

Arthur,

As of today, the total number of type 01 and 02 FFLs in California, Arizona, New Mexico, and Texas is **8,534**, broken down as follows:

STATE	TYPE 01	TYPE 02
TEXAS	3,753	921
ARIZONA	1,081	137
NEW MEXICO	513	77
CALIFORNIA	1,977	75
Total	7,324	1,210

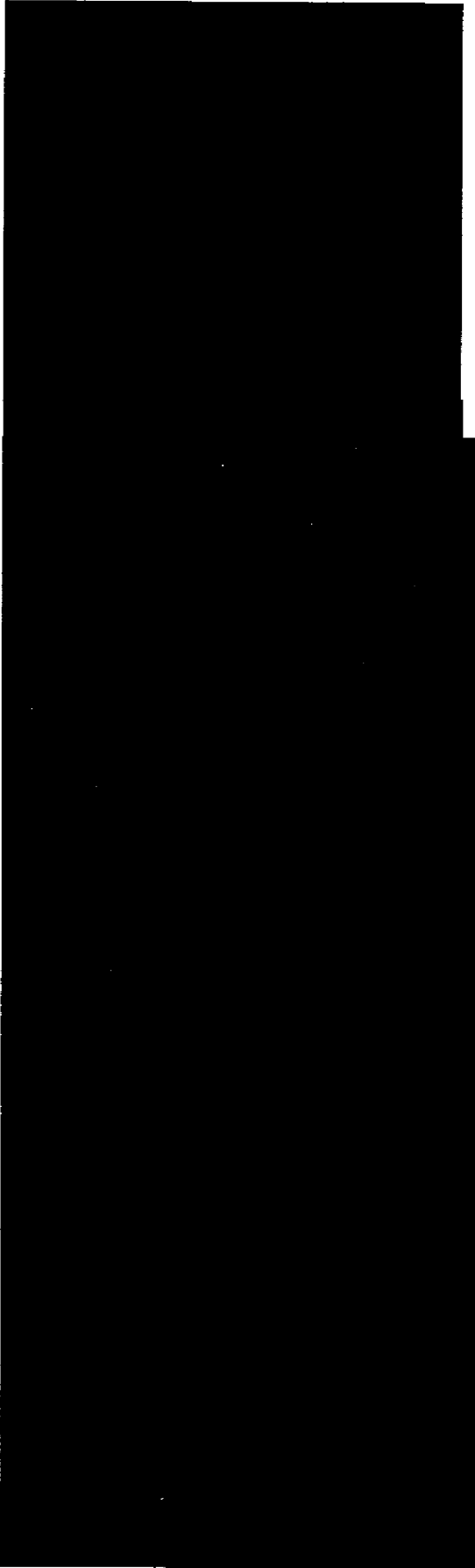
Rifles > 22 Caliber Recovered in MM for FY2008 thru FY2010

Traces to Retail dealer and Purchaser identified, excluding duplicates

Run Date: 11/30/2010 at 1:00 PM

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[REDACTED]	AK	1	FL	79
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[REDACTED]	AK	1	OH	68
[REDACTED]	AK	1	CO	54
[REDACTED]	AK	1	NC	53
[REDACTED]	AK	1	MI	49
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[REDACTED]	AL	1	VA	18
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[REDACTED]	AL	1	MD	13
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[REDACTED]	AR	2	MT	12
[REDACTED]	AR	1	MA	8
[REDACTED]	AR	1	IA	8
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[REDACTED]	AR	1	NJ	5
[REDACTED]	AR	1	ME	4

ATF AR 0449



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AR	1		ND	2
AR	1		DE	2
AR	1		NH	2
AR	1		VT	2
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AZ	7			
AZ	7			
AZ	7			
AZ	7			
AZ	6			

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

This image shows a blank, aged, cream-colored page, likely an endpaper or flyleaf of a book. The paper has a slightly textured appearance with some minor discoloration and faint smudges, characteristic of old paper. The left edge of the page shows the binding, with visible stitching or stitching holes. There is no text or other markings on the page.

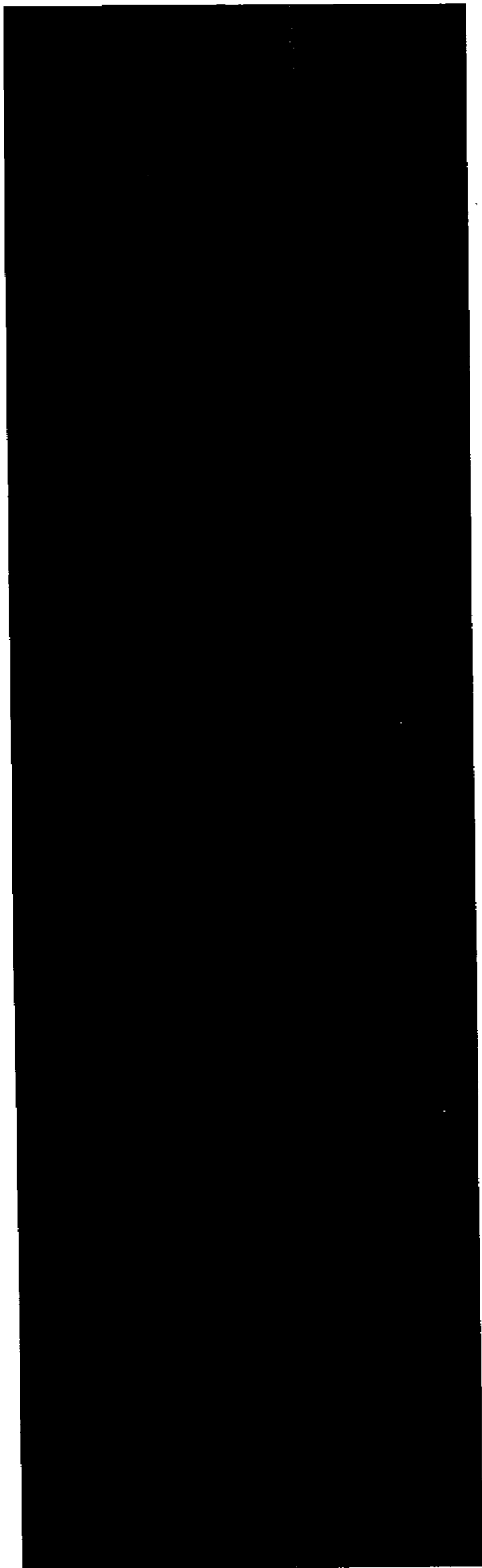
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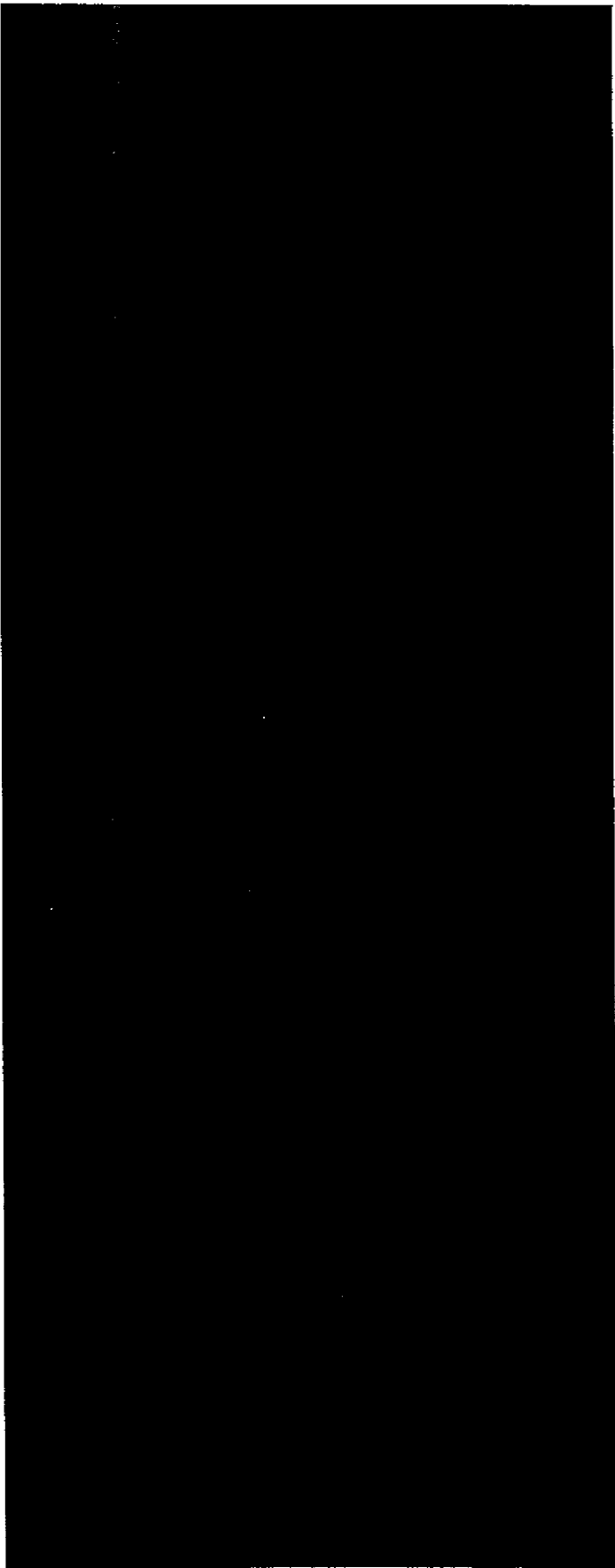
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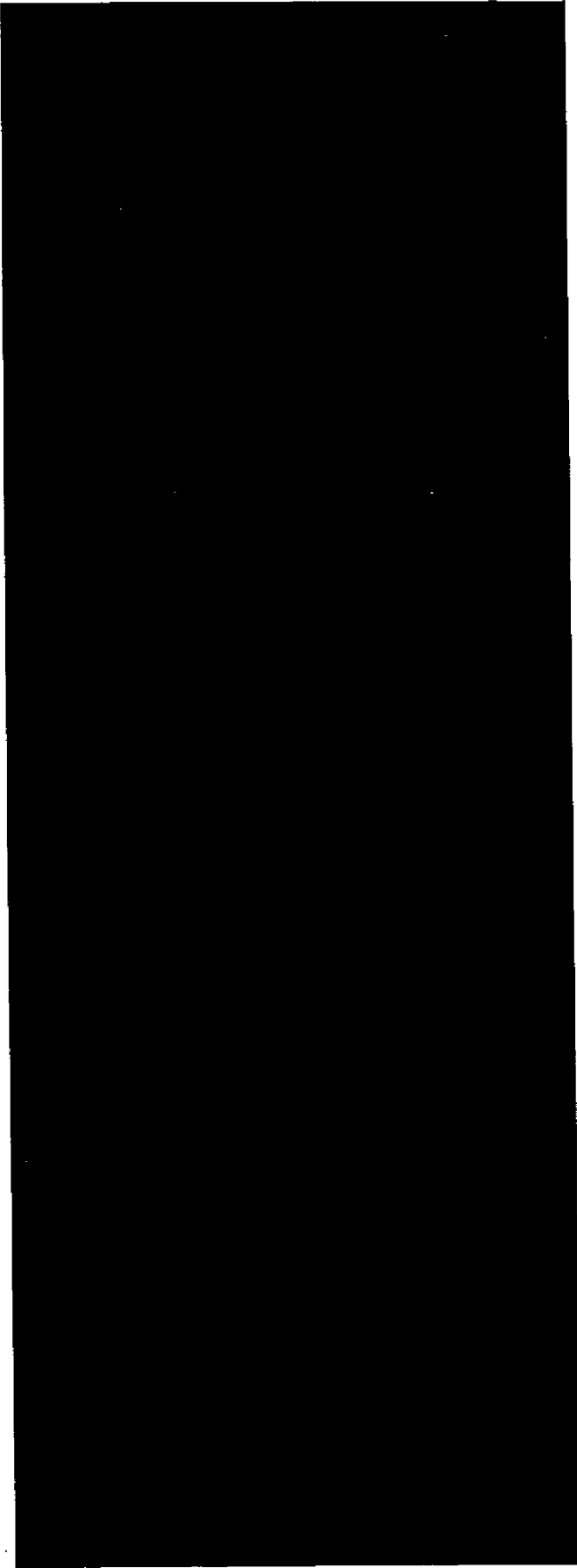
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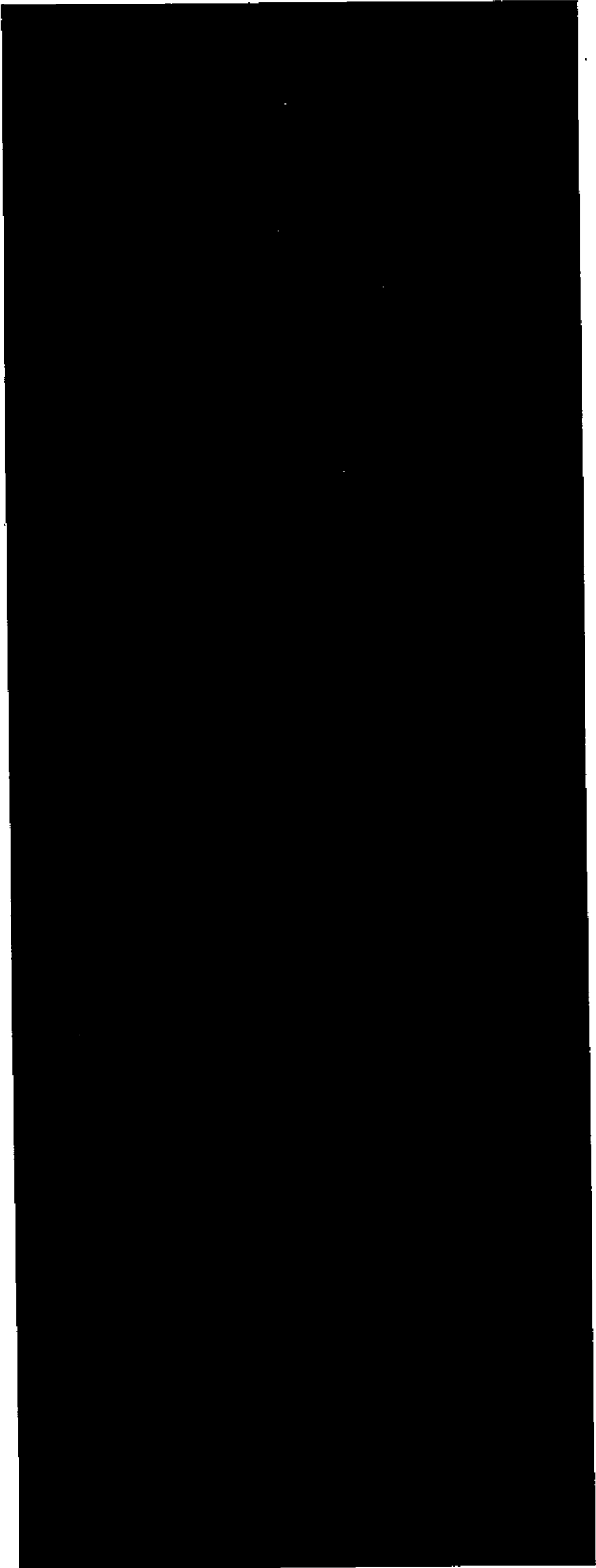
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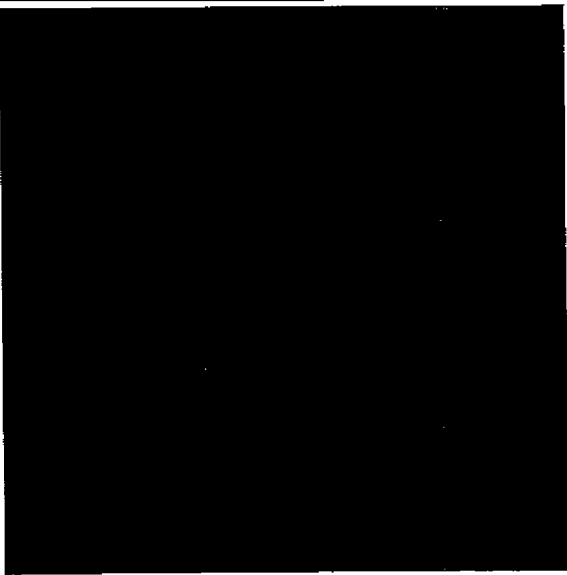
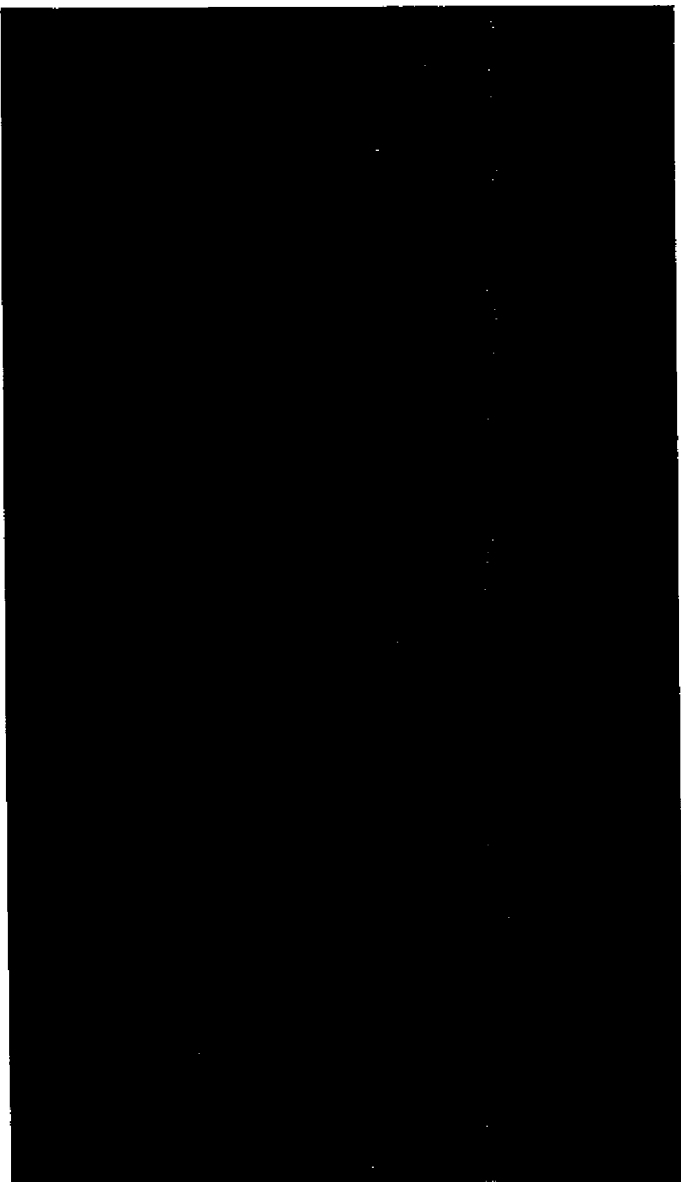
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[illegible]



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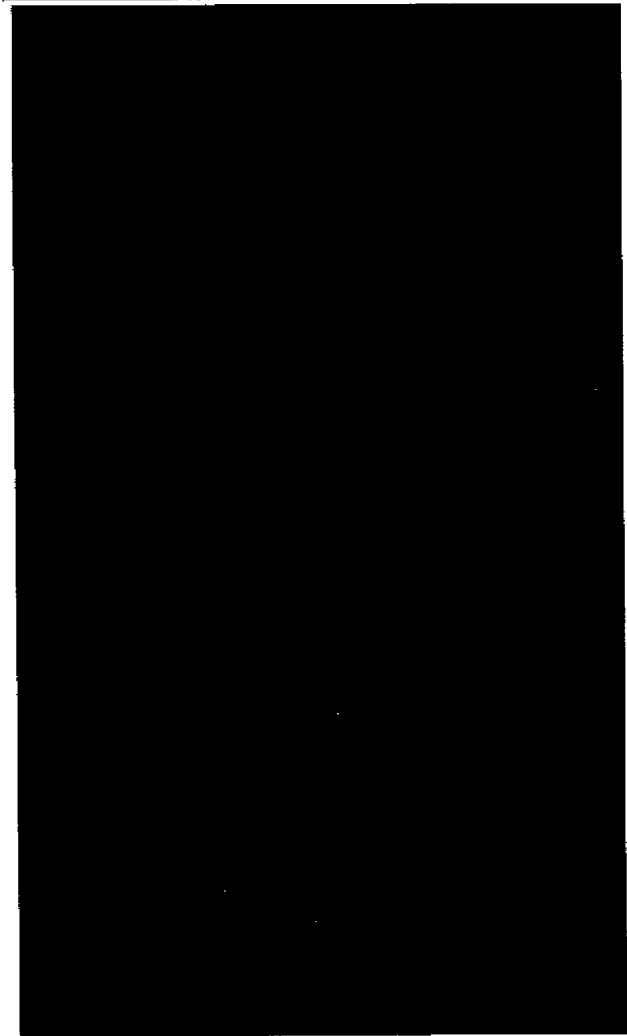
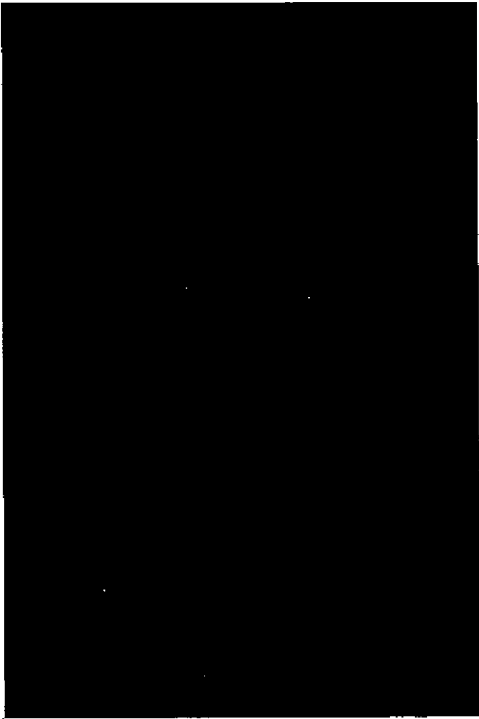
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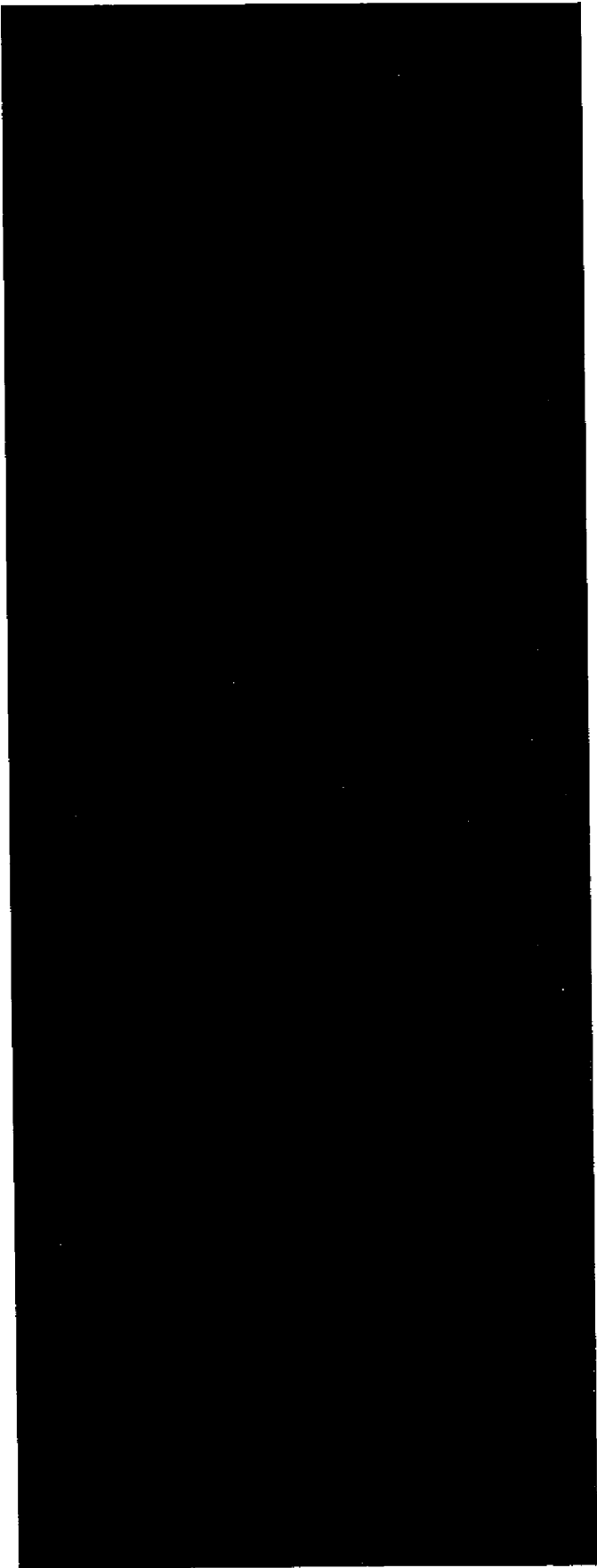
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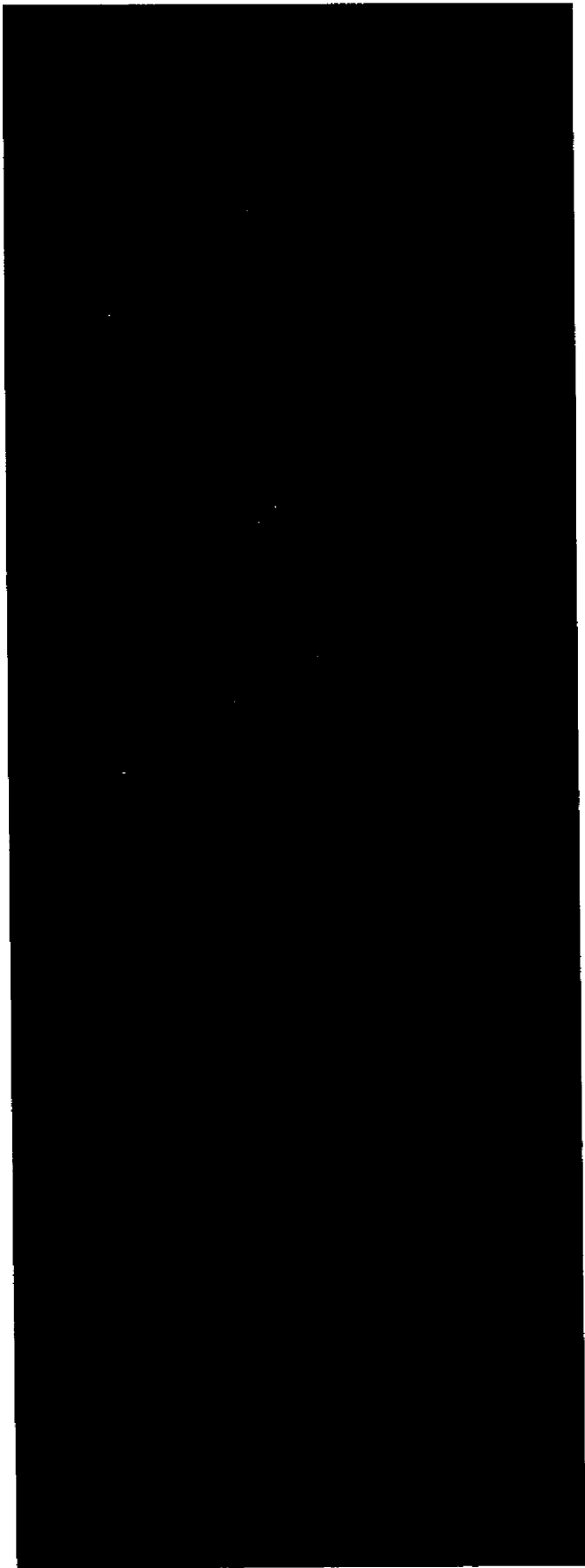
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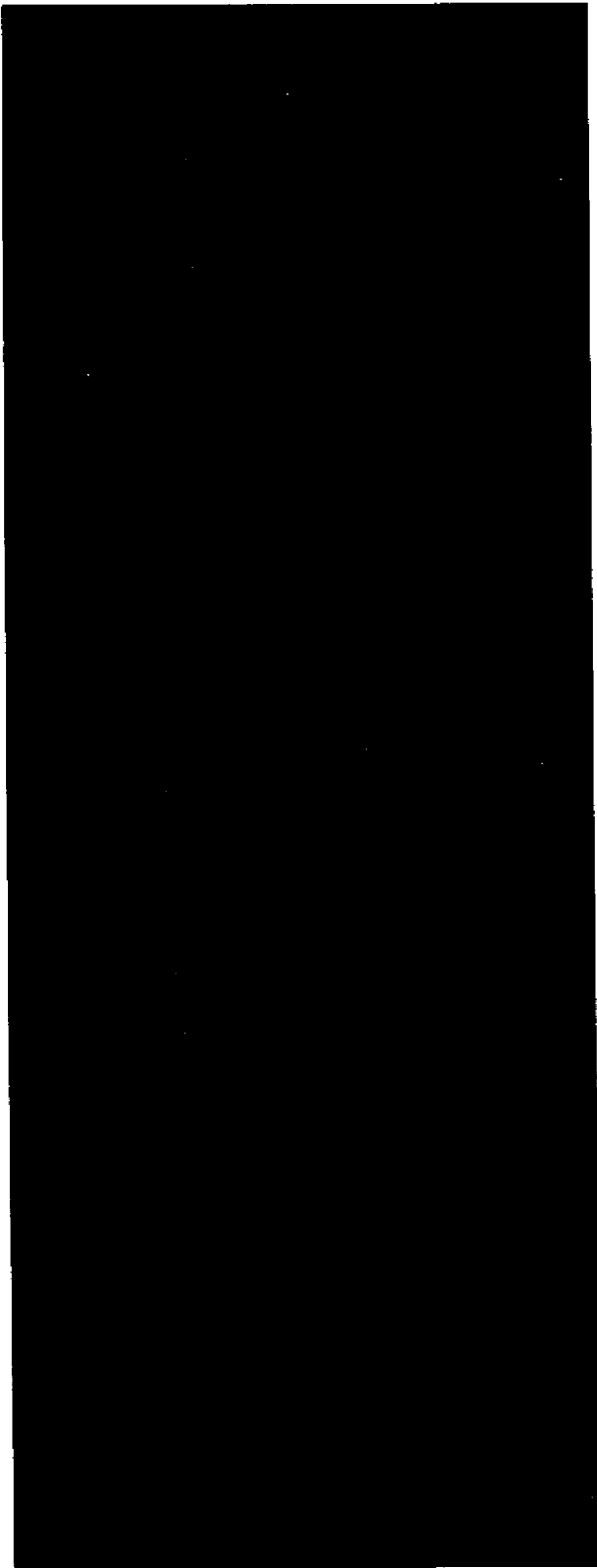
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[illegible]

[illegible]

Journal of Management Studies, 36(7), 809-826
© Blackwell Publishing Ltd. 2003

[illegible]

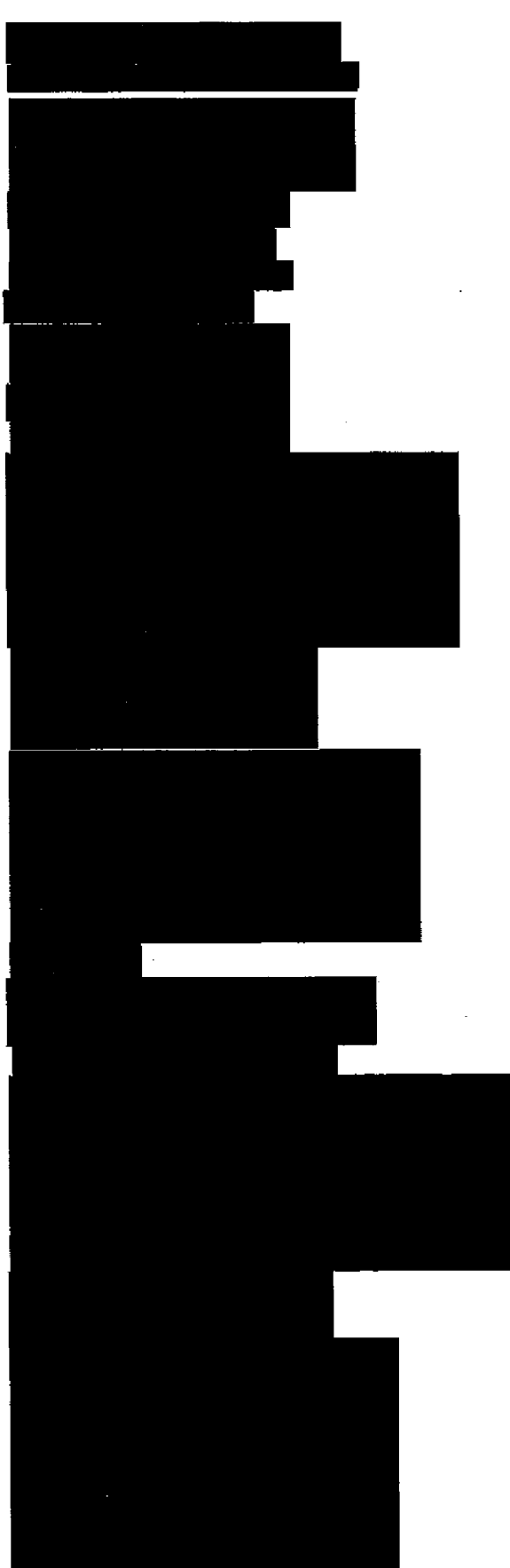


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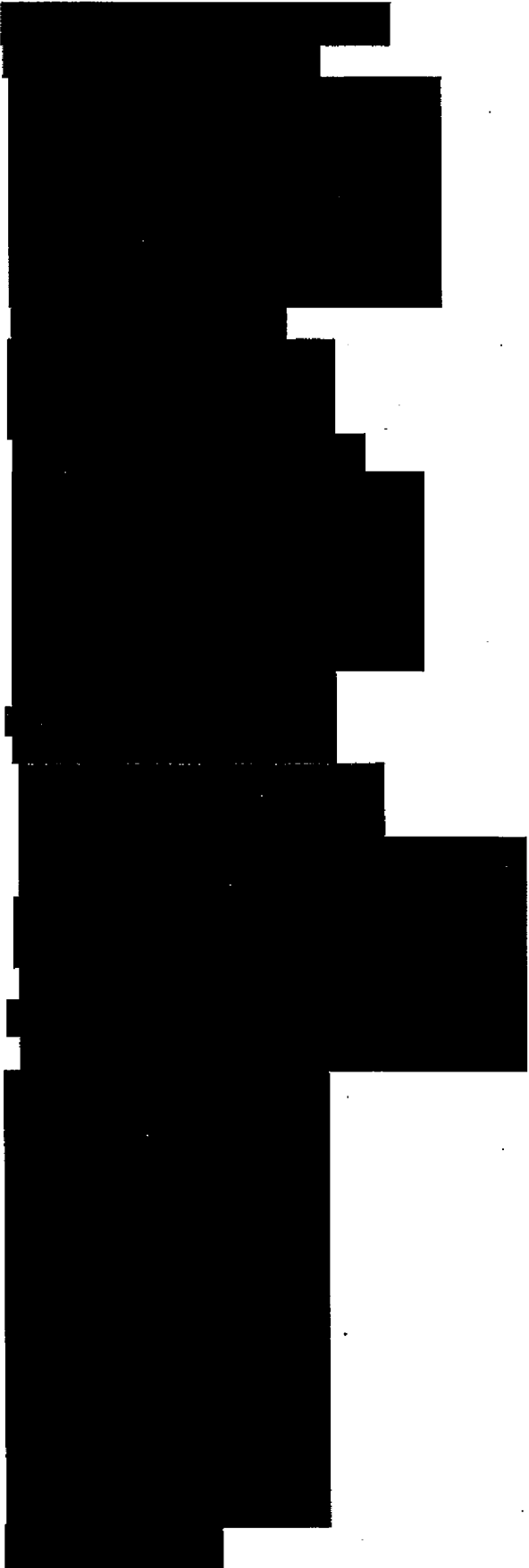
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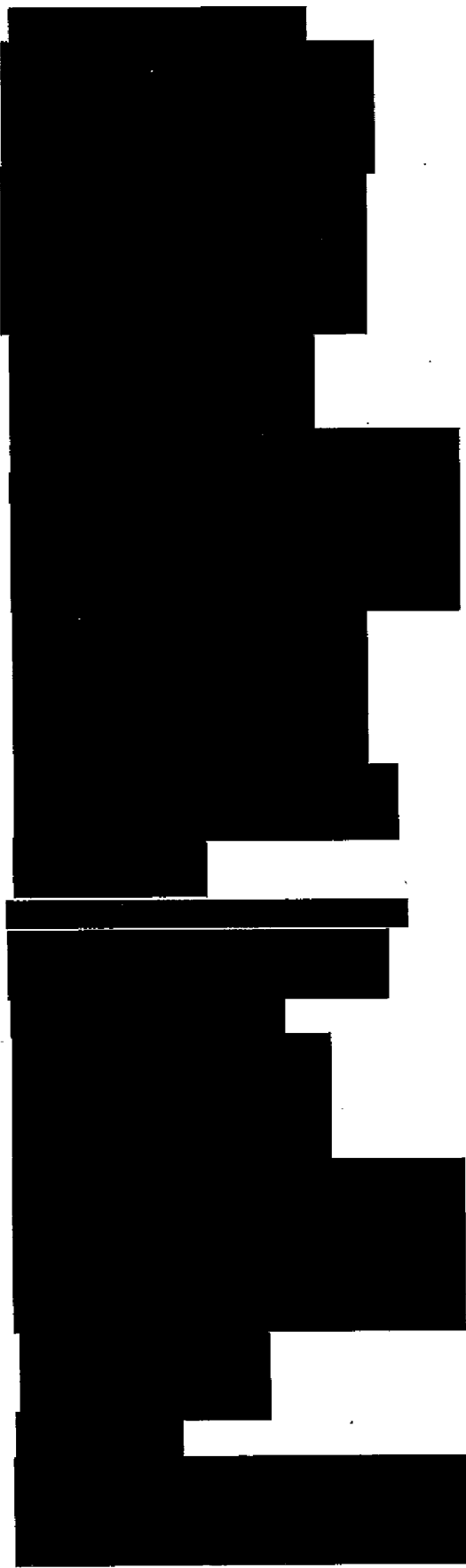
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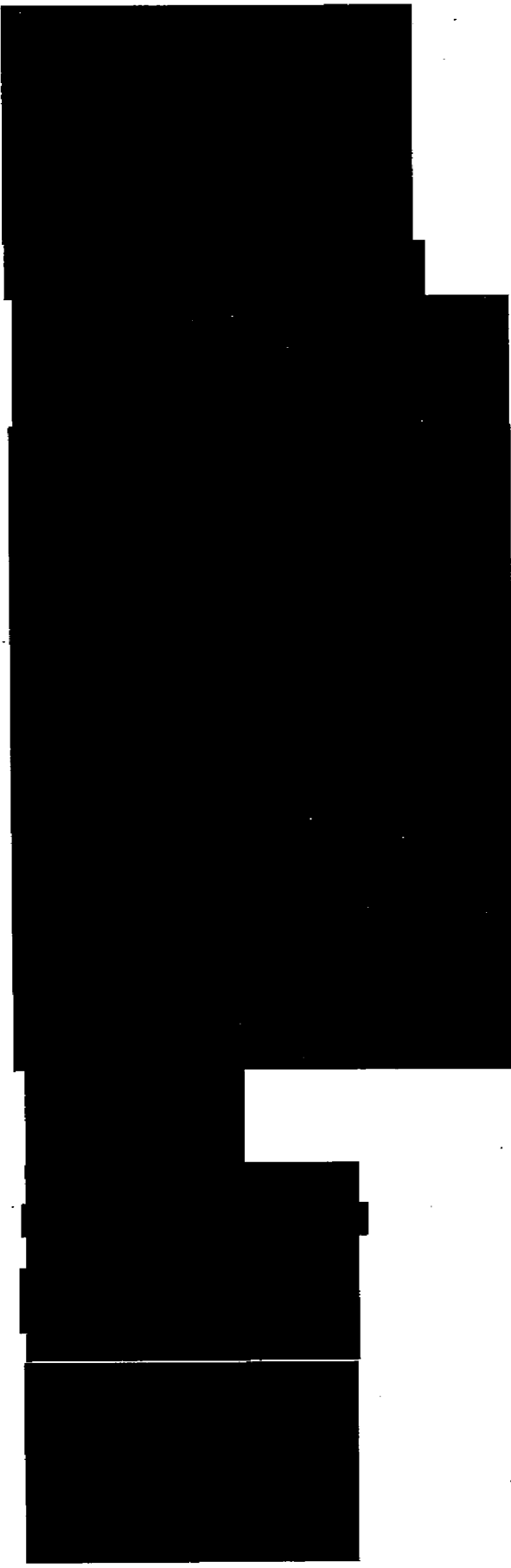
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CA	1
NM	1
SC	1
WY	1
OK	1
TX	1
TX	1
WY	1
NC	1
SC	1
GA	1
CO	1
OK	1
OK	1



GA	1
TX	1
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MS	1
MI	1
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TX	1
KS	1
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WI	1
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NM	1
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CA	1
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NJ	1
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IN	1
IL	1
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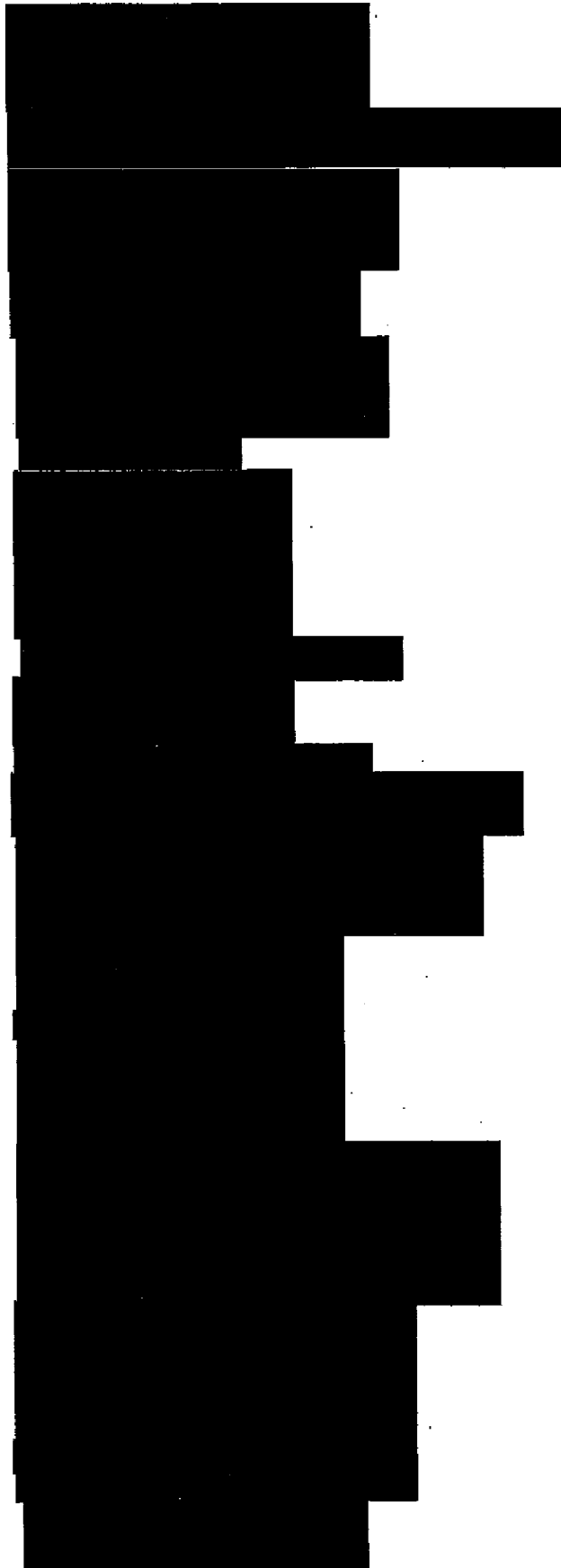
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TX	1
CA	1
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HI	1
CA	1
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TX	1



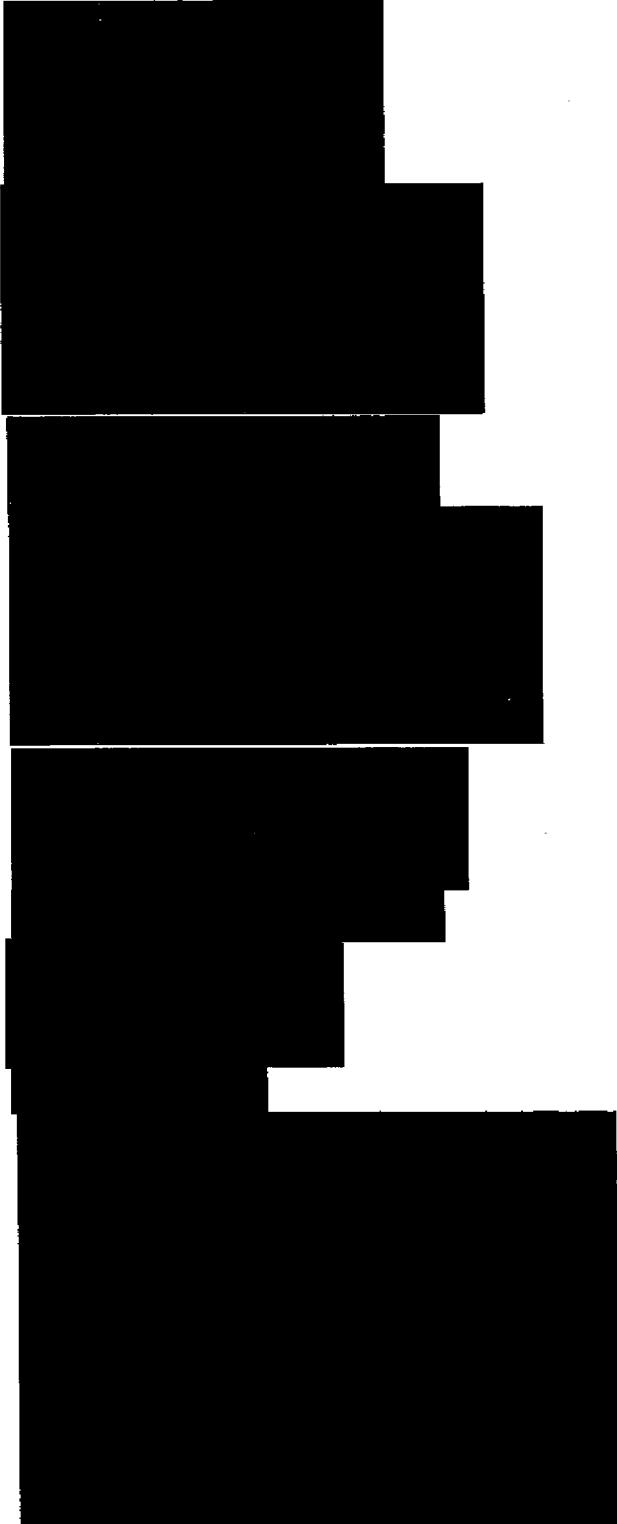
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CA	1
PA	1
OH	1
TX	1
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CA	1
TX	1
GU	1
MO	1
TX	1
IN	1
AZ	1
CA	1
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AR	1
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CA	1
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WI	1
UT	1
NV	1
TX	1



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TX	1
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CA	1
MI	1
TX	1
WA	1
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IN	1
GA	1
FL	1
CA	1
IL	1
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LA	1
CA	1
TX	1
AZ	1
MI	1
TX	1
OR	1
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TX	1
VA	1
IN	1
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CA	1
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TX	1



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TX	1
TX	1
MI	1
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TX	1
TX	1
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TX	1
WA	1
FL	1



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TN	1
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OH	1
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AL	1
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IA	1
OH	1
CA	1
KY	1
MA	1
LA	1

5796

STATE ROLLUP

STATE CNT

TX	2501
AZ	1288
CA	749
NM	110
OK	85
NV	85
FL	80
WA	77
OH	70
IL	70
CO	54
NC	53
MI	49
LA	47
KS	43
PA	41
OR	32
GA	32
AL	32
IN	30
AR	27
NY	25
MN	25
MO	24
TN	22
SC	20
VA	18
UT	17
KY	17
WI	17
ID	16
NE	15
WY	14
MT	13
AK	13
MD	13
MS	12
CT	12
MA	10
IA	10
WV	7
NJ	5
ME	4

HI	4
SD	3
ND	2
DE	2
NH	2
VT	2
GU	1
	5900

Cumulative for FY-08 thru FY-10/no duplicates

TTC <= 3 YEARS

BY FFL NAME AND STATE

FFL

ST TRC CNT

AZ 130

TX 95

AZ 90

TX 66

TX 48

TX 47

TX 46

TX 42

TX 34

TX 30

AZ 30

AZ 28

TX 26

TX 23

AZ 22

TX 20

TX 20

TX 18

AZ 18

TX 17

AZ 17

TX 16

TX 15

TX 15

AZ 15

AZ 15

AZ 15

AZ 13

AZ 13

AZ 13

TX 12

TX 11

TX 11

NV 11

AZ 11

TX 10

TX 10

TX 9

TX 9

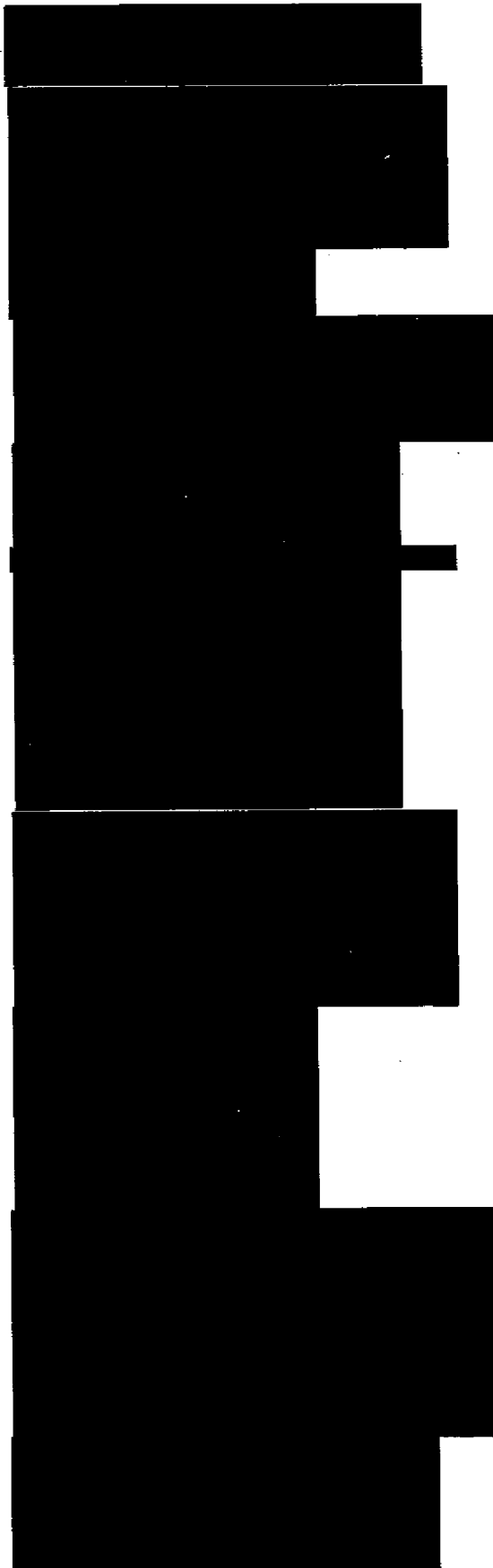
AZ 9

AZ 9

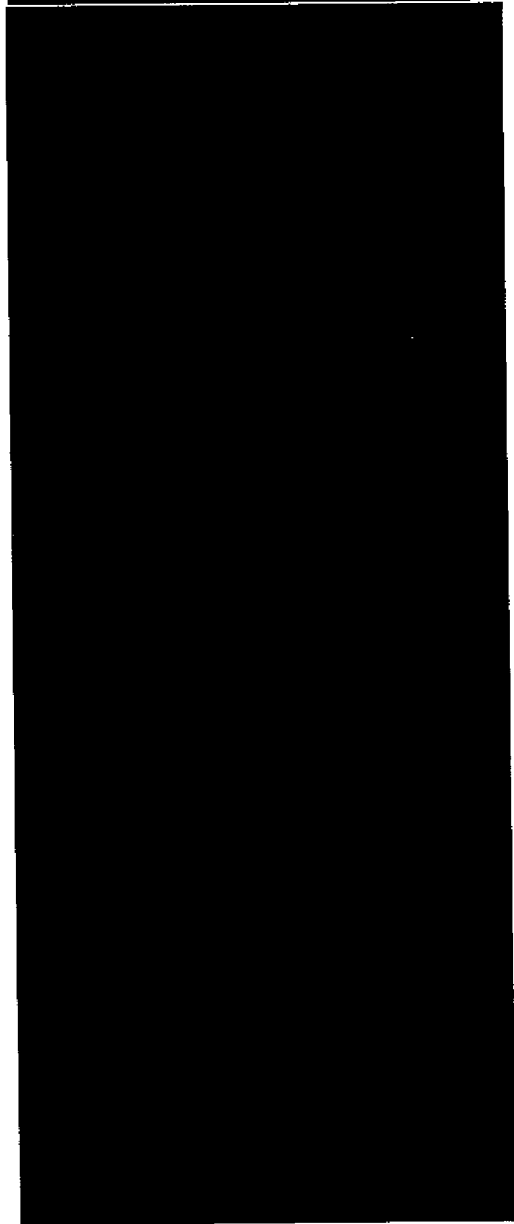
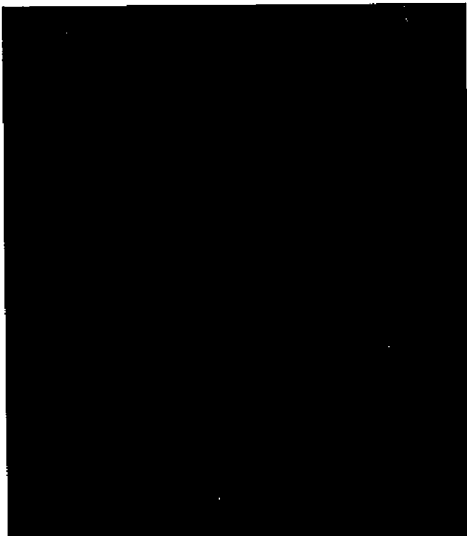
WA 8

TX 8

ATF AR 0510

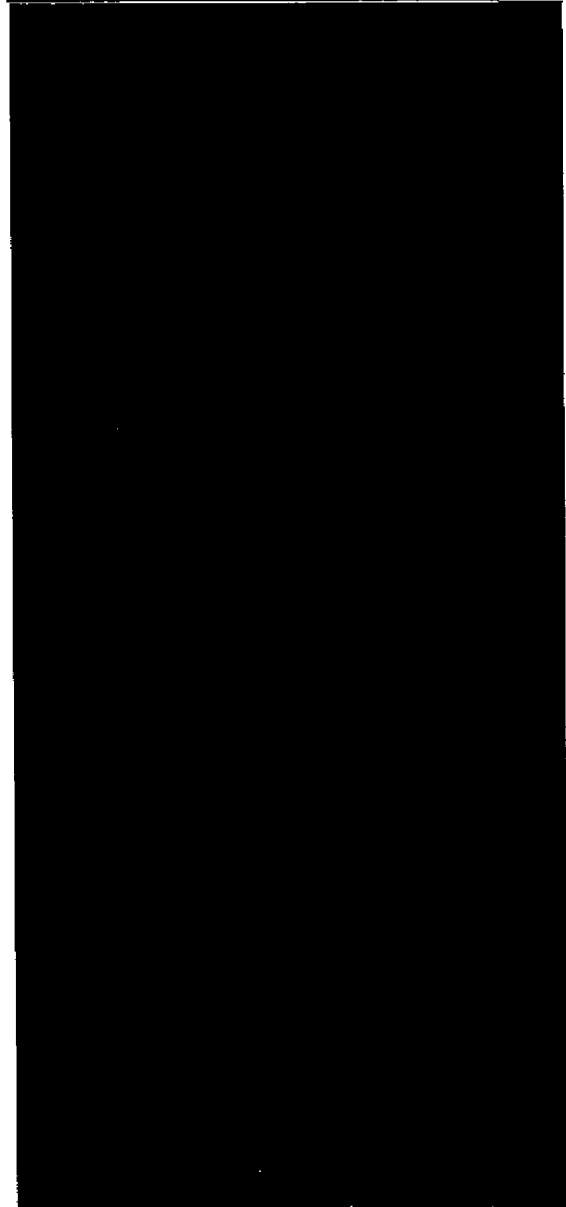


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AZ	8
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OK	7
NV	7
NV	7
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TX	6
FL	6
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TX	5
TX	5
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TX	4
TX	4
TX	4
TX	4
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AZ	4
AZ	4
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TX	3
TX	3
TX	3

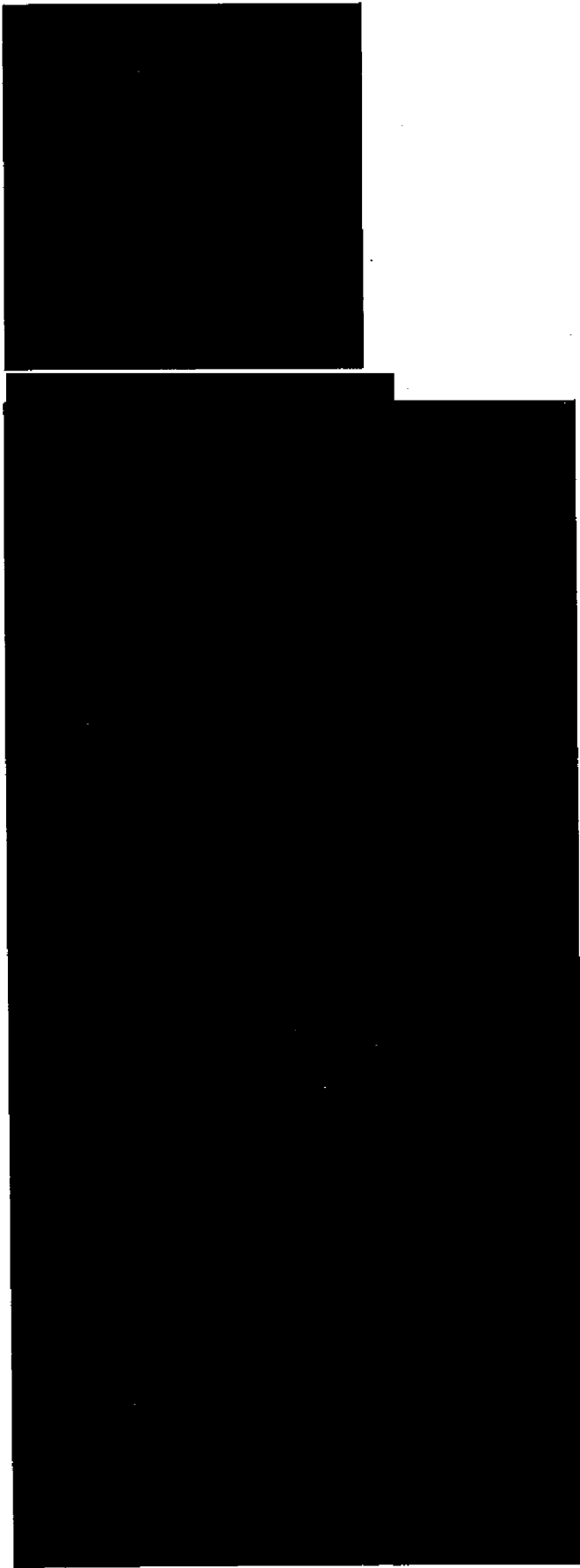


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OK	2
OH	2
OH	2
NV	2
NV	2
NV	2
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IN	2
IL	2
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AZ	2
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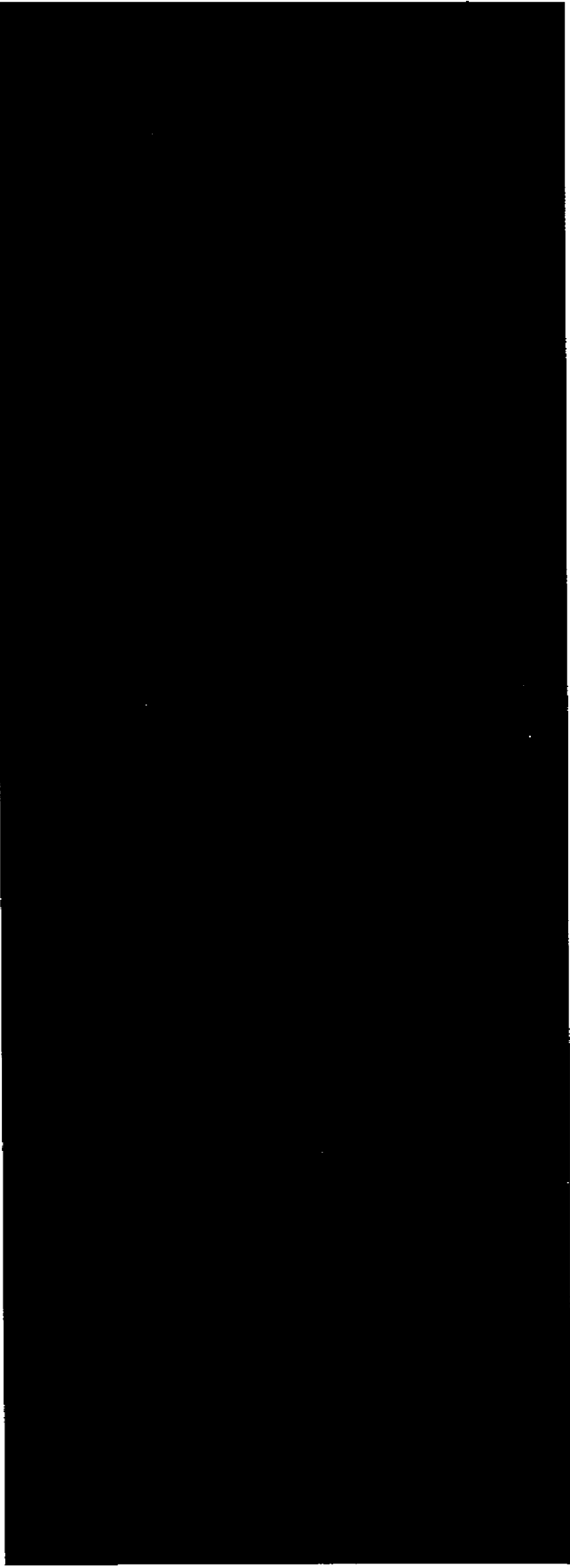
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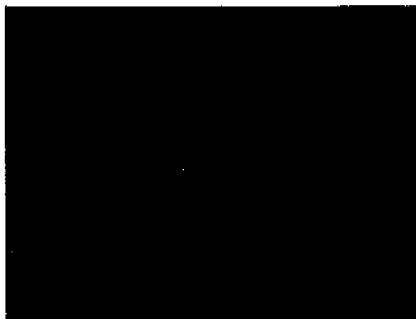
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AZ	1
AZ	1
AZ	1
AZ	1
AZ	1
AZ	1
AR	1
AL	1

1823

By FY
FY2008

FFL

ST TRC CNT

TX 21

TX 18

AZ 16

TX 10

TX 8

TX 8

TX 7

TX 7

AZ 7

TX 5

AZ 5

WA 4

WA 4

TX 4

TX 4

TX 4

AZ 4

AZ 4

AZ 4

AZ 4

TX 3

TX 3

TX 3

AZ 3

AZ 3

AZ 3

AZ 3

AZ 3

AZ 3

WA 2

TX 2

TX 2

TX 2

TX 2

TX 2

CA 2

AZ 2

AZ 2

AZ 2

AZ 2

AZ 2

AZ 2

TX 1

ATF AR 0520

10

1. The first step in the process is to identify the problem. This involves gathering information about the situation and understanding the needs of the stakeholders involved.



NV	1
NM	1
NC	1
NC	1
NC	1
MO	1
MI	1
MI	1
MI	1
LA	1
IN	1
IL	1
FL	1
CO	1
CO	1
CO	1
AZ	1
AZ	1
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AR	1

FY2009

FFL

ST TRC CNT





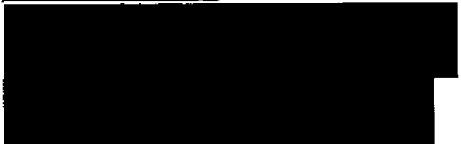



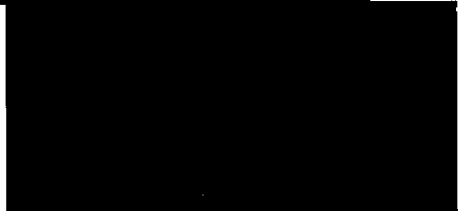

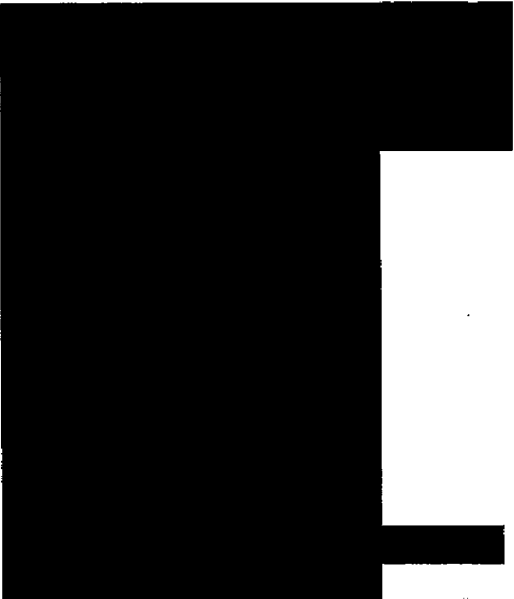
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NV	7
AZ	6
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AZ	6
TX	6
AZ	5
AZ	5
FL	5
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AZ	4
TX	4
NV	4

ATF AR 0523



AZ	4
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TX	4
NV	3
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FL	3
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AZ	3
AZ	3
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TX	3
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LA	2
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AZ	2
PA	2
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TX	2
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AZ	2
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OH	2
AZ	2
TX	2

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AZ	2
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WA	2
TX	2
TX	2
NV	1
TX	1
AZ	1
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TX	1
OK	1
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TX	1
AZ	1
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SC	1
FL	1
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AZ	1
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AZ	1



WA	1
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IN	1
AZ	1
TX	1
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WV	1
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NM	1
TX	1
MS	1
NM	1
WV	1
TX	1
AZ	1
TX	1
IL	1

the 1990s, the number of people in the United States who are 65 years of age or older is projected to increase from 20 million to 35 million, and the number of people 75 years of age or older is projected to increase from 10 million to 15 million (U.S. Census Bureau, 1996).

1. *Journal of the American Medical Association*, 2000; 283: 2689-2694.

[illegible]

100% of the cases. The mean age was 60 years (range 45-75 years). The mean duration of symptoms was 12 months (range 3-24 months). The mean duration of symptoms was 12 months (range 3-24 months). The mean duration of symptoms was 12 months (range 3-24 months).

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1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

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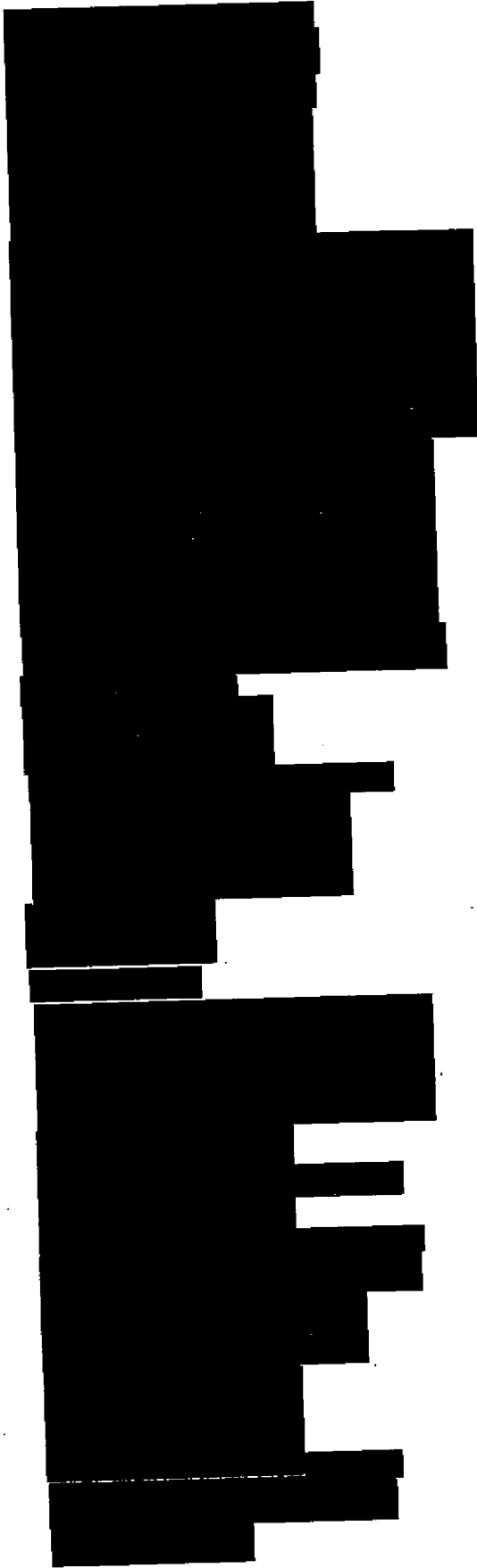
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TX 1
OK 1
OK 1
NV 1
TX 1

FY2010

FFL

ST	TRC CNT
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AZ	67
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TX	22
TX	22
AZ	20
AZ	15
TX	15
TX	14
TX	10
TX	10
AZ	10
AZ	10
TX	10
TX	9
NV	7
TX	7
TX	7
AZ	7
AZ	7
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TX	6
TX	6
AZ	6
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OK	6
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IL	5
TX	5
TX	5
TX	5
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WA	4
TX	3

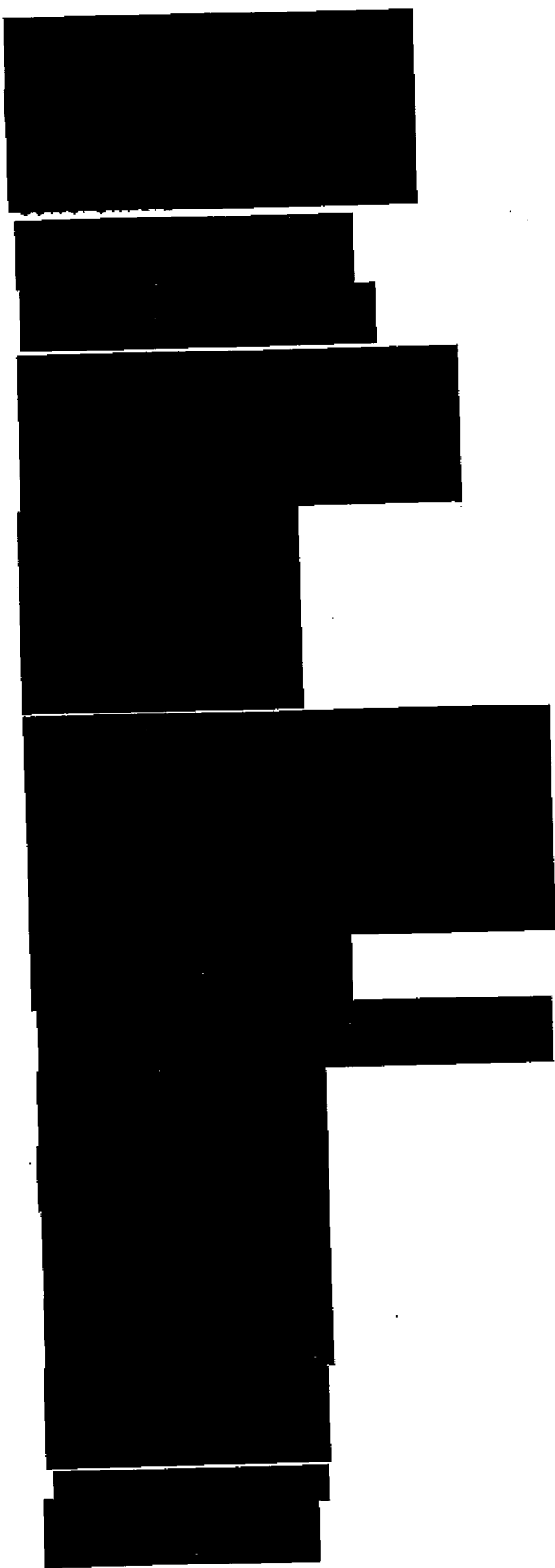
ATF AR 0529



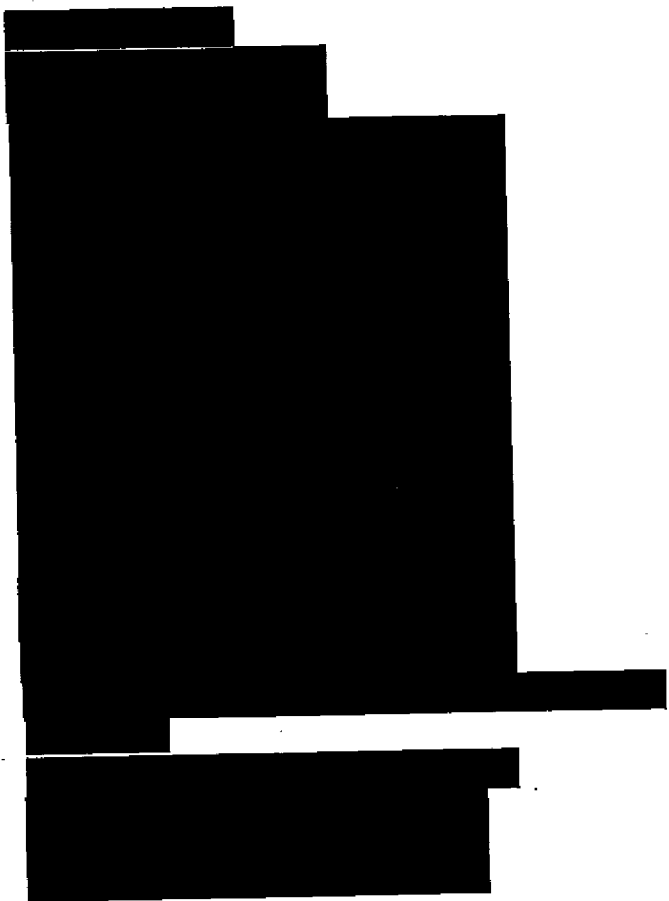
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OK	1
AR	1
PA	1
TX	1

[REDACTED]

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OH	1
TX	1
TX	1
TX	1
AZ	1
MI	1
AZ	1
TX	1
TX	1
OK	1
TX	1
TX	1
TX	1
TX	1



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MD	1
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NC	1
TX	1
SD	1
AZ	1
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TX	1
NV	1
AZ	1
AZ	1
KS	1
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OK	1
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TX	1
TX	1
OK	1
TX	1
OR	1
LA	1
TN	1
TX	1
AZ	1
NM	1



TX	1
OH	1
OH	1
TX	1
TX	1
TX	1
TX	1
TX	1
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AZ	1
TX	1
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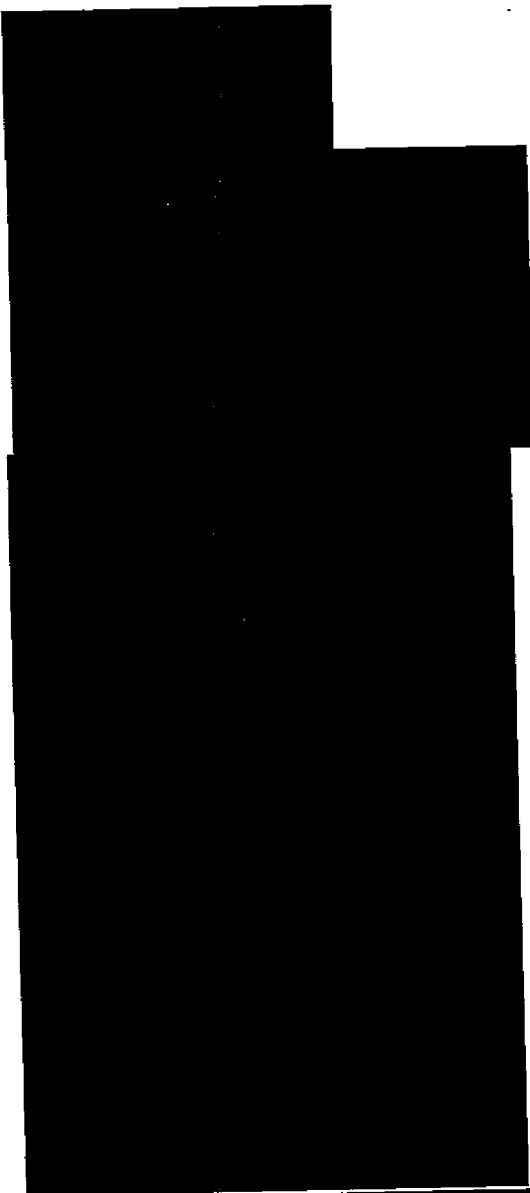
Cumulative for FY-08 thru FY-10/no duplicates

TTC <= 1 YEARS

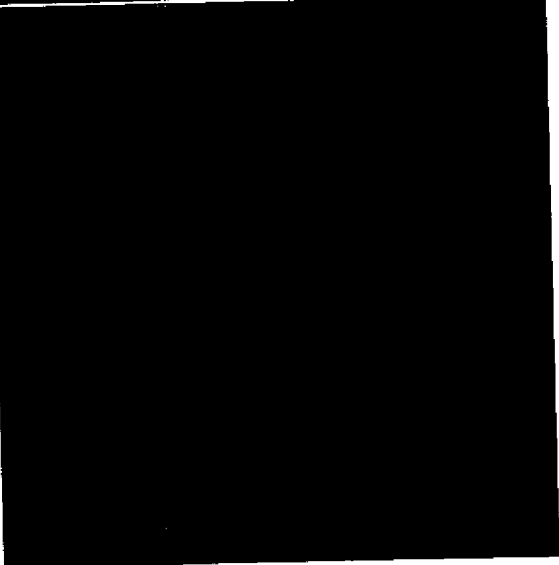
BY FFL NAME AND STATE

FFL

ST	TRC CNT
AZ	73
AZ	59
TX	49
TX	26
TX	25
TX	23
TX	19
AZ	17
TX	14
TX	13
TX	12
TX	12
TX	12
AZ	12
AZ	12
TX	11
TX	10
AZ	9
AZ	9
TX	8
TX	8
TX	7
NV	7
AZ	7
AZ	7
AZ	7
WA	6
TX	6
TX	6
TX	6
OK	6
AZ	6
AZ	6
TX	5
AZ	5
TX	4
NV	4
FL	4
AZ	4
AZ	4
WA	3
TX	3
TX	3

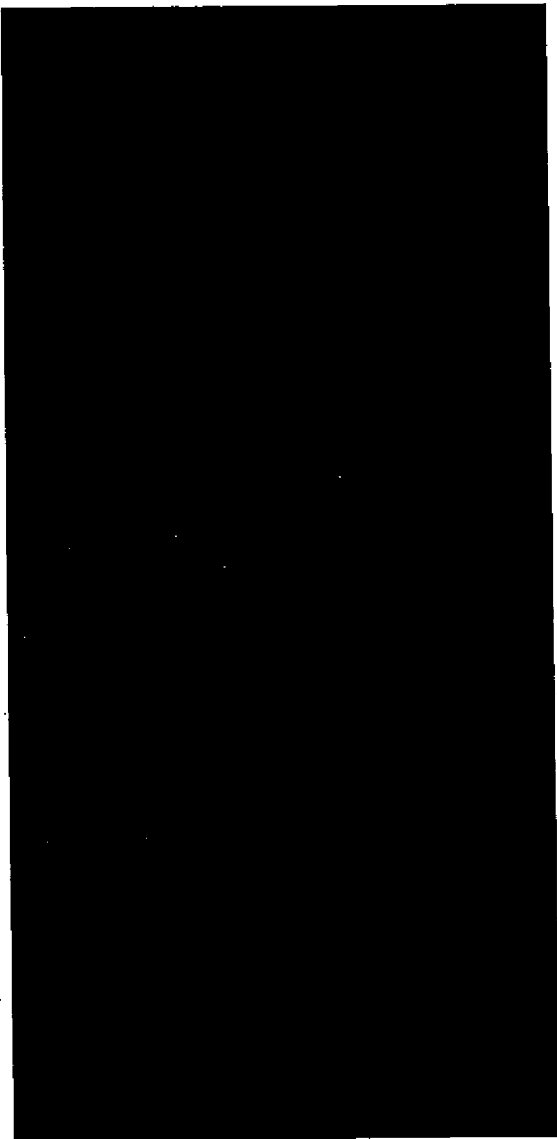


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TX	3
TX	3
TX	3
NV	3
MN	3
FL	3
AZ	3
AZ	3
AZ	3
AZ	3
WA	2
TX	2
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TX	2
TX	2
TX	2
TX	2
TX	2
TX	2
TX	2
TX	2
TX	2
TX	2
TX	2
TX	2
TX	2
TX	2
TX	2
TX	2
NV	2
NV	2
LA	2
LA	2
IL	2
AZ	2
AZ	2
AZ	2
AZ	2
AZ	2
AZ	2
AZ	2
WY	1
WV	1
WV	1



ATF AR 0537

ATF AR 0538



KY	1
IL	1
ID	1
IA	1
FL	1
FL	1
CO	1
AZ	1
AZ	1
AZ	1
AZ	1
AZ	1
AZ	1
AZ	1
AZ	1
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AZ	1
AR	1
AR	1
AL	1
	774



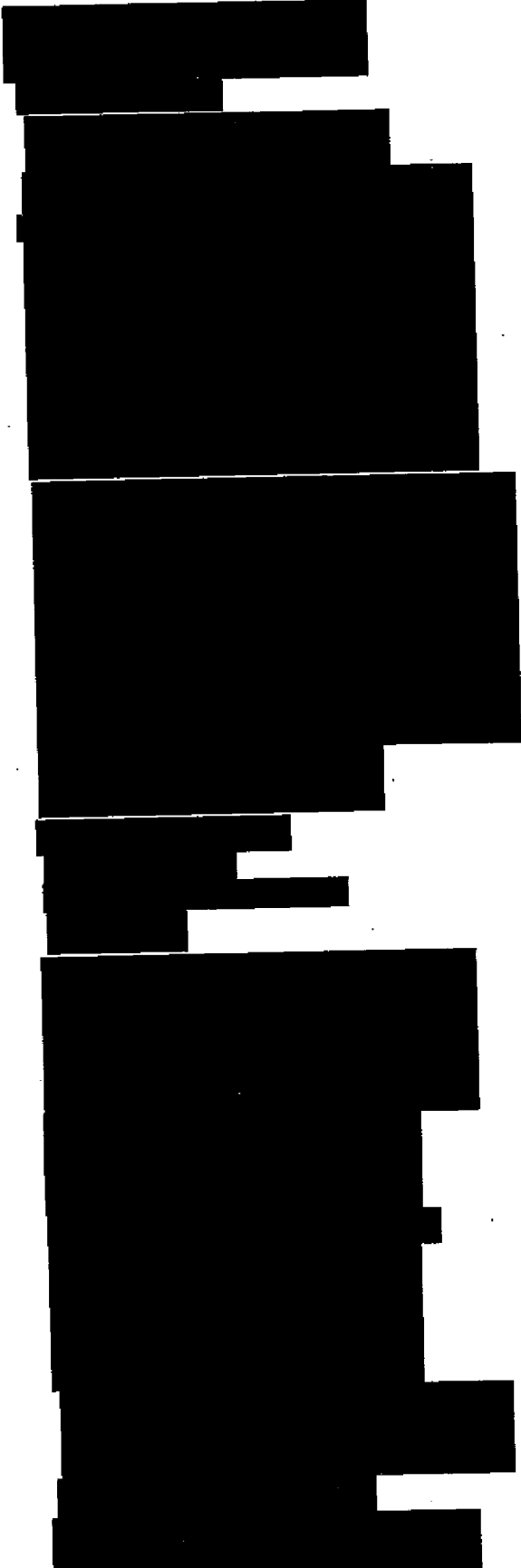
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FY2009

FFL

ST	TRC CNT
TX	23
TX	14
TX	12
TX	11
AZ	11
TX	10
AZ	10
AZ	9
AZ	9
AZ	9
TX	8
TX	8
TX	7
TX	7
TX	7
TX	7
TX	6
TX	5
AZ	5
TX	5
TX	4
FL	4
NV	3
AZ	3
FL	3
AZ	3
AZ	3
TX	2
TX	2
WA	2
AZ	2
AZ	2
TX	2
LA	2
TX	2
TX	2
TX	2
TX	2
TX	2
TX	2
LA	2
NV	2
AZ	2

ATF AR 0542



NV	1
AZ	1
TX	1
KY	1
UT	1
TX	1
AZ	1
TX	1
OH	1
TX	1
TX	1
TX	1
OK	1
TX	1
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OK	1
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WV	1
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NV	1
TX	1
TX	1
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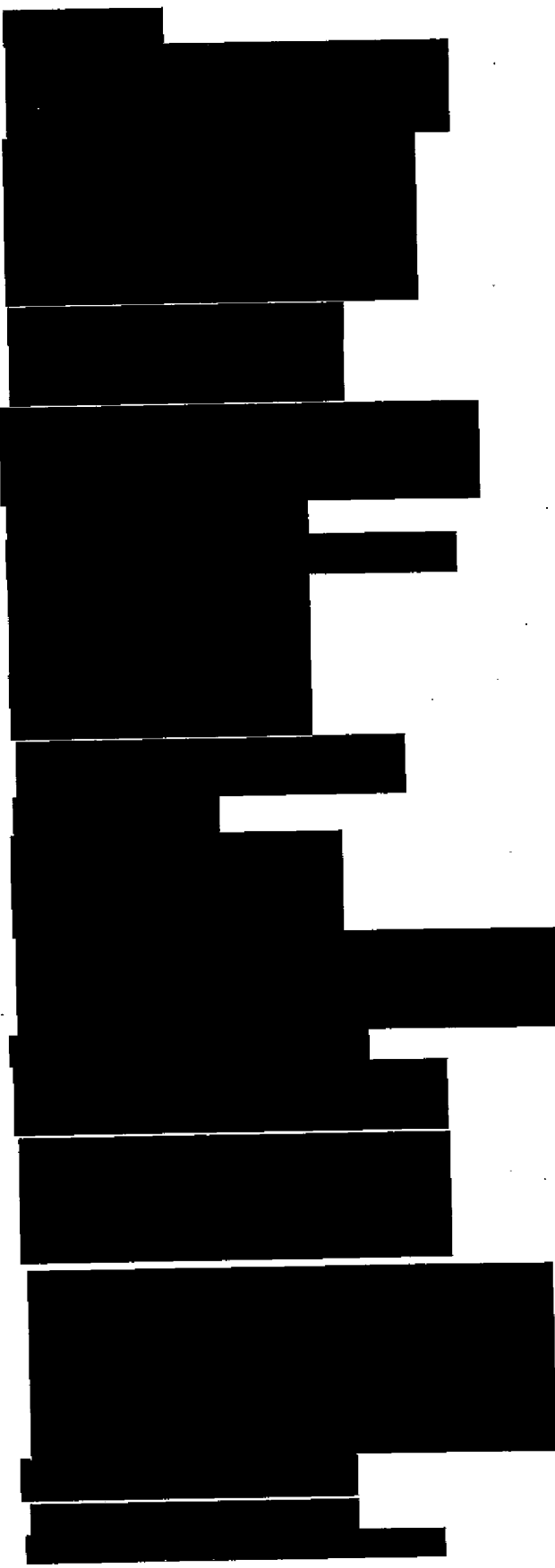
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FY2010

FFL

ST	TRC CNT
AZ	49
AZ	49
TX	19
TX	14
AZ	12
TX	7
NV	7
OK	6
TX	6
TX	5
TX	4
TX	4
TX	4
TX	4
TX	3
AZ	3
TX	3
AZ	3
AZ	3
AZ	3
MN	3
TX	3
AZ	2
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IL	2
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TX	1
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ATF AR 0545



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FL	1
LA	1
TX	1
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TX	1
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FL	1
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TX	1
TX	1
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TX	1
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MD	1
SD	1
TX	1

[REDACTED]

AZ	1
NV	1
TX	1
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OR	1
AZ	1
TX	1
TX	1
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TX	1
TX	1
OK	1
LA	1
AZ	1
TX	1
AZ	1
OR	1
TX	1
OH	1
TX	1
TX	1
NV	1
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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Cumulative for FY-08 thru FY-10/no duplicates

TTC <= 3 YEARS

BY FFL NAME AND STATE

FFL

ST	TRC CNT.
AL Total	1
AR Total	3
AZ Total	601
CA Total	11
CO Total	5
CT Total	1
FL Total	17
GA Total	1
IA Total	1
ID Total	2
IL Total	11
IN Total	7
KS Total	1
KY Total	2
LA Total	10
MD Total	2
MI Total	5
MN Total	5
MO Total	1
MS Total	4
MT Total	1
NC Total	6
NM Total	11
NV Total	45
NY Total	1
OH Total	12
OK Total	29
OR Total	3
PA Total	6
SC Total	1
SD Total	1
TN Total	1
TX Total	985
UT Total	2
VA Total	2
WA Total	22
WV Total	3
WY Total	1
Grand Total	1823

	A	B	C	D	E	F	G	H	I	J
1	Resident	Resident	City	State	Division	Recovered Demand Letter	Compliance	Unsettled	Current	
2	Resident	Resident	City	State	Division	Recovered Demand Letter	Compliance	Unsettled	Current	
3			Glendale	AZ	Phoenix	185	YES			
4			McAllen	TX	Houston	165	YES			
5			Prescott	AZ	Phoenix	130	YES			
6			McAllen	TX	Houston	120	YES			

	A	B	C	D	E	F	G	H	I	J
7			McAllen	TX	Houston	95	YES			
8			Harlingen	TX	Houston	90	YES			
9			Spring	TX	Houston	76	YES			

	A	B	C	D	E	F	G	H	I	J
10			Dallas	TX	Dallas	65	YES			
11			Houston	TX	Houston	60	YES			
12			Bell	CA	Los Ange	60	YES			

	A	B	C	D	E	F	G	H	I	J
13	[REDACTED]	[REDACTED]	Yuma	AZ	Phoenix	55	YES	[REDACTED]	[REDACTED]	[REDACTED]
14	[REDACTED]	[REDACTED]	Houston	TX	Houston		YES	[REDACTED]		[REDACTED]
15	or						YES			
16	*** Demand Letter 2 - A program for licensees that have 15 or more firearms traced to them the previous year with a time to crime of three years or less.									
17										

Overview of This Information Collection

(1) *Type of Information Collection:* Revision of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Application and Permit for Importation of Firearms, Ammunition and Implements of War.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: ATF F 6, Part II (5330.3B). Bureau of Alcohol, Tobacco, Firearms and Explosives.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or households. Other: Business or other for-profit, Federal Government, State, Local, or Tribal Government. Abstract: The information collection is needed to determine whether firearms, ammunition and implements of war are eligible for importation into the United States. The information is used to secure authorization to import such articles. The form is used by persons who are members of the United States Armed Forces.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* There will be an estimated 9,000 respondents, who will complete the form within approximately 30 minutes.

(6) *An estimate of the total burden (in hours) associated with the collection:* There are an estimated 4,500 total burden hours associated with this collection.

If additional information is required contact: Lynn Murray, Department Clearance Officer, United States Department of Justice, Policy and Planning Staff, Justice Management Division, Two Constitution Square, Room 2E-502, 145 N Street, NE., Washington, DC 20530.

Dated: December 14, 2010.

Lynn Murray,

Department Clearance Officer, PRA, United States Department of Justice.

[FR Doc. 2010-31755 Filed 12-16-10; 8:45 am]

BILLING CODE 4810-FY-P

DEPARTMENT OF JUSTICE**Bureau of Alcohol, Tobacco, Firearms and Explosives**

[OMB Number 1140-NEW]

Agency Information Collection Activities: Proposed Collection; Comments Requested

ACTION: 60-Day Emergency Notice of Information Collection Under Review: Report of Multiple Sale or Other Disposition of Certain Rifles.

The Department of Justice, Office of Justice Programs, will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with emergency review procedures of the Paperwork Reduction Act of 1995. OMB approval has been requested by January 5, 2011. This notice requests comments from the public and affected agencies concerning the proposed information collection. If granted, the emergency approval is only valid for 180 days. Comments should be directed to OMB, Office of Information and Regulation Affairs, Attention: Department of Justice Desk Officer (202) 395-6466, Washington, DC 20503.

During the first 60 days of this same review period, a regular review of this information collection is also being undertaken. All comments and suggestions, or questions regarding additional information, to include obtaining a copy of the proposed information collection instrument with instructions, should be directed to Barbara A. Terrell, Barbara.Terrell@atf.gov Firearms Industry Programs Branch, Fax (202) 648-9640, Bureau of Alcohol, Tobacco, Firearms and Explosives, 99 New York Avenue, NE., Washington DC 20226.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Summary of Collection:

(1) *Type of information collection:* New.

(2) *The title of the form/collection:* Report of Multiple Sale or Other Disposition of Certain Rifles.

(3) *The agency form number, if any, and the applicable component of the department sponsoring the collection:* Form Number: ATF F 3310.12. Bureau of Alcohol, Tobacco, Firearms and Explosives.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Business or For-Profit Other: None.

Need for Collection

The purpose of the information is to require Federal Firearms Licensees to report multiple sales or other dispositions whenever the licensee sells or otherwise disposes of two or more rifles within any five consecutive business days with the following characteristics: (a) Semi automatic; (b) a caliber greater than .22; and (c) the ability to accept a detachable magazine.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* It is estimated that 8,479 respondents will complete a 12 minute form.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated total public burden associated with this information collection is 1,696 hours.

If additional information is required contact: Lynn Murray, Department Clearance Officer, Policy and Planning Staff, Justice Management Division, United States Department of Justice, 145 N Street, NE., Two Constitution Square, Room 2E-502, Washington, DC 20530.

Dated: December 14, 2010.

Lynn Murray,

Department Clearance Officer, PRA, United States Department of Justice.

[FR Doc. 2010-31761 Filed 12-16-10; 8:45 am]

BILLING CODE 4410-FY-P

Department of Justice

Billing Code: 4410-FY

Bureau of Alcohol, Tobacco, Firearms and Explosives

Agency Information Collection Activities:

Proposed collection; comments requested

ACTION: 60-Day Emergency Notice of Information Collection Under Review:

Report of Multiple Sale or Other Disposition of Certain Rifles

The Department of Justice, Office of Justice Programs, has submitted the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with emergency review procedures of the Paperwork Reduction Act of 1995. OMB approval has been requested by May 28, 2010. The proposed information collection is published to obtain comments from the public and affected agencies. If granted, the emergency approval is only valid for 180 days. Comments should be directed to OMB, Office of Information and Regulation Affairs, Attention: Department of Justice Desk Officer (202) 395-6466, Washington, DC 20503.

During the first 60 days of this same review period, a regular review of this information collection is also being undertaken. All comments and suggestions, or questions regarding additional information, to include obtaining a copy of the proposed information collection instrument with instructions, should be directed to Barbara A. Terrell, Firearms Industry

Programs Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, 99 New York Avenue, NE, Washington DC 20226.

Request written comments and suggestions from the public and affected agencies concerning the proposed collection of information. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information:

- (1) Type of information collection: New
- (2) The title of the form/collection: Report of Multiple Sale or Other Disposition of Certain Rifles.
- (3) The agency form number, if any, and the applicable component of the department sponsoring the collection: Form Number: ATF F 3310.12. Bureau of Alcohol, Tobacco, Firearms and Explosives.
- (4) Affected public who will be asked or required to respond, as well as a brief abstract: Primary: Business or For-Profit Other: None. The purpose of the information is to require Federal Firearms Licensees to report multiple sales or other dispositions whenever the licensee sells or otherwise disposes of two or more rifles within any five consecutive business days with the following characteristics: (a) semi automatic; (b) a caliber greater than .22; and (c) the ability to accept a detachable magazine.
- (5) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply: It is estimated that 8,479 respondents will complete a 12 minute form.
- (6) An estimate of the total public burden (in hours) associated with the

collection: The estimated total public burden associated with this information collection is 1,696 hours.

If additional information is required contact: Lynn Bryant, Department Clearance Officer, Policy and Planning Staff, Justice Management Division, United States Department of Justice, 601 D Street NW, Patrick Henry Building, Suite 1600, NW, Washington, D.C. 20530.

Lynn Bryant

Date

Department Clearance Officer

United States Department of Justice

Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Information Collection Request
Supporting Statement
1140-xxxx

ATF Form 3310.12, Report of Multiple Sale or Other Disposition of Certain Rifles

A. Justification

1. As part of the Southwest Border Firearms Trafficking/Violence Initiative, ATF is requiring licensed dealers and pawnbrokers in California, Texas, Arizona, and New Mexico to submit information concerning multiple sales of certain rifles. The Gun Control Act (GCA) requires Federal firearms licensees (FFLs) to report multiple sales of handguns to the same purchaser. 18 U.S.C. § 923(g)(5). The sale of two or more handguns must be reported if they occur at the same time, or within 5 business days of each other. The report must be filed with ATF no later than the close of business on the day the multiple sales or other disposition took place and includes information that identifies the purchaser and the firearms purchased. These reports provide ATF with potential intelligence and almost real-time investigative leads that can indicate illegal firearms trafficking. No similar requirement exists for long guns, regardless of the caliber, gauge, or suitability for sporting purposes. As a result, individuals can purchase dozens of rifles at one time without ATF being made aware of the sale.

ATF has long made use of multiple sales information to detect, investigate and prevent firearms trafficking. When combined with crime gun trace data, multiple sales data focuses investigator attention on those firearms traces that are the most worthy of additional scrutiny. ATF views the recovery of one or more handguns that were part of a multiple purchase as an indicator of firearms trafficking, particularly if one of the firearms was recovered a short time after the multiple sale (known as a short time-to-crime). All Federal firearms licensees have been required to notify ATF of multiple handgun purchases since 1975 and therefore are familiar with the form and how to complete it. Many licensees also utilize commercial software that automatically identifies multiple sales and completes the form required to report them. Accordingly, adding a reporting requirement for certain types of rifles will be something licensees already understand and should not impose an undue burden.

The existing multiple sale reporting requirement, applicable to the sale of two or more handguns to a single purchaser, has provided valuable investigative leads for ATF trafficking investigations. Examples of ATF investigations initiated through the existing multiple sale reporting requirement for handguns are provided below.

- Multiple sale reports provided to ATF's San Diego field office in 2009 indicated that an unlicensed San Diego resident obtained a significant number of handguns through multiple sale purchases in Arizona. A search warrant was obtained on the individual's residence in California and a number of firearms were discovered. The suspect identified a neighbor, a felon, as his partner in the trafficking scheme. A warrant was executed at the neighbor's home and additional evidence was recovered. An arrest warrant was issued for the neighbor. Ultimately 25 of the 32 firearms purchased from licensees were recovered. The two suspects and a third accomplice were prosecuted and convicted for felony violations of the Gun Control Act.
- In 2009 multiple sale reports provided to ATF's Portland, Maine, field office initiated an investigation into an individual handgun purchaser and the licensee from whom the firearms were purchased. ATF investigators learned that the suspect was involved in selling handguns to gang members in a parking lot in Maine. Review of additional multiple sale forms indicated that the suspect had six more multiple handgun purchases involving 44 firearms. Checks of a website commonly used for firearms sales disclosed that the suspect made more than 150 firearms purchases over a 2-month period. Further investigation tied the suspect to a felon residing in Massachusetts known as a source of crime guns to gangs. Undercover purchases from the suspect resulted in his detention, and he agreed to cooperate against the supplier in Massachusetts and the licensee in Maine. The investigation resulted in the arrest of the Massachusetts supplier and an accomplice, also a convicted felon. The case is pending prosecution.
- In 2005 firearms purchased from a licensee in Maine were recovered in crimes in New York, and a number of the firearms were reported to ATF as part of a multiple handgun sale. The investigation revealed a large ring of straw purchasers in Maine led by a felon and New York City gang member. An FFL was also involved in the ring by allowing straw purchases to occur for profit. Undercover purchases at the licensee's premises further documented his willingness to participate in straw purchases. The investigation resulted in the arrest of 7 persons, including the licensee and 5 straw purchasers. The ring trafficked more than 25 handguns used to commit drug trafficking, burglary, and other felony offenses. All defendants were convicted and served time in the Federal penitentiary.
- In 2008 an investigation was initiated by ATF's San Diego field office after a review of multiple sales reports. The suspect began purchasing handguns in 2004

from 3 different FFLs in San Diego County. A number of the handguns were recovered in Mexico. After an investigation spanning 2 years, the suspect pled guilty to dealing in firearms without a license.

Mexican law enforcement officials have reported that certain types of rifles are being used in violent crimes in Mexico. These rifles typically include AR-15 variants with detachable magazines. Mexican officials believe that these rifles primarily come from the United States in large quantities and many have been sold by FFLs to persons working for Mexican drug trafficking organizations. Successful trace data from recovered rifles show they primarily come from the United States, and that many have been sold by FFLs. By requiring the reporting of multiple sales of the specified rifles, this proposal would provide potentially useful investigative leads to law enforcement in pursuing firearms trafficking to Mexico, as well as firearms trafficking in general. The authority to require FFLs to submit information concerning multiple sales or other disposition of certain rifles derives from 18 U.S.C. 923 (g)(5).

2. The reports of multiple sales or other dispositions are used by ATF as a means to discern patterns in the purchase of firearms that may end up in the interstate trafficking of illegal firearms. The information is used to determine if the buyer (transferee) is involved in an unlawful activity, or is a person prohibited by law from obtaining firearms. Specifically, this information provides leads on illegal firearms traffickers, straw purchasers, and others involved in violent firearms crime, such as criminal gang members. Multiple sale reports are scanned by personnel at ATF's National Tracing Center, and then reports relating to particular geographic areas are sent to ATF's field divisions. Investigators review the reports each day, reviewing them for repeat purchasers and other information that may disclose trafficking patterns. Information from multiple sale reports frequently results in initiating criminal investigations. The goal is to detect and disrupt firearms trafficking before the firearms are used in violent crime, whether in the United States or in Mexico.

In addition to the real-time intelligence the multiple sales forms provide, many of these reports would be for secondhand sales of the specified rifles. Secondhand sales refer to qualifying rifles that were previously sold by a licensee to an unlicensed individual and then subsequently resold, pawned, or consigned to a dealer or pawnbroker for resale. Firearms sold in secondhand sales cannot be traced from the original manufacturer to the secondhand purchaser. Traces of firearms typically end after new firearms are manufactured and sold by licensees to their first retail purchasers. Multiple sales reports concerning secondhand sales of qualifying rifles by retail dealers would allow ATF to trace those firearms from secondhand retail dealers and pawnbrokers to purchasers because ATF would be able to search the multiple sales records, as it does with multiple

sales records for handguns. The required information must be submitted on ATF Form 3310.12, Report of Multiple Sales or Other Disposition of Certain Rifles. The report shall be submitted no later than the close of business on the day that the multiple sales or other disposition occurs.

A letter to the Federal Firearms Licensees (FFLs) will accompany this form. The letter will instruct FFLs to submit ATF reports of multiple sales or other dispositions whenever the FFL sell or otherwise dispose of, at one time or during any five consecutive business days, two or more semi-automatic rifles capable of accepting a detachable magazine, and with a caliber greater than .22 (including .223/5.56) to an unlicensed person. The letter also states that the information must be submitted on ATF Form 3310.12, Report of Multiple Sales or Other Disposition of Certain Rifles no later than the close of business on the day the multiple sale or other disposition takes place.

3. This information collection will be available on the ATF website as a fillable form. The respondent has the option to fax or mail the form to the ATF National Tracing Center.

Creation of an e-form for this multiple sale reporting requirement could not be done by ATF personnel, as software development would be necessary. As this is a one-year pilot project, ATF does not believe it is cost effective to expend the considerable resources necessary to create an e-form with e-filing capability.

4. ATF uses a subject classification code on all forms. This code ensures that there is no duplication of information. Similar information is not available elsewhere for this information collecting requirement.
5. The collection of information will have an impact on some number of small businesses. As stated above, 8,479 licensees are subject to the reporting requirement. ATF does not collect information on the size of Federal firearms licensees and has no way of determining how many are small businesses. Licensees are already familiar with the multiple sale reporting requirement for handguns and should have no problem completing the form for multiple sales of the specified rifles. The program is proposed as a one-year pilot, so the reporting burden will not be permanent.
6. The consequences of not conducting this information collection would pose a threat to public safety.
7. There are no special circumstances for this information collection and it is in conformance with the guidelines of 5 CFR 1320.6. Failure to collect this information is

likely to hinder law enforcement's effort to combat trafficking and reduce violence along the Southwest border states.

8. The ATF National Tracing Center, ATF Counsel, and officials at the Department of Justice were consulted during the creation of the form. A 60-day emergency Federal Register notice will be published in order to solicit comments from the general public.
9. No payment or gift is associated with this collection.
10. The information reported to ATF pursuant to the form is prohibited from disclosure by Federal law. The information may only be disclosed to Federal, State, and local law enforcement officials with a bona fide law enforcement need for the information, e.g., in relation to an ongoing criminal investigation. The multiple sale forms will be scanned and entered into the Firearms Tracing System database immediately upon receipt. The hard copy of the form will then be destroyed. Only ATF employees and contractors at the National Tracing Center have access to the database.
11. No questions of a sensitive nature are asked.
12. The estimated number of respondents is approximately 8,479. The frequency of responses is estimated as 4 reports per licensee per year. The total annual burden is 48 minutes per respondent per year. The annual hour burden for this collection is 6,783 hours. However, since this information collection request covers 6 months, we assume each respondent will respond twice during that time. Therefore, total responses are 16,958 and total burden hours are 3,392 for this information collection request.
13. It is estimated that 75 percent of FFLs will fax their responses to the National Tracing Center, and the remaining respondents will mail the form via first-class mail. FFLs have systems and controls in place to detect multiple sales of handguns in order to comply with the statutory mandate to report these transactions to ATF. FFLs will likely utilize the same systems and controls to detect and report the multiple sale of the rifles required by the demand letter program. Accordingly, ATF believes there will be minimal cost imposed by this reporting requirement.
14. Estimates of annual costs to the Federal Government are as follows:
There will be a printing cost of \$11,000 and a Distribution cost of \$48,000. The total labor cost \$50,000. The total cost is \$109,000.
15. There are no program changes or adjustments.

16. The results of this information collection will not be published.
17. ATF requests authorization to omit printing the expiration date on this form. Printing the expiration date on this form will result in increased cost because of the need to replace inventories that become obsolete by the passage of the expiration date each time OMB approval is renewed. ATF must maintain a substantial inventory of forms at the Distribution Center at all times. For these reasons, ATF requests authorization to omit printing the expiration date on the form.
18. There are no exceptions to the certification statement.
 - A. Collections of Information employing Statistical Methods.
None.

Emergency Review Statement

Title of form: Report of Multiple Sale or Other Disposition of Certain Rifles

Type of information Collection: New

Agency form number: 3310.12

The Bureau of Alcohol, Tobacco, Firearms and Explosives has submitted the following information collection request (ICR), utilizing emergency review procedures, to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35) and 5 CFR 1320.13.

Immediate issuance of the letters outlined below is required to obtain information that will assist in detecting and preventing the trafficking of semiautomatic rifles from the United States to Mexico. ATF trace data, investigative experience, and Mexican law enforcement officials indicate that a large number of certain semiautomatic rifles are being used in violent crimes in Mexico. Successful trace data from recovered rifles indicate that many come from the United States and have been sold by Federal firearms licensees. As explained in more detail below, the letters will require licensees to submit real-time information about their multiple sales of certain rifles, and this information will be send immediately to Federal law enforcement officials. The information may help identify traffickers before they succeed in transporting the rifles to Mexico. Delaying the collection of this information to comply with the normal publication and comment period may result in more rifles being trafficked to Mexico and more lives being lost.

ATF proposes a pilot project to issue demand letters to all licensed dealers and pawnbrokers in California, Texas, Arizona, and New Mexico requiring them to provide ATF with a report of multiple sales or other dispositions whenever the licensee sells or otherwise disposes of two or more rifles within any five consecutive business days with the following characteristics: (a) semi-automatic; (b) a caliber greater than .22; and (c) the ability to accept a detachable magazine. These reports would be submitted to ATF for a one-year period, using ATF Form 3310.12, Report of Multiple Sale or Other Disposition of Certain Rifles.

This emergency approval request comprises a reporting strategy that may provide investigative leads to law enforcement in pursuing firearms trafficking. The multiple sales reports will provide ATF with potential intelligence and real-time investigative leads that can indicate illegal firearms trafficking. Delay in obtaining this information is likely to hinder law enforcement's efforts to combat firearms trafficking and reduce violence along the Southwest Border.

The multiple sales reporting requirement would provide law enforcement with extremely valuable investigative information. These reports would give ATF real-time leads for the investigation of gun trafficking. ATF's experience in the source states proves that multiple purchases of the described rifles are strong indicators of firearms trafficking to Mexico. By obtaining information about these multiple sales, ATF increases the likelihood of uncovering and disrupting trafficking schemes before the firearms make their way into Mexico.

The following cases involving the multiple sale of rifles illustrate the potential benefit of ATF collecting information regarding firearms trafficking using the demand letter program. ATF believes these cases represent a very small portion of the overall trafficking activity of these firearms that is occurring, and that multiple sale reports of the specified rifles will enable ATF to uncover more illegal activity and develop better intelligence about trafficking patterns:

- **Phoenix Field Division:** On or about November 1, 2009, individuals in the Phoenix, Arizona area began to illegally purchase firearms, firearm magazines and/or ammunition to be transported to Mexico. Case agents identified 25 individuals who purchased in excess of 1130 firearms in the Phoenix area with over-the-counter cash transactions. Twenty-two of these individuals purchased firearms that were recovered in Mexico in the possession of drug traffickers affiliated with the Sinaloa Cartel. Over 50 firearms purchased by two of these individuals were recovered in stash locations or during a crossing along the border in Arizona and Texas and were destined for delivery to drug trafficking organizations in Mexico. There was an extremely short time span, ranging from one (1) day to less than a month, between the purchases of all firearms and the recoveries. The majority of the firearms were purchased at an FFL involving transactions of five to ten rifles at a time.
- **McAllen Field Office:** The target of this investigation purchased several hundred pistols, rifles and lower receivers. Scores of these firearms were recovered in Mexico. The majority of the target's purchases were rifles and lower receivers acquired through multiple sale transactions. Of these, the target purchased mostly lower receivers (which are designated firearms by law) and upper receivers. He combined the receivers and parts kits to make complete rifles. The target was in turn selling the firearms at gun shows and other secondary market venues.
- **Las Cruces Field Office:** The target of this investigation purchased 19 AK47 rifles through multiple sale transactions. The investigation shows that the firearms are being transported to El Paso Texas for entry into Mexico.

- Phoenix Field Division: In this case, three rifles were recovered in Mexico and traced to the target of this investigation. At this point, it has been determined that the target has purchased five rifles. There were two multiple sale transactions of two rifles from two FFLs.
- McAllen Field Office: In this case, the target purchased 69 firearms. He acquired 50 rifles through multiple sale purchases. Sixteen of these rifles were recovered and traced.
- McAllen Field Office: The target of this investigation purchased a rifle that was recovered in Mexico. To date, he has been identified as purchasing seven rifles, several of which were purchased in multiple sale transactions of two (2) rifles.
- Corpus Christi Field Office: The targets of this investigation are purchasing rifles and handguns for a drug trafficking organization in Mexico. The targets are purchasing several of the rifles through multiple sale transactions of two or more rifles. The investigation continues.

In addition to the real-time intelligence the multiple sales forms provide, a number of these reports would be for secondhand sales of the specified rifles. Firearms sold in secondhand sales cannot be traced from the manufacturer to the secondhand purchaser. Traces of firearms typically end after new firearms are manufactured and sold by licensees to their first retail purchasers. Multiple sales reports concerning secondhand sales of qualifying rifles by retail dealers would allow ATF to trace those firearms from retail dealers to purchasers, because ATF would be able to search the multiple sales records, as it does with multiple sales records for handguns

OMB No. 1140-xxxx

Dear Federal Firearms Licensee:

The Gun Control Act of 1968 (GCA) provides that when required by letter issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), licensees shall submit to ATF all records information required by the GCA or such lesser information as may be specified in the letter. The information requested must be provided in the format specified and for the periods and at the times specified in the letter. 18 U.S.C. 923(g)(5), 27 C.F.R. 478.126.

As part of the Southwest Border Firearms Trafficking/Violence Initiative, ATF is requiring licensed dealers and pawnbrokers in California, Texas, Arizona, and New Mexico to submit information concerning multiple sales of certain rifles. You must submit to ATF reports of multiple sales or other dispositions whenever you sell or otherwise dispose of, at one time or during any five consecutive business days, two or more semi-automatic rifles capable of accepting a detachable magazine, and with a caliber greater than .22 to an unlicensed person. This requirement becomes effective upon receipt of this letter and you are required to submit these multiple sales reports for a period of 1 year.

The required information must be submitted on ATF Form 3310.12, Report of Multiple Sales or Other Disposition of Certain Rifles, no later than the close of business on the day the multiple sale or other disposition takes place. We have enclosed a copy of Form 3310.12 with this letter. Additional forms may be obtained from the ATF Distribution Center, 1519 Cabin Branch Drive, Landover, MD 20785, (301) 583-4696, or online at www.atf.gov.

Be advised that, in addition to the information required by this letter, licensees are still required to submit reports of multiple sales or other dispositions when the licensee sells two or more pistols or revolvers, or any combination of pistols or revolvers totaling two or more to an unlicensed person at one time or during any five consecutive business days. 18 U.S.C. 923(g)(3). Reports of multiple sales or other dispositions of handguns must be reported on ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers, and must be submitted separately from the information required by this letter.

ATF AR 0567

-2-

If you have any questions, please contact the National Tracing Center at 1-800-788-7133.

Arthur Herbert
Assistant Director
(Enforcement Programs and Services)

Paperwork Reduction Act Notice

This request is in accordance with the Paperwork Reduction Act of 1995. The information collection documents certain sales or other dispositions of handguns for law enforcement purposes. The information is used to determine if the buyer (*transferee*) is involved in a unlawful activity, or is a person prohibited by law from obtaining firearms. The information requested is mandatory and required by statute (18 U.S.C. 923(g)(5).

The estimate average burden associated with this collection is 12 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 Section, 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.

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

**Report of Multiple Sale or Other Disposition
of Certain Rifles** (See Instruction 1 for specific types of
rifles)

(Please complete all information)

1. Date Transferred

2a. Federal Firearms Licensee (FFL) Number

2b. Business or Trade Name and Address (If you have complete information available on a rubber stamp, please place information here.)

2c. Is this firearm connected to the sale of another firearm as
described in Instruction 1? (If yes, specify date)

☐ Yes

☐ No

Date _____

2d. If you sold these firearms at a gun show or other qualifying event, identify the event and provide a complete address of the event.

3. Rifles Acquired in the Last Five Business Days

Serial Number	Manufacturer	Importer	Model	Caliber	Disposition Date

4. Transferee's Name (Last, first, middle)

5. Residence Address (Number, street, city, county, state, zip code)

6. Sex

7. Race

☐ American Indian or Alaska Native

☐ Asian

☐ Native Hawaiian or Pacific Islander

☐ African American or Black

☐ Hispanic or Latino

☐ White

☐ Other (Specify) _____

8. Identification Number

9. Type of Identification

10. ID State

11. Date of Birth

12. Place of Birth (City, county, state, country)

13. If the buyer of the firearms listed in item 4 is an officer authorized to act on behalf of a corporation, company, association, partnership or other such business entity, you must complete the following:

Name and Address of Business Entity

14. Additional Information Relating to the Transfer of the Firearms

15. Name of Employee Filling Out This Form

16. Date This Form Was Completed

When Fax is Available, Please Fax to 1-877-283-0288.

Instructions

1. This form is to be used by licensees to report all transactions in which an unlicensed person acquired two or more semi-automatic rifles larger than .22 caliber with the ability to accept a detachable magazine at one time or during five consecutive business days. This form is not required when the rifles are returned to the same person from whom they are received.
2. If this transaction is an additional weapon(s) to a multiple sale previously submitted, check yes and enter the date of the previous Multiple Sale form. *(For example a multiple sale for purchases made on a Monday and Friday must be submitted by the close of business Friday. If an additional purchase is made within the five days from the Friday purchase, this purchase is part of the previous Multiple Sale and must be reported as part of that multiple sale under 2c).*
3. Item 2d - if the buyer of the firearm is a corporation, company, association, partnership or other such business entity, an officer authorized to act on behalf of the business must complete Item 4 of this form with his or her personal information. Information relating to the corporation, company, association, partnership or other such business entity should be placed in item 13.
4. A separate form is to be submitted for each unlicensed person.
5. Licensees must complete items 1 through 12 entirely. Items 13 and 14 must be completed, if applicable.
6. The report is to be submitted to:
 - a. **Copy 1** - The National Tracing Center no later than the close of business on the day that the multiple sale or other disposition occurs. You can either fax the form to 877-283-0288, or mail it to U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, National Tracing Center, P.O. Box 0279, Keameysville, WV 25430-0279.
 - b. **Copy 2** - ATF recommends that a licensee retain a copy and attach it to the back of the Firearms Transaction Record, ATF Form 4473, covering the transfer of the firearms.
7. Additional forms may be obtained through the ATF Distribution Center, 1519 Cabin Branch Drive, Landover, MD 20785, (301) 583-4696, or online at www.atf.gov.

DRAFT

Paperwork Reduction Act Notice

This request is in accordance with the Paperwork Reduction Act of 1995. The information collection documents certain sales or other dispositions of handguns for law enforcement purposes. The information is used to determine if the buyer (*transferee*) is involved in a unlawful activity, or is a person prohibited by law from obtaining firearms. The information requested is mandatory and required by statute (18 U.S.C. 923(g)(5)).

The estimate average burden associated with this collection is 12 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 Section, 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.

Marginals for ATF Form 3310.12:

Copy 1 - ATF National Tracing Center

Copy 2 - Licensee

DRAFT

ATF AR 0571

[REDACTED]

From: Trinity Shinn, [REDACTED]
Sent: Friday, December 17, 2010 2:47 PM
To: Terrell, Barbara A.
Subject: Multiple Sales Reports for Long Guns

Hello Ms. Terrell:

I am writing to get more information on the proposed collection of information pertaining to multiple sales of long guns. After reading through the article in the Federal Register, Vol. 75, No. 242 published on Friday, December 17, 2010 it is unclear if this proposal would be limited to a specific geographical area or to all dealers nationwide. Further, upon approval, would the proposal go into effect for only the 180 days or would it be permanent?

I appreciate your time.

Thank you,
Trinity Shinn

[REDACTED]

From: Chris Brown [REDACTED]
Sent: Friday, December 17, 2010 12:47 PM
To: Terrell, Barbara A.
Subject: Information Collection Instrument Request

Follow Up Flag: Follow up
Flag Status: . Flagged

Ms. Terrel,

We would like to obtain a copy of the proposed information collection instrument and it's instructions for the multiple sale of certain rifles.

-Christopher Brown
Media Matters for America.

[REDACTED]

From: [REDACTED]
Sent: Friday, December 17, 2010 12:00 PM
To: Terrell, Barbara A.
Subject: Request for info collection instrument - Multiple Rifle sales

Follow Up Flag: Follow up
Flag Status: Flagged

Please provide me with a copy of the proposed information collection instrument with instructions, and ATF F 3310.12, as announced in 75 F.R. 79021 (Dec. 17, 2010), re: Report of Multiple Sale or Other Disposition of Certain Rifles. Thank you.

Stephen P. Halbrook
Attorney at Law
3925 Chain Bridge Road, Suite 403
Fairfax, VA 22030
Tel: (703) [REDACTED]
Fax (703) [REDACTED]
Email: [REDACTED]
Website: www.stephenhalbrook.com

[REDACTED]

From: James V Grimaldi [REDACTED]
Sent: Friday, December 17, 2010 9:48 AM
To: Terrell, Barbara A.
Cc: Sari Horwitz
Subject: Report of Multiple Sale or Other Disposition of Certain Rifles

Follow Up Flag: Follow up
Flag Status: Flagged

Please email to me as soon as possible a copy of the proposed information collection instrument with instructions, and a copy of proposed Form Number: ATF F 3310.12. Bureau of Alcohol, Tobacco, Firearms and Explosives, and any other materials explaining how the notice we be implemented and to whom the notice will apply.

Thank you.

James Grimaldi

[REDACTED]

From: Ryan Cleckner [REDACTED]
Sent: Friday, December 17, 2010 8:56 AM
To: Terrell, Barbara A.
Subject: Multiple Rifle Sales Reporting - ATF Form 3310-12 request

Follow Up Flag: Follow up
Flag Status: Flagged

Ms. Terrell,

I am writing concerning the ATF's notice in the federal register on the proposed collection and comment request concerning multiple rifle and shotgun sales reporting. Within the notice, you are listed as the point of contact from which I may obtain a copy of the proposed information collection instrument with instructions. I have already checked the ATF website for form 3310-12, but it does not appear to be listed.

~~If you could, please send me a copy of ATF Form 3310-12 and if it is a separate document, the proposed information collection instrument.~~

Thank you in advance for your time.

Ryan Cleckner
Government Relations Administrator
National Shooting Sports Foundation, Inc.
11 Mile Hill Road
Newtown, CT 06470-2359
Office (203) [REDACTED]
Mobile (203) [REDACTED]
Fax (203) [REDACTED]
[REDACTED]
www.nssf.org

The National Shooting Sports Foundation is the trade association for the firearms industry.

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[REDACTED]

From: Craig Meredith [REDACTED]
Sent: Friday, December 17, 2010 2:11 PM
To: Terrell, Barbara A.
Subject: You Cant Be Serious!

1. Multiple sales reporting of long guns will actually make it more difficult for licensed retailers to help law enforcement as traffickers modify their illegal schemes to circumvent the reporting requirement. Traffickers will go further underground, hiring more people to buy their firearms. This will make it much harder for retailers to identify and report suspicious behavior to law enforcement.
2. Long guns are rarely used in crime (Bureau of Justice Statistics).
3. Imposing multiple sales-reporting requirements for long guns would further add to the already extensive paperwork and record-keeping requirements burdening America's retailers - where a *single* mistake could cost them their license and even land them in jail.
- ~~4. Last year, ATF inspected 2,000 retailers in border states and only two licenses were~~
revoked (0.1%). These revocations were for reasons unknown and could have had nothing to do with illicit trafficking of guns; furthermore, no dealers were charged with any criminal wrongdoing.
5. According to ATF, the average age of a firearm recovered in the United States is 11 years old. In Mexico it's more than 14 years old. This demonstrates that criminals are not using new guns bought from retailers in the states.
6. Congress, when it enacted multiple sales reporting for handguns, could have required multiple sales of long guns - it specifically chose not to.

Thank you... Craig

Chattanooga Shooting Supplies
2600 Walker Rd
Chattanooga, TN 37421

[REDACTED]
[REDACTED] fax
[REDACTED]

[REDACTED]

From: Don Goodman [REDACTED]
Sent: Sunday, December 19, 2010 10:27 PM
To: Terrell, Barbara A.
Subject: Long Gun Regulation Effort

Dear M. Terrell,

The TSRA informs me that your federal organization intends to impose elements of martial law on the people of Texas by applying unconstitutional regulation on gun dealers in our state. I believe you do not have the legal right to do this and have over-reached in that special federal way that tramples the Liberties of the American People and oppresses the authority of the Sovereign States.

If you want to impose such regulations, attempt to do so equally to all the states instead acting with bias and prejudice against the People of Texas. I believe then you will find the entire nation is opposed to your power-grab.

Regards,
Don Goodman, Citizen

[REDACTED]

From: Richard E. Gardiner [REDACTED]
Sent: Sunday, December 19, 2010 6:10 PM
To: Terrell, Barbara A.
Subject: Federal Register

Follow Up Flag: Follow up
Flag Status: Flagged

Could you please send me, as soon as possible, the proposed information collection referred to in the Federal Register of December 17, 2010 (Volume 75, Number 242) at Page 79021; OMB Number 1140-NEW.

It is a 60-Day Emergency Notice of Information Collection Under Review: Report of Multiple Sale or Other Disposition of Certain Rifles.

Thank you.

Richard Gardiner

[REDACTED]

From: Ernie Wall [REDACTED]
Sent: Monday, December 20, 2010 7:09 PM
To: Terrell, Barbara A.
Subject: guns

what the hell is the matter you people the last time i looked the second amendment is still part of a document that keeps this a free nation, you tell obamma to keep his ideas to himself just obey the laws like the rest of us, if he wants my guns tell him to come himself. ernie wall

[REDACTED]

From: Chris Brown [REDACTED]
Sent: Monday, December 20, 2010 10:31 AM
To: Terrell, Barbara A.
Subject: Re: Information Collection Instrument Request

Hi Ms. Terrell,

I wanted to see if the proposed information collection instrument for multiple sales of certain rifles is available. We'd also really appreciate if there were any documentation on why the rule is being introduced and how it would aid in the overall law enforcement effort.

Christopher Brown
Media Matters for America

On Fri, Dec 17, 2010 at 12:46 PM, Chris Brown <[REDACTED]> wrote:

Ms. Terrell,

We would like to obtain a copy of the proposed information collection instrument and its instructions for the multiple sale of certain rifles.

-Christopher Brown
Media Matters for America.

[REDACTED]

From: Jason Reynolds, [REDACTED]
Sent: Monday, December 20, 2010 4:13 PM
To: Terrell, Barbara A.
Subject: Multiple Firearms Reporting

Barbara,

Just heard what ATF will be requiring of FFL dealers in way of reporting multiple sales of rifles. While I am no FFL dealer, I am offended that I wouldn't be able to fullfill my promise to buy my three daughters their little pink .22 rifles (with names engraved) without being put into a database and onto some watchlist.

Please encourage the ATF to ignore/delay that silly mandate. While it might get the ATF more government funds, it will in no way curb crime.
It certainly will infringe upon my rights to be a private, law-abiding citizen.

Regards,

Jason Reynolds

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Feds Seek to Implement Unconstitutional Power Grab

Monday, 20 December 2010 23:36

In the latest brazen attempt to circumvent the Constitution, Obama and the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) are seeking to implement rules that will subject American gun dealers to even more onerous paperwork requirements.

A new proposed rule will, for the first time, establish the precedent that licensed firearms dealers will be required (by administrative fiat) to report to the government the sale of two or more semi-automatic rifles that are .22 caliber or greater, can accept a detachable magazine, and are purchased by the same person within five business days.

In a move that bypasses the elected representatives of the people (the Congress), the new rules could be instituted by regulatory fiat as quickly as January 5, 2011.

This idea was concocted more than a year ago by New City Mayor Michael Bloomberg's group Mayors Against Illegal Guns, a group that only seems to focus on punishing legal gun owners.

Even worse, the final decision on implementing this plan will be up to the White House Office of Information and Regulatory Affairs (OIRA), headed by Cass Sunstein. In 2009, GOA opposed the confirmation of Sunstein, who would like to ban hunting and allow animals to have legal representation in court.

This mandate will not only violate federal statutory law prohibiting a federal gun registry, it will also give the BATFE another excuse to harass American gun dealers, while doing nothing to address the problem of border violence.

Drug cartels are financed to the tune of the billions of dollars. They finance disposable submarines, tunnels between the two countries, and large shipments of weapons from rogue nations. Cartels have bribed Mexican officials at the highest levels to the tune of millions of dollars, and have taken effective control of entire cities in Mexico. To suggest that adding yet another layer of paperwork requirements to U.S. gun dealers will help to stem the violence is ludicrous. This is simply another attempt to ratchet down on the right to keep and bear arms.

The Second Amendment is not the cause of border, drug-related violence. And as violence increasingly occurs on our side of the border, Second Amendment rights become even more important for self-protection.

Gun Owners of America is submitting comments opposing these new rules and is urging members of Congress to slam the brakes on this proposal.

ACTION: Please urge your Representative and Senators to oppose this abuse of federal power. Click here to send a pre-written letter that includes two specific steps that members of Congress can take immediately, and it also urges them to prepare, if necessary, to push legislation to overturn this unlawful act.

It is especially important for licensed gun dealers to take these actions, so please pass this alert on to your local gun store.

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[REDACTED]

From: mark jones [REDACTED]
Sent: Monday, December 20, 2010 2:15 PM
To: Terrell, Barbara A.
Subject: Proposed Collection Report of Multiple Sale or Other Disposition of Certain Rifles

Ms. Terrell

I'm writing to express support for the proposed collection of multiple sales information for rifles as described in the December 17, 2010 Federal Register Volume 75, Number 242. I believe this collection is necessary for the proper performance of the agency and good governance of the firearms industry. I believe such collection will allow the agency to better investigate schemes to illegally divert firearms from the stream of legal commerce.

If you have questions about this comment please email me at this email address or call me at [REDACTED]

Thank You

Mark Jones

p.s. I attempted to contact the Office of Management and Budget at the number listed in the Federal Register and received a message from Ms. Sharon Marr stating that she was unavailable. I was unable to leave a comment because her voice mailbox was full.


Thank You

From: [REDACTED] on behalf of Blaine Nay [REDACTED]
Sent: Tuesday, December 21, 2010 2:23 AM
To: Terrell, Barbara A.
Subject: Stop the BATFE "Emergency" Power Grab!

The Obama administration just can't stop blaming the Second Amendment and *law-abiding* American gun owners and gun dealers for violence perpetrated by criminals -- particularly Mexican drug cartels.

In their latest attempt to circumvent and trivialize the US Constitution (and most State Constitutions), Obama and the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) are seeking to implement new rules that will subject *American* gun dealers to even more onerous paperwork requirements to solve an unrelated problem in a *foreign* nation. To suggest that adding yet another layer of paperwork requirements to American gun dealers will help to stem the violence is just plain stupid!

A new proposed rule will, for the first time, establish the precedent that licensed firearms dealers will be required (by administrative fiat) to report to the government the sale of two or more semi-automatic rifles that are .22 caliber or greater, can accept a detachable magazine, and are purchased by the same person within five business days.

 So, if I buy two or more commonly-used rifles (such as the little Ruger 10/22 -- hardly a gun of choice for professional criminals) for my grandchildren for Christmas, I will be reported to the Feds! (I have 12 grandchildren -- each worthy of such a gift.)

The Obama administration and the BATFE intend to bypass the elected representatives of the people (Congress) to impose their new gun control by regulatory fiat as soon as January 5, 2011. The final decision on implementing this plan will probably be by the White House Office of Information and Regulatory Affairs (OIRA), headed by Cass Sunstein -- a man who would ban hunting and would allow animals to have legal representation in court.

This mandate will not only violate federal statutory law prohibiting a federal gun registry, it will also give the BATFE another excuse to harass American gun dealers -- while the Obama administration does absolutely nothing to address the problem of border violence -- including the cross-border murder of our citizens and law-enforcement officers.

American freedoms, including those protected by the Second Amendment, are *not* the cause of border or drug-related violence. Rather, as violence increasingly occurs on our side of the border, our God-given rights that are protected by the Second Amendment become even more important for self-protection.

Each member of the Obama administration, including those in the BATFE, must live up to his/her oath to the Constitution by immediately stopping this egregious abuse of federal power.

Blaine Nay
NRA Life Member
[REDACTED]
Cedar City, UT 84720

[REDACTED] (cell)
[REDACTED] (fax)

From: JTravis [REDACTED]
 Sent: Tuesday, December 21, 2010 1:48 PM
 To: Terrell, Barbara A.
 Subject: comment on the proposed rule change about multiple long gun sales reporting

Dear Barbara Terrell,

Hi. My name is James Travis and I am an FFL at a small gun shop in Waverly, TN called Attic Arms. I have been hearing online about the proposed rule change to have to start reporting multiple long gun sales as is currently required on multiple pistol sales within 5 days, and I wanted to express my opinion to you about the effect such a new requirement would have on my and other FFLs' businesses.

I believe that the backlash of this new policy would have a negative impact on sales conducted through FFLs and would only entice multiple rifle purchasers to seek out face-to-face transactions of used weapons rather than being forced to comply with what is- rightly or wrongly- being perceived as a de facto gun registration scheme in the firearms community. This will only lead to less capability to trace weapons used in crimes through the existing network, and will also reduce sales of legitimate licensed dealers who are complying with the law while at the same time adding a burden on us of maintaining increased paperwork over the effective life of our businesses.

Additionally, it will further burden local law enforcement who will be inundated with a large influx of paperwork to process as well. While I understand that from the BATFE's perspective, such a new regulation would increase workload and therefore be presentable as a rationalization for increasing the operating budget of the agency, I would hope that there are other alternatives to seek new funding and expansion of the budget with, such as increasing the funding for additional IOIs (for which, to be fair in disclosing, I have an application into the agency for) to be hired and for modernizing the NFA registry system.

As far as seriously reducing crime is concerned, I fail to see where this in and of itself would have any realistic effect on criminals who are already prevented from buying guns from legitimate dealers, regardless of whether they are seeking to buy one gun or one hundred. While I agree that illegal trafficking in firearms IS a legitimate problem, I just believe that there are perhaps better ways to address that issue than to add further regulation upon those who are trying to comply with the laws already, both as buyers and sellers, such as securing the Southern border and enacting harsher punishments on those directly caught attempting to cross the border illegally while smuggling weapons, and in going after those individuals who are often found at gun shows selling multiple firearms (sometimes more than the legitimate licensed dealers whom they are illegally competing with, without the expense and effort of compliance with the existing laws that I as a dealer am required to abide by) as is currently being done in the Tennessee area.

But with all due respect, one more form will not keep the wolves at bay, nor will it address the serious issues surrounding the misuse of firearms by criminals. All it will do at the end of the day will be to add to a negative perception in the firearms community of the agency that could well become a focal point in the next Congress regarding the agency's mission and budget, should groups like the NRA, GOA, etc. seize upon this as a rallying cry to drum up fund-raising for their organizations. And in the process of doing so, all this leaves those of us who are simply trying to abide by the rules and make an honest living in the firearms industry stuck in the middle.

So if there is still any question of this new regulation possibly being reconsidered before the proposed deadline, please consider dropping this and perhaps instead looking towards



something that would not have the same negative impact on both the agency and those of us who work with it as professionals.

Thank you for your time and best wishes, James Travis Attic Arms

[REDACTED]

From: [REDACTED]
Sent: Tuesday, December 21, 2010 12:48 PM
To: Terrell, Barbara A.
Subject: CROOKS

YOU CROOKS EVER HEAR OF THE SECOND AMENDMENT, THE CONSTITUTION? GET YOU'RE HEADS OUT OF YOU'RE ASSES!!!!


From: Don&Jan Kuykendall 
Sent: Tuesday, December 21, 2010 1:39 AM
To: Terrell, Barbara A.
Subject: GUN CONTROL

**WE HAVE TO STOP THIS ADMINISTRATION FROM TAKING OUR SECOND
AMENDMENT AWAY**

**AND USING GUN CONTROL. WE HAVE TO RID OF THE COMMUNIST PARTY THAT
IS IN POWER NOW.**

**THEY ARE GOING AGAINST OUR CONSTITUTIONAL RIGHTS AND WE MUST
STAND UP TO THEM**

**~~OR FIND SOME GREAT PEOPLE THAT HAS SOME CANONISE TO STAND UP TO~~
THEM**

DON

[REDACTED]

From: Garen Wintemute [REDACTED]
Sent: Thursday, December 23, 2010 5:57 PM
To: Terrell, Barbara A.
Subject: Request for information on new demand letter proposal

Dear Ms. Terrell:

Several media organizations have asked me to comment on the new proposal, as I do research on gun trafficking along the border and elsewhere. Could you please send me the proposed information collection instrument and instructions? Could you also send me a copy of the documents ATF has submitted to OMB in support of the proposal, insofar as those documents are available to the public? Thanks very much.

Garen Wintemute

--
~~Garen Wintemute, MD, MPH~~
Professor, Emergency Medicine
Director, Violence Prevention Research Program UC Davis School of Medicine/ UC Davis Medical Center
2315 Stockton Blvd.
Sacramento, CA 95831

V: 916- [REDACTED]
F: 916- [REDACTED]

[REDACTED]
<http://www.ucdmc.ucdavis.edu/vprp>

From: [REDACTED]
Sent: Saturday, December 25, 2010 11:31 AM
To: Terrell, Barbara A.
Subject: Please a moment of your time

HANDS OFF OUR 2ND AMENDMENT RIGHTS !!!!!!!!!!!!!

I strongly object to any deterioration of our 2nd amendment rights and any use of illegal criminal activity as a justification to take rights from law abiding citizens.

STOP THE LYING AND GO AFTER THE CRIMINALS NOT law abiding U.S. CITIZENS.

Mexican drug cartels are not getting guns from law abiding FFL dealers either, so stop lying about this as well.

~~The Mexican drug violence and the cartels are using illegal stolen guns and including AK47's which are not even American made. You are not fooling us with bogus reports!!!~~

We are very well informed, highly educated, highly motivated, and law abiding citizens who will use every lawful way to protect our freedoms and the constitution even though you fail to protect it!

Enough is enough, secure the borders and you won't have issues with violent border crime, drug smuggling and human trafficking and any other threat that comes across the border unchecked!

We the LEGAL citizens of this country will not stand by and continue to watch our freedoms being illegally stolen from us by people in appointed positions that answer to nobody.

**We will use our right to petition our representatives and vote your administration the rest of the way out!
And We will support prosecution of those that have abused their power and subverted the constitution!
We do not support an open border policy and a united Mexico, U.S., Canada policy which is a great threat to our existence as a nation!**

**And yes we do obtain our God given rights from God and God only, not from government which perverts and twists everything in the sake of pushing an agenda at all costs.
Your agenda for this nation is wrong, wrong, wrong.**

God bless America.

I will continue to pray for our great country and our leaders that they may be enlightened and have a change of heart and turn from their evil.

Thank you for your time.

**Dave
Clarkston, MI**

From: [REDACTED]
Sent: Saturday, December 25, 2010 11:32 AM
To: Terrell, Barbara A.
Subject: Firearms

People are pissed,,,,what gives you people the rights to omit Congress or the Voices of the People? Thats why we have elected officials. Your best home security is the People having firearms regardless of whats said. We think for ourselves & don't need the Morons of Washington thinking they know best. Get out of your self anointed LALA Lands there & Listen to the People.

"We the People" have decided WE donot trust Washington or it's People you all have set us in a depression & poverty from your ideals & spending.This is not an Communist nor Muslim Country. We are taking our Country back!!! You all need to follow the CONSTITUTION & the Bill of Rights as written to run this Country or GET OUT. Traitors to the American people for the last 8 years & now we have to clean the mess up & we will.I am not alone in thinking this way & will not be the last there are more & more Waking up to the ugliness around us.

~~What you have set in motion your going to reap 10 times fold,,,Karma is a bitch,,,~~

All of you think carefully what your going to set in motion,,,The Voices of Millions & Millions of American People will not be quiet.The People of the Motherland of America is coming to get you all & without violence but with Voice & Pen We will Win.

Mary Blair

OMB

Office of Information and Regulation Affairs
Attention: Department of Justice Desk Officer
Washington, DC 20503

Re: FR Doc. 2010-31761, BATFE Request for Emergency Authority to Track Semi-Automatic Rifle Sales.

This proposed reporting program should not be implemented. It will serve no constructive purpose and will waste both public and private resources.

This additional paperwork is not necessary for the proper performance of the proper functions of the agency. The information will be of no practical utility. BATFE will expend more resources collecting, filing, and reviewing all this additional data. The probability of this reducing crime, solving previous crimes, or having any other beneficial effect is nil. The federal government is broke and running a huge deficit. There are no additional funds to allocate for this worthless endeavor. If BATFE is able to conduct this additional work without increasing their budget, their current budget should be cut.

Every transaction by a FFL holder is already recorded. Additional paperwork because some two of these transactions occur within five business days will add no additional useful information. If a person gets paid on Friday and buys a firearm affected by this proposal, and then, a week later uses his next paycheck to buy another firearm, what possible harm has he caused? Why should the dealer and the purchaser be forced to fill out and file additional paperwork beyond what is already required?

This proposal is a useless concept that will waste resources to accomplish nothing of value. FFL holders and all other United States citizens should not be subjected to additional requirements just to support the whims of an already too large bureaucracy.

CaseNumber	OpenDate	Title	CaseAgent	PPC	CaseStatus
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	6/15/1999				A1/ CLOSED
	6/1/1999				A1/ CLOSED
	6/27/1999				A1/ CLOSED
	6/30/1999				A1/ CLOSED
	7/1/1999				A1/ CLOSED
	8/27/1999				A1/ CLOSED
	9/28/1999				A1/ CLOSED
	10/20/1999				A1/ CLOSED
	10/29/1999				A1/ CLOSED
	10/29/1999				A1/ CLOSED
	11/2/1999				A1/ CLOSED
	11/5/1999				A1/ CLOSED
	11/24/1999				A1/ CLOSED
	12/17/1999				ESC CLOSED
	12/27/1999				A1/ CLOSED
	1/13/2000				A1/ CLOSED
	1/13/2000				A1/ CLOSED
	1/24/2000				C2/ CLOSED
	2/16/2000				A1/ OPEN
	2/17/2000				A1/ CLOSED
	3/2/2000				A1/ CLOSED
	3/8/2000				A1/ OPEN
	3/29/2000				A1/ OPEN
	4/3/2000				A1/ CLOSED
	4/24/2000				A1/ CLOSED
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	9/28/2000				A1/ CLOSED
	3/21/1996				ESC OPEN
	10/4/2000				A1/ CLOSED
	10/12/2000				A1/ CLOSED

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Bureau of Alcohol, Tobacco, Firearms and Explosives
Office of Strategic Intelligence and Information
Violent Crime Analysis Branch

VCAB # 112011
December 22, 2010

Additional Purchases of Firearms Related to Military Style Rifles
Recovered and Traced in the US and Mexico
January 1, 2009 to December 22, 2010

This is an analysis of the role of additional firearms purchases in the trafficking of military style rifles from the US to Mexico.

VCAB classifies a firearm as a military style rifle based on the following factors. These semiautomatic rifles fire powerful, military cartridges through a rifle length barrel. This combination results in high lethality and the ability to easily pierce most of the body armor that is used by law enforcement. Military style rifles are fed from large capacity detachable magazines, allowing a shooter to quickly fire a large number of rounds at a target. For this analysis we have defined military style rifles as semiautomatic rifles, with large detachable box magazines, chambered for 7.62 x 39 mm, .223 Cal. Remington (5.56 x 45 mm NATO), 5.7 x 28 mm, 5.45 x 39 mm, and .308 Caliber Winchester (7.62 x 51 mm NATO) cartridges.

The data for this analysis was queried from the Firearms Tracing System (FTS) and the Federal Licensing System (FLS) on December 22, 2010 and covers the period from January 1, 2009 to December 22, 2010. If the recovery date was missing from the trace, the date that the trace was entered into FTS was substituted for purposes of selection. Please note that all traces may not have been submitted or completed at the time of this analysis.

Duplicate traces and traces where a firearm was turned in to law enforcement or not recovered were removed prior to analysis. The following table details traces that were removed prior to analysis.

	Total Recovered and Traced	Duplicates Removed	Other Removed	Traces Analyzed
Mexico	30,916	2,800	5	28,111
United States	490,198	14,987	9,900	465,311

Law Enforcement Sensitive

December 22, 2010

VCAB # 112011

The following table reports the numbers and percentages of military style rifles recovered and traced in Mexico and the United States where there is evidence of additional firearm purchases.

**Military Style Rifles Recovered and Traced in the United States and Mexico
January 1, 2009 to December 22, 2010**

FFL Location	Recovery Country	Indicates Other Purchase*	Military Style Rifles	Percent of Total
NON-SWB FFL	Mexico	NO	327	68.84%
NON-SWB FFL	Mexico	YES	<u>148</u>	31.16%
Total			475	

FFL Location	Recovery Country	Indicates Other Purchase*	Military Style Rifles	Percent of Total
NON-SWB FFL	US	NO	5,238	73.17%
NON-SWB FFL	US	YES	<u>1,921</u>	26.83%
Total			7,159	

FFL Location	Recovery Country	Indicates Other Purchase*	Military Style Rifles	Percent of Total
SWB FFL	Mexico	NO	1,172	52.70%
SWB FFL	Mexico	YES	<u>1,052</u>	47.30%
Total			2,224	

FFL Location	Recovery Country	Indicates Other Purchase*	Military Style Rifles	Percent of Total
SWB FFL	US	NO	1,849	63.08%
SWB FFL	US	YES	<u>1,082</u>	36.92%
Total			2,931	

* Indicates Other Purchase combines the multiple sale indicator, the "S7" completion code and VCAB's aggregation and coding of repeat purchasers in the military style rifle trace data.

Military style rifles traced from Mexico to FFLs in the four Southwest Border states were bought by individuals who had additional purchases more frequently than those involving other locations. This finding combines two effects. First, a greater percentage of these rifles recovered in Mexico originated with repeat purchasers. Second, a greater percentage of military style rifles sold in the Southwest Border states were bought by individuals who made additional purchases. This was true regardless of where the rifles were recovered. California, Texas and Arizona are among the top four US states for recoveries of military style rifles that are traced to a purchaser. This promises additional benefits to domestic law enforcement if multiple sale reporting is expanded to military style rifles sold in the four Southwest Border states.

Law Enforcement Sensitive

ATF AR 0610

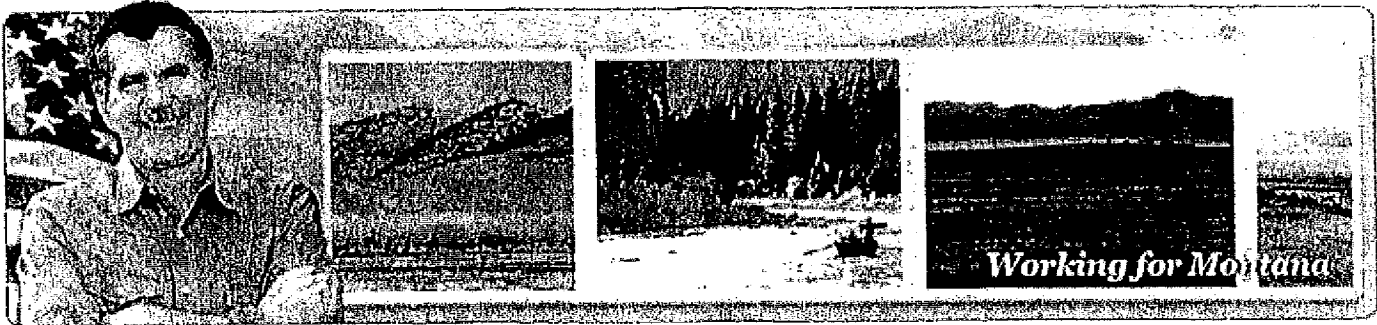
December 22, 2010

VCAB # 112011

There is no completely satisfactory way to estimate the number of military style rifles that are sold in multiple purchases and later traced. The multiple sale indicator only applies to handgun sales, although long gun purchases are occasionally reported by a Federal Firearms Licensee (FFL). The "S7" trace completion code indicates that the FFL told ATF that the individual had purchased additional firearms but does not indicate the type of firearms or when they were purchased. VCAB combined these two indicators into a single field that shows that the FFL told ATF of additional purchases. To supplement this approach, VCAB aggregated the purchaser information for purchasers of military style rifles that were traced from Mexico and the United States during the study period. VCAB checked the totals and identified purchasers whose entries differed slightly from purchase to purchase causing them to be missed in the aggregation. This would have been the case if the FFL classified a purchaser's race differently on two occasions, omitted their date of birth or misspelled their name. Instances where there was an error that prevented the trace from being completed to the purchaser can cause under counting of additional purchases. Also, most importantly, only those firearms that have been recovered can be traced. Individuals who are shown in the data with a single firearm may have purchased many others that have not yet been recovered and traced.

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ATF AR 0611

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Rehberg Leads Bipartisan Letter to ATF Questioning New Firearm Dealer Regulations



12/23/10

WASHINGTON, D.C. – Montana's Congressman, Denny Rehberg today sent a bipartisan letter along with 33 co-signers to the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATF) questioning an "emergency" information request that will require federally licensed firearms retailers to report multiple sales of semi-automatic rifles. The proposal was included in the Federal Register and specifically calls for firearm retailers to report multiple sales, or other dispositions, of two or more .22 caliber or larger semi-automatic rifles that are capable of accepting a detachable magazine and are purchased by the same individual within five consecutive business days.

"It's not just the new rule gun advocates object to, it's the presumption that buying multiple guns is a questionable activity that ought to be monitored," said Rehberg, a member of the Second Amendment Task Force. "We cross a line when the federal government starts keeping tabs on citizens who are exercising their Constitutional rights in a completely legal manner. This isn't about partisanship or politics – this is about standing up for liberty."

Unlike previous efforts to register firearm purchases, this emergency information request can be implemented without any congressional action whatsoever.

"This effort by the ATF will do nothing to address the crime and violence in Mexico. Blaming law-abiding Americans for these problems is wrong," said Chris Cox, executive director for the National Rifle Association's Institute for Legislative Action. "NRA supports legitimate efforts to stop criminal activity, but we will not stand idle while our Second Amendment is sacrificed for politics."

The text of the full letter is below:

Dear Mr. President:

We write to you today regarding the emergency request from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) that was published in the Federal Register on Friday December 17th, 2010. As you know, this request asks the Office of Management and Budget (OMB) to approve an information collection that would require federally licensed firearm dealers to report the sales of two or more semiautomatic rifles to the same customer within a five-day period.

Despite the institution of a 60-day public comment period on this change, the ATF intends to begin collecting this information as soon as January 5, 2011. We are strongly opposed to this request by the ATF, and to any further efforts to regulate the sale of firearms through emergency notices and paperwork changes that have not been properly vetted by Congress or by the affected public.

Implementing the ATF's proposal would subject firearms dealers and their customers to new, onerous requirements that would inevitably track and catalogue the purchases of law-abiding gun owners. And while Congress has authorized multiple sales reporting for handguns, we have never extended this authority to other types of firearms. Expanding this power by executive decree would be an end run around Congress.

Under current law, the ATF already has extensive powers to inspect the sales records of firearms dealers and investigate suspicious transactions. We encourage your Administration to reconsider this ill-conceived change to the reporting requirements, and instead utilize the ATF's existing authority to ensure that firearms dealers are in compliance with the law.

Sincerely,

Office Locations

1100 N. 1st St., Suite 100, Helena, MT 59601 Phone: (406) 441-1594

12/27/2010

ATF AR 0612

United States Senate
WASHINGTON, DC 20510

December 23, 2010

Mr. Kenneth E. Melson
Acting Director
Bureau of Alcohol, Tobacco, Firearms and Explosives
99 New York Avenue, NE
Room 5S 144
Washington, D.C. 20226

Dear Acting Director Melson:

We understand the Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATFE) proposes to expand existing reporting requirements for gun dealers through the regulatory process. First, we strongly oppose further expansion of these unnecessarily burdensome reporting requirements. Furthermore, any proposed expansion to existing authority should be debated in a transparent manner by the Congress, rather than through the rule-making process.

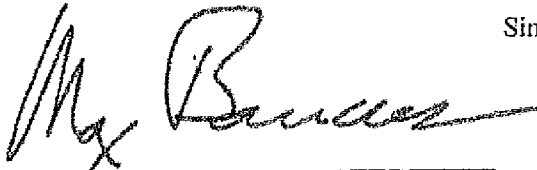
The Bureau should focus on enforcing existing laws rather than implementing additional regulations on law-abiding citizens. There are many commonsense ways to curb violence which have not infringed upon the rights of the American people to keep and bear arms.

As you know, BATFE currently has authority to require dealers to report multiple handgun purchases within a five-day period. This statutory authority is found in Title 18, section 923(g). Additionally, gun dealers are presently required to run all purchases through the NICS process, ensuring that only law-abiding citizens can purchase guns. Any consideration of further expansion of such authority must be done by Congress through the transparent legislative process, not by agency bureaucrats through the regulatory rule-making process. In fact, in response to Department of Justice Office of the Inspector General's recent review of "Project Gunrunner", you note that proposals to expand multiple sales rules may be "beyond ATF's and the Department [of Justice]'s authority."

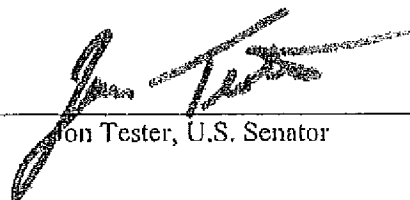
The situation along the United States-Mexico border is very serious and requires our full attention. We appreciate your efforts in addressing the violence, but our priority must be securing the border, not adding burdensome and needless regulations onto law-abiding American citizens.

Again, we urge the BATFE to refrain from implementing these unnecessary one-size-fits-all regulations and bypassing the transparent legislative process. The border situation requires serious deliberative review, but using the regulatory rule-making process at the expense of law-abiding American citizens is not the right way forward.

Sincerely,



Max Baucus, U.S. Senator



Jon Tester, U.S. Senator

ATF AR 0613

Multiple Sales Leads Uncovering Firearms Trafficking from US to Mexico

Case Number: [REDACTED]

Case Title: [REDACTED]

Narrative: (Adjudicated)

From January 24, 2003 to April 10, 2004, [REDACTED] was employed by the [REDACTED] the Otay Mesa Port of Entry in San Diego, California. During this same time period, [REDACTED] lived in Chula Vista, California and later in Tijuana, Baja California, Mexico. [REDACTED] began purchasing firearms in September 2004 from at least three different Federal Firearms Licensees ("FFL") in San Diego County. From September 22, 2004 to September 9, 2006, [REDACTED] purchased 82 firearms (all handguns) from these FFLs, including multiple sales transactions.

[REDACTED] no longer possessed any of these firearms. [REDACTED] repeatedly admitted that he sold each of them. Two of the firearms have been recovered in Mexico. According to records maintained by the Procurdaria General De La Republica ("PGR") in Mexico, a Glock model 23 .40 caliber pistol that [REDACTED] purchased on July 11, 2006 was recovered in Guadalajara, Jalisco, Mexico on May 6, 2007. Additionally, a Sig Sauer model P230 .380 caliber pistol that [REDACTED] purchased on May 9, 2006 was recovered in Atlacomulco, Mexico on November 12, 2009.

The investigation of [REDACTED] spanned almost 2 years, and involved multiple ATF field divisions, special agents and financial investigators. On September 9, 2010, [REDACTED] pled guilty to dealing firearms without a license, in violation of 18 USC 922(a)(1)(A), and confessed in federal court that he trafficked at least 70 firearms to an unidentified law enforcement official in Tijuana, BC Mexico. The USAO offered [REDACTED] an opportunity to identify the recipient of the firearms pending his sentencing. [REDACTED] was sentenced to 5 months imprisonment and 5 months at a halfway house.

Case Number: [REDACTED]

Case Title: [REDACTED]

Narrative: [REDACTED]

An ATF investigation was initiated on [REDACTED] after it was learned, through multiple sales reports, that he purchased approximately 24 FN Five-Seven pistols from Arizona while being a resident of California. He subsequently trafficked those to Mexico, three of which have been recovered in Mexico in cartel-related violence. Additional investigation revealed that [REDACTED] purchased multiple rifles in Arizona and also trafficked those to Mexico. [REDACTED]

Case Number: [REDACTED]

Case Title: [REDACTED]

Narrative: [REDACTED]

An ATF investigation was initiated after review of **multiple sales reports** showed that [REDACTED] had purchased 10 handguns in California. Subsequent investigation revealed that [REDACTED] was responsible for trafficking 9 of these firearms to Mexico. Two of the 9 firearms trafficked to Mexico have been recovered in Mexico cartel-related violence. [REDACTED]

Case Number: [REDACTED]

Case Title: [REDACTED]

Narrative: (Adjudicated)

In a recent case, ATF McAllen, TX received a **multiple sales report** in which [REDACTED] had purchased three firearms from a local Federal Firearms Licensee (FFL). The investigating agent noted that the firearms were makes and models that are frequently recovered in trafficking investigations. A subsequent query of the ATF eTrace system and a canvass of local FFLs determined that [REDACTED] had **two previous multiple sales reports** in which he had purchased a total of seven additional firearms in a six-day period. Specifically, the suspect had purchased four firearms from a local FFL on July 8, 2010; two Century Arms, Model Draco, 7.62 caliber pistols and two Beretta, Model 92FS, 9mm pistols. Six days later on July 14, he returned to the same shop and purchased an additional Beretta, Model 92FS, 9mm pistol; Century Arms, Model Draco, 7.62 caliber pistol; and a Century Arms, Model WASR-10, 7.62 caliber rifle. In addition, the suspect made **two multiple purchases from a second FFL** on July 12, 2010, when he acquired two more Century International Arms, Model Draco, 7.62 caliber pistols and an additional Beretta, Model: 92FS, 9mm pistol; and on July 14, 2010, when he purchased a second Century Arms, Model WASR-10, 7.62 caliber rifle. [REDACTED] who has been in custody since his arrest in July 2010, pled guilty in October 2010 and on January 5, 2011, was sentenced to 37 months Federal incarceration. [REDACTED] admitted that he had purchased nine AK-47 type firearms and four pistols for another person who was reportedly associated with a Mexican drug cartel.

(USAO PRESS RELEASE – January 5, 2011)

FOR IMMEDIATE RELEASE ANGELA DODGE
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STRAW PURCHASE OF GUNS LEADS TO PRISON TERM FOR U.S. CITIZEN

(McALLEN, Texas) - A United States citizen, who had resided in Reynosa, Tamaulipas, Mexico, has been sentenced to 37 months in federal prison without parole for straw purchasing 13 firearms, United States Attorney José Angel Moreno announced today.

Jesus Quintanilla, 26, convicted of one count of purchasing firearms for others after pleading guilty in October 2010, was sentenced this morning by Chief United States District Judge Ricardo H. Hinojosa. Quintanilla has been in federal custody without bond since his July 2010 arrest and will remain in custody to serve his sentence.

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) investigation which lead to the charges against Quintanilla began after the ATF received reports that Quintanilla had purchased numerous highly trafficked firearms between July 8 and 16, 2010. After ATF agents saw Quintanilla's attempt to purchase an additional AK-47 type weapon (the attempted purchase was denied) agents approached Quintanilla. Quintanilla admitted to agents that he had previously purchased nine AK-47 type weapons and four pistols for another person who was reportedly associated with a Mexican drug cartel.

At today's sentencing hearing, Judge Hinojosa included enhancements for trafficking firearms and for using and possessing a firearm in connection another felony offense, specifically, the exportation of firearms in deciding upon the ultimate sentence handed down. Following the completion of the prison term the court has ordered Quintanilla to serve a three-year term of supervised release. As a convicted felon, Quintanilla will be prohibited by federal law from even possessing a firearm in the future.

Multiple Sales Leads Uncovering Domestic Firearms Trafficking

Case Number: [REDACTED]

Case Title: [REDACTED]

Narrative: [REDACTED]

In November 2010, [REDACTED] pled guilty and was sentenced to 3 months in Federal prison followed by 24 months of supervised release for his role in selling firearms to gang members, convicted felons, and out of state residents. This trafficking investigation began in October 2009 during a review of the **daily multiple sales report** from the ATF Violent Crime Analysis Branch that revealed handgun purchases by [REDACTED] that merited further scrutiny.

Agents began to investigate [REDACTED] and look into the role of the FFL in Sanford, ME, where the guns were being purchased. During October 2009, ATF learned from another federal agency, that members of a prominent violent street gang under investigation had been followed from Boston to Maine and observed to purchase four handguns from [REDACTED] in a parking lot. [REDACTED] had contact with a Massachusetts telephone number 260 times between August and December of 2009. Additional **multiple sales forms** came in showing that during that same time period, [REDACTED] made six **multiple purchases** involving 44 firearms. [REDACTED] made more than 150 purchases over a 2 month period. [REDACTED] was a convicted felon who also had a fake Maine Driver License and had been denied (NICS) during an attempt to purchase guns from an FFL in Maine in August 2009.

Between January 14, 2010 and March 3, 2010, [REDACTED] on two occasions and purchased more than 10 handguns from [REDACTED]. During one transaction, [REDACTED] had his young daughters in the back seat of his car.

Following the firearms transaction on March 3, 2010, [REDACTED] was detained and given an opportunity to cooperate knowing that he would be charged and arrested at a later date.

[REDACTED] admissions matched what the agents had already determined. On March 3, 2010, a search of [REDACTED] home resulted in the recovery of additional firearms and records.

On March 4, 2010, ATF Boston and Portland agents arrested [REDACTED] after they drove from Massachusetts to Maine and took possession of several handguns that they intended to traffic back to MA. They purchased two handguns, [REDACTED] for \$600 from [REDACTED] the firearms trafficker [REDACTED]. [REDACTED] are affiliated with Boston gangs and are convicted felons. [REDACTED] is an armed career criminal recently released from prison after an armed robbery conviction. Prior to the deal, agents and Lynn, MA Police Officers were able to locate [REDACTED] and watch as he was picked up by a subject driving a Lexus that departed for ME. They were under surveillance all the way to the deal in ME. The owner of the vehicle was identified as an armed career criminal/gang member from Boston. After the arrest, it was discovered that the vehicle owner was not present however another armed career criminal had used his car to drive to ME to purchase firearms. [REDACTED]

Case Number: [REDACTED]

Case Title: [REDACTED]

Narrative: (Adjudicated)

This investigation began in December 2005 after a number of firearms purchased from an FFL in Freeport, Maine were recovered in crimes in Queens, NY and some of those firearms had been purchased as part of multiple sales.

The investigation ultimately revealed a large ring of straw purchasers in Maine led by a convicted felon and NYC gang member [REDACTED] who had cultivated an FFL to participate in the conspiracy by allowing straw purchases to occur for profit. A lengthy grand jury investigation ensued and eventually investigation evidence resulted in the arrest of seven persons, 5 of which were straw purchasers, one of which was the FFL, and one of which was trafficking ring organizer [REDACTED]. Some of the straw purchasers were also charged with providing false information to the Grand Jury and distributing over 50 grams of crack cocaine brought to Maine [REDACTED]. The ring trafficked more than 25 handguns, of which eight have already turned up in crimes in New York to include drug trafficking, residential burglary, possession of firearms

with obliterated serial numbers, criminal weapon possession, reckless endangerment, obstruction, resisting arrest, concealed weapon violations, and an accidental self-inflicted gunshot wound. All of the straw purchasers pled guilty and substantially assisted the prosecution against [REDACTED]. The straws received Federal sentences ranging from 36 months of probation to 120 months of imprisonment. [REDACTED] was eventually indicted as part of a Klein Conspiracy - intentionally defrauding the US Government of records and information it is required to keep; illegal sale of handguns to out of state residents; and false statements to government agents. [REDACTED] eventually pled guilty, substantially assisted the prosecution against [REDACTED] and was sentenced to two months in prison in March 2009. The FFL also voluntarily abandoned his Federal Firearms License as part of the plea agreement. [REDACTED] was indicted for Conspiracy to Distribute and Possess with intent to Distribute Cocaine Base in excess of 50 grams, Conspiracy to Commit Offense Against the United States or to Defraud the United States (Klein Conspiracy), Conspiracy to Commit Offense Against the United States, Five Counts of Aiding and Abetting False Statements in a Firearm Transaction, Dealing in Firearms without a License, and Five Counts of Possession of a Firearm by a Prohibited Person. On June 1, 2009 in US District Court, Portland, Maine, [REDACTED] was sentenced to 25 years in Federal prison followed by 120 months supervised release for his role as the organizer in an interstate gun and drug trafficking conspiracy.

Case Number: [REDACTED]

Case Title: [REDACTED]

Narrative: (Adjudicated)

Beginning in May 2009, ATF San Diego, through the use of LEADS queries discovered that [REDACTED] a San Diego resident, had conducted several multiple sale purchases in Phoenix and Yuma, AZ. The majority of the firearms were assault type rifles and "crime gun" handguns. In all, 32 firearms (14 handguns and 18 assault rifles) were identified. A search warrant was obtained and executed on [REDACTED] residence in El Cajon, California. During the search warrant, several suspect firearms were discovered. [REDACTED] agreed to cooperate and provide information as to the location of the outstanding firearms. [REDACTED] as his criminal partner in the scheme to obtain and traffic firearms. [REDACTED] had observed the search warrant service at [REDACTED] home and immediately went into hiding. A search warrant was obtained and executed on [REDACTED] residence where additional evidence was recovered. Based on the evidence, an arrest warrant was obtained for [REDACTED]. ATF San Diego located and arrested [REDACTED]. During [REDACTED] arrest, he was accompanied by [REDACTED] a known local gang member. [REDACTED] was in possession of one of the suspect Arizona firearms with an obliterated serial number. [REDACTED] was arrested and taken into ATF custody. The investigation continued with several more search warrants being executed. Ultimately, 25 of the original 32 firearms from Arizona were recovered. An additional 54 collateral firearms were seized along with bomb making materials and narcotics. Based on this investigation, it is believed that 5 of the 7 firearms outstanding went into Mexico through an associate of [REDACTED] conspired to obtain firearms from Arizona FFLs and traffic them to their associates in San Diego for profit. The San Diego U.S. Attorney's Office

prosecuted [REDACTED] for violations of 922(a)(3), importation of firearms without a license. [REDACTED] was sentenced to 7 years, [REDACTED] to 3 years, and [REDACTED] to 2 years.

Case Number: [REDACTED]

Case Title: [REDACTED]

Narrative: (Adjudicated)

The case was initiated in 2001 after multiple straw purchasers were identified through a review of multiple sales records. In 2003, additional straw purchasers were discovered through multiple sales reports and it was determined that two independent ATF cases, one from Martinsburg, West Virginia and the other from Washington DC, were linked. The cases were soon merged and as the investigation progressed and interviews were conducted by ATF agents in Martinsburg, West Virginia and Washington DC, it was determined that approximately eight straw purchasers, mostly female, were buying firearms throughout the Martinsburg, West Virginia area for two individuals from Washington DC named [REDACTED]

[REDACTED] It was determined that [REDACTED] ran a neighborhood drug ring in Northeast, Washington DC and would exchange drugs for firearms purchased by individuals that they had recruited in West Virginia. The case concluded in 2008 with a total of 51 firearms identified as being illegally trafficked from West Virginia FFL's.

In November of 2006, [REDACTED] pled guilty and was sentenced to 21 years in Federal prison for his role in a drug and firearms trafficking ring. In December of 2008, [REDACTED] pled guilty and was sentenced to 7 years in Federal prison for his role in the drug and firearms trafficking ring.

LOS ANGELES FIELD DIVISION**Case Number:** [REDACTED]**Case Title:** [REDACTED]**Narrative: (Adjudicated)**

In September 2007, ATF discovered multiple sale firearms purchases in LEADS by an individual named [REDACTED]. The firearms, including handguns and rifles, were purchased from various FFLs in Arizona and at gun shows in Arizona. Based on investigative information, ATF learned that the suspect would typically buy multiple handguns, which were reported on a multiple sales form, and one long gun each time he made a purchase. ATF identified [REDACTED] as a San Diego resident who had obtained Arizona identification to accomplish the gun buys in Arizona. A total of 36 firearms were identified and several were later recovered at crime scenes in San Diego and Tijuana, Mexico. During the investigation, ATF discovered that the actual purchaser of the firearms was a two-time convicted felon and illegal alien [REDACTED] of San Diego. [REDACTED] a known drug trafficker and [REDACTED] had obtained [REDACTED] identity and then used it to purchase the firearms. In January 2008, the San Diego ATF office arrested [REDACTED], his wife and his two brothers-in-law. During a search of the home, one of the firearms was recovered along with cocaine and marijuana. [REDACTED] later admitted that he purchased [REDACTED] identity after he was deported in 2006. He claimed that [REDACTED] was a part of his DTO, which smuggled large amounts of narcotics into the U.S. through San Diego. He stated that upon assuming the new identity, he was tasked by the DTO to obtain firearms for the group. [REDACTED] pled guilty to 18 USC 922(g)(1) and was sentenced to 48-months imprisonment and 36 months supervised release.

Case Number: [REDACTED]**Case Title:** [REDACTED]**Narrative: (Adjudicated)**

The subjects trafficked multiple rifles to Escondido, CA that were destined for a drug cartel in Tijuana, BC Mexico. A wall-stop was conducted and three rifles were recovered. One of the serial numbers was subsequently restored. The ATF agent traveled to Utah to interview the FFL. Upon interviewing the FFL, ATF learned that multiple AR-15 type rifles had been purchased, one at a time. ATF later interviewed the purchaser and her husband and learned they were responsible for a number of rifles trafficked to Escondido, CA. The U.S. Attorney declined prosecution of [REDACTED] was convicted of 18 USC 371 and 18 USC 922(k), and sentenced to 36 months probation.

Case Number: [REDACTED]**Case Title:** [REDACTED]**Narrative: (Adjudicated)**

Beginning in May 2009, ATF San Diego, through the use of LEADS queries discovered that [REDACTED] a San Diego resident, had conducted several **multiple sale** purchases in Phoenix and Yuma, AZ. The majority of the firearms were assault type rifles and "crime gun" handguns. In all, 32 firearms (14 handguns and 18 assault rifles) were identified. A search warrant was obtained and executed on [REDACTED] residence in El Cajon, California. During the search warrant, several suspect firearms were discovered. [REDACTED] agreed to cooperate and provide information as to the location of the outstanding firearms. [REDACTED] as his criminal partner in the scheme to obtain and traffic firearms. [REDACTED] had observed the search warrant service at [REDACTED] home and immediately went into hiding. A search warrant was obtained and executed on [REDACTED] residence where additional evidence was recovered. Based on the evidence, an arrest warrant was obtained for [REDACTED] ATF San Diego located and arrested [REDACTED] During [REDACTED] arrest, he was accompanied by [REDACTED] a known local gang member. [REDACTED] was in possession of one of the suspect Arizona firearms with an obliterated serial number. [REDACTED] was arrested and taken into ATF custody. The investigation continued with several more search warrants being executed. Ultimately, 25 of the original 32 firearms from Arizona were recovered. An additional 54 collateral firearms were seized along with bomb making materials and narcotics. Based on this investigation, it is believed that 5 of the 7 firearms outstanding went into Mexico through an associate of [REDACTED] conspired to obtain firearms from Arizona FFLs and traffic them to their associates in San Diego for profit. The San Diego U.S. Attorney's Office prosecuted [REDACTED] for violations of 922(a)(3), importation of firearms without a license. [REDACTED] was sentenced to 7 years, [REDACTED] to 3 years, and [REDACTED] to 2 years.

Case Number: [REDACTED]

Case Title: [REDACTED]

Narrative: (Adjudicated)

[REDACTED] purchased multiple handguns in Arizona while being a resident of California. A federal search warrant was served at [REDACTED] residence wherein 42 firearms were seized. [REDACTED] was not a prohibited person; however, the firearms were purchased in Arizona by a resident of California and were unlawful to possess. After further investigation, ATF determined that some of the firearms seized were rifles that did not appear in eTrace as they were not handguns. Some of these rifles were part of "multiple sales" but this was not determined until contact was made with the FFL. [REDACTED] was convicted of 18 USC 922(a)(3) and sentenced to 36 months probation.

Case Number: [REDACTED]

Case Title: [REDACTED]

Narrative: (Adjudicated)

From January 24, 2003 to April 10, 2004, [REDACTED] [REDACTED] the Otay Mesa Port of Entry in San Diego, California. During

this same time period, [REDACTED] lived in Chula Vista, California and later in Tijuana, Baja California, Mexico. [REDACTED] began purchasing firearms in September 2004 from at least three different Federal Firearms Licensees ("FFL") in San Diego County. From September 22, 2004 to September 9, 2006, [REDACTED] purchased 82 firearms (all handguns) from these FFLs, including multiple sales transactions.

[REDACTED] no longer possessed any of these firearms. [REDACTED] repeatedly admitted that he sold each of them. Two of the firearms have been recovered in Mexico. According to records maintained by the Procuradaria General De La Republica ("PGR") in Mexico, a Glock model 23 .40 caliber pistol that [REDACTED] purchased on July 11, 2006 was recovered in Guadalajara, Jalisco, Mexico on May 6, 2007. Additionally, a Sig Sauer model P230 .380 caliber pistol that [REDACTED] purchased on May 9, 2006 was recovered in Atlacomulco, Mexico on November 12, 2009.

The investigation of [REDACTED] spanned almost 2 years, and involved multiple ATF field divisions, special agents and financial investigators. On September 9, 2010, [REDACTED] pled guilty to dealing firearms without a license, in violation of 18 USC 922(a)(1)(A), and confessed in federal court that he trafficked at least 70 firearms to an unidentified law enforcement official in Tijuana, BC Mexico. The USAO offered [REDACTED] an opportunity to identify the recipient of the firearms pending his sentencing. [REDACTED] was sentenced to 5 months imprisonment and 5 months at a halfway house.

HOUSTON FIELD DIVISION – Multiple Sales Investigations**Case Number:** [REDACTED]**Case Title:** [REDACTED]**Narrative: (Adjudicated)**

[REDACTED] admitted to straw purchasing 15 Fabrique Nacional (FN) 5.7X28mm pistols for [REDACTED] a Houston based narcotics dealer. A subsequent consent search conducted at [REDACTED] residence resulted in the seizure of 5 additional firearms, 55 rounds of ammunition, \$4,900 in U.S. currency, 5 kilograms of packaged cocaine and 12.3 grams of crack cocaine. This case was initiated via an ATF IOI Referral during the Houston GRIT. Through investigation and witnesses, ATF determined that [REDACTED] purchased one FN57 from an FFL and several firearms from a gun range's booth at a gun show. Another FFL stated that his business had sold three FN pistols to [REDACTED] on various dates at Houston-area gun shows. Sentences included [REDACTED] (3 years Federal probation), [REDACTED] (4 years Federal incarceration and 5 years supervised release), and [REDACTED] (36 months supervised probation). Prosecution of [REDACTED] was declined.

Case Number: [REDACTED]**Case Title:** [REDACTED]**Narrative: (Adjudicated)**

[REDACTED] purchased more than 500 firearms and then smuggled them to Mexico for resale. Although [REDACTED] often purchased specific firearms based on orders from customers in Mexico, he listed himself as the "actual buyer." [REDACTED] placed his orders with numerous firearms dealers in Victoria, Houston, San Antonio, Corpus Christi and other locations throughout Texas. Local Victoria firearms dealers not only described [REDACTED] as ordering firearms from lists, they also informed ATF authorities that he would file Texas tax exemption forms indicating the firearms were for resale, thereby avoiding the payment of sales taxes on his purchase. Only three of the firearms were recovered in Mexico. Lists of purchases were compiled by multiple sales reports and canvassing local dealers. On July 7, 2009, [REDACTED] was sentenced to 60 months on false statements during purchases, 120 months for smuggling, and 60 months for dealing without a license. During a search warrant of his home, child pornography was found. [REDACTED] was also sentenced to 120 months for possession of child pornography and 220 months for downloading child pornography.

Case Number: [REDACTED]**Case Title:** [REDACTED]**Narrative: (Adjudicated – See end of narrative)**

During a routine inspection of a Federally Licensed Firearms dealer in Houston, Texas, a large scale firearms trafficking operation to Mexico was identified. Multiple Sales reports revealed the same. The investigation revealed that 23 straw purchasers and recruiters were responsible for

purchasing 336 firearms in a 15-month period (2006-2007) with a total cost of \$368,000. Straw purchasers were paid up to \$500 per transaction. Many of the firearms were AR-15 type firearms along with Beretta 9 mm pistols and FN 5.7mm pistols. One hundred two (102) firearms have been recovered and traced back to this group of traffickers. Of these firearms, 97 were recovered in Mexico, four in Guatemala and one in the U.S. Of the 102 recoveries, most are long guns. These firearms are responsible for 63 casualties in Mexico – 18 law enforcement and civilian, and 45 cartel shooters. These firearms were recovered at some horrific crime scenes in Mexico to include the Acapulco Police Massacre.

Of the 23 suspects, 16 have been charged and seven had prosecution declined in favor of cooperation. Of the 16 defendants, three are fugitives, 12 have been convicted and sentenced, and one is convicted and awaiting sentencing. The first two sentenced were [REDACTED] (8 years) and [REDACTED] (4 years) in 2009. There has been much media attention (local and national) on this case as it is one of the largest firearms trafficking/smuggling rings uncovered.

Case Number: [REDACTED]

Case Title: [REDACTED]

Narrative: (Adjudicated)

On March 30, 2006, ATF responded to assist the Mathis, TX Police Department. After a consent search, local officers found 19 firearms (9 rifles, 6 shotguns and 4 pistols) and approximately 5,000 rounds of ammunition in a residence occupied by [REDACTED] a known Texas Syndicate prison gang member, and his common-law wife. More disturbing was a catalogue of firearms parts and accessories that appeared to be an "order form" for additional items that were to be ordered. Through investigation it was discovered that [REDACTED] was a gunsmith for the gang and would clean and restore firearms for the gang and add accessories to their firearms, such as laser sights on a pistol, acquire additional magazines, etc. ATF seized and traced all of the firearms in this case, which substantiated that [REDACTED] was utilizing his common-law wife to purchase these firearms and the accessories.

Through information obtained in the traces of the seized firearms, ATF was able to discover the firearms were purchased at multiple FFL's throughout Texas. Multiple sales of rifles were also determined through trace information. ATF contacted each of the FFL's and found additional firearms that had not been seized. [REDACTED] pled guilty to multiple counts of 18 USC 922(g)(1), felon in possession and was sentenced to 120 months imprisonment, followed by 36 months supervised release. The U.S. Attorney declined prosecution for [REDACTED]

Case Number: [REDACTED]

Case Title: [REDACTED]

Narrative: (Adjudicated)

On March 25, 2010, the ATF Austin Field Office received information from an FFL about a female who was suspected of being involved in firearms trafficking. The female had purchased 20,000 rounds of ammunition and 45 firearm magazines with 30-round capacities.

During the subsequent investigation, ATF special agents identified a man who accompanied the female during the purchase of **ten Bushmaster .223 caliber semi-automatic rifles**. Upon completing the transfer and following a surveillance of the individual, ATF interviewed the man, who confessed to straw-purchasing the firearms for another person.

Information developed during the investigation revealed that the firearms and ammunition were bound for Mexico. The third defendant in this investigation told the special agents that he had been "hired" by an individual with ties to a Mexican drug cartel to purchase the firearms. This investigation resulted in the arrests, guilty pleas and convictions of **three individuals** for Federal firearms violations, specifically 18 USC 381. Sentences included [REDACTED] (12 months incarceration), [REDACTED] (24 months incarceration), and [REDACTED] (12 months incarceration).

Case Number: [REDACTED]

Case Title: [REDACTED]

Narrative: (Adjudicated)

ATF in Corpus Christi received a call from a local FFL advising that [REDACTED] (from Brownsville, TX) had purchased an assault rifle and inquired about purchasing additional rifles prior to departing the FFL. Minutes later, ATF received a call from a second FFL (a national retail sporting goods chain) advising that [REDACTED] had **purchased two assault rifles**. ATF surveilled [REDACTED] as he departed then sporting goods store. [REDACTED] was stopped in Kingsville, TX by the State Police at the request of ATF. Investigation revealed that [REDACTED] had **purchased two additional assault rifles** at another FFL in Bishop, TX. Five rifles were seized by ATF. [REDACTED] was indicted and pled guilty to Providing False Information to a FFL, 18 USC 922(a)(6).

Case Number: [REDACTED]

Case Title: [REDACTED]

Narrative: (Adjudicated)

[REDACTED] was an FFL in Laredo, Texas. He paid straw purchasers to fill out 4473s or obtained biographic information to generate totally fraudulent 4473s. When a firearm was sold "off the books" [REDACTED] completed the second page of the 4473 showing that the firearm was sold to a straw purchaser. [REDACTED] did not keep any records of the name, age and residence of the persons to whom he actually sold or delivered the firearms. ATF identified 40 Form 4473s that were either signed by straw purchasers or were totally fraudulent (mostly through **multiple sales forms**). Records from wholesalers showed that [REDACTED] purchased the firearms listed on the 4473s. An inventory of [REDACTED] stock showed that he no longer possessed the firearms. The straw purchasers were told by [REDACTED] that they had nothing to worry about because the guns were going to Mexico but if they were asked about the guns by ATF, to say the guns were resold at a gun show in Austin or San Antonio. After ATF started interviewing straw purchasers, [REDACTED] told one straw purchaser that he would be in danger

if he cooperated with ATF. In addition to being an FFL, [REDACTED] was a high school teacher and band director in Laredo.

ATF identified at least 87 firearms trafficked to Mexico. ATF discovered that [REDACTED] was involved in trafficking when ATF recovered some of his guns involved in crimes. When ATF traced the guns, the firearms were part of **multiple sales transactions**. After reviewing all his **multiple sale transactions**, ATF identified several suspicious purchases. ATF interviewed all purchasers and served search warrants at his residence and place of business. [REDACTED] was subsequently arrested and convicted. On September 17, 2004, [REDACTED] was sentenced to 37 months imprisonment and 36 months probation/supervised release.

From: EPS Directorate
Sent: Wednesday, December 29, 2010 2:29 PM
To: Ficareta, Teresa; Ficareta, Jim P.
Subject: FW: HERE IS SOME REALLY BAD NEW GUN REGULATION FOR CHRISTMAS !!

Received this in the EPS mailbox.

Sharon

From: Roger Meyer [REDACTED]
Sent: Saturday, December 18, 2010 4:22 PM
To: [REDACTED]
Subject: Fw: HERE IS SOME REALLY BAD NEW GUN REGULATION FOR CHRISTMAS !!

--- On Fri, 12/17/10, info@jgsales.com <info@jgsales.com> wrote:

From: info@jgsales.com <info@jgsales.com>
Subject: HERE IS SOME REALLY BAD NEW GUN REGULATION FOR CHRISTMAS !!
To: [REDACTED]
Date: Friday, December 17, 2010, 4:04 PM

Dear J&G Customer,

This is a special notice to warn you of impending new gun regulation. The ATF has proposed to require gun dealers to provide directly to the ATF the names, addresses, and serial numbers for every purchase of two or more semi auto, mag fed rifles within a five day period!! They are trying to force this in by January 5th, without any approval from Congress, calling it a needed "emergency" regulation. This is backdoor registration of guns and gunowners.

Here is a quote from the notice by the NSSF (National Shooting Sports Foundation) regarding this burdensome and illegal move:

"The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is moving to require federally licensed firearms retailers to report multiple sales of modern sporting rifles beginning January 5, 2011. Specifically, the ATF requirement calls for firearms retailers to report multiple sales, or other dispositions, of two or more .22 caliber or larger semi-automatic rifles that are capable of accepting a detachable magazine and are purchased by the same individual within five consecutive business days."

We are encouraging everyone to contact the relevant officials to protest this move.

The office that enforces regulation changes like this that bypass Congress is the

Office of Information and Regulation affairs of the DOJ and they can be reached at 202-395-6466. You can call your Senator and Representative at the US Capitol switchboard at 202-224-3121.

The NSSF offers the following points to make when calling

1. "Multiple sales reporting of long guns will actually make it more difficult for licensed retailers to help law enforcement as traffickers modify their illegal schemes to circumvent the reporting requirement. Traffickers will go further underground, hiring more people to buy their firearms. This will make it much harder for retailers to identify and report suspicious behavior to law enforcement."
2. "Long guns are rarely used in crime (Bureau of Justice Statistics)."
3. "Imposing multiple sales-reporting requirements for long guns would further add to the already extensive paperwork and record-keeping requirements burdening America's retailers – where a *single* mistake could cost them their license and even land them in jail."
4. "Last year, ATF inspected 2,000 retailers in border states and only two licenses were revoked (0.1%). These revocations were for reasons unknown and could have had nothing to do with illicit trafficking of guns; furthermore, no dealers were charged with any criminal wrongdoing."
5. "According to ATF, the average age of a firearm recovered in the United States is 11 years old. In Mexico it's more than 14 years old. This demonstrates that criminals are not using new guns bought from retailers in the states."
6. "Congress, when it enacted multiple sales reporting for handguns, could have required multiple sales of long guns – it specifically chose not to."

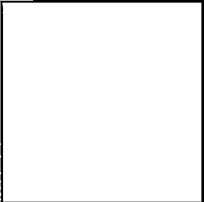
Read the full notice by the NSSF here:




<http://www.nssfblog.com/atf-to-require-multiple-sales-reports-for-long-guns/>

Read the full ATF document proposing this illegal move here: (PDF)

<http://www.washingtonpost.com/wp-srv/politics/documents/atf.pdf>

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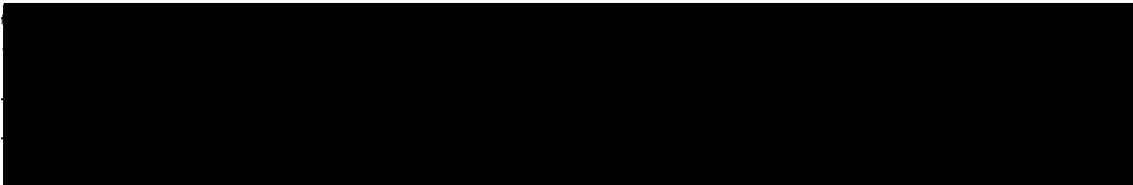
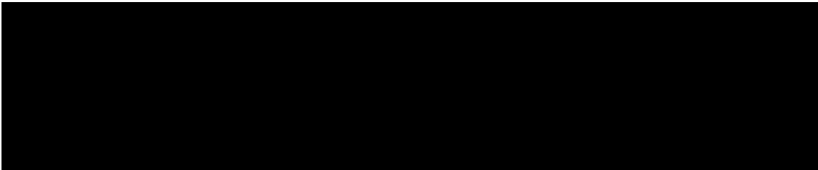


TOTAL MS REPORTS FOR FISCAL 2007: 146913
TOTAL MS WEAPONS FOR FISCAL 2007: 348421

TOTAL MS REPORTS FOR FISCAL 2008: 169412
TOTAL MS WEAPONS FOR FISCAL 2008: 398643

TOTAL MS REPORTS FOR FISCAL 2009: 226604
TOTAL MS WEAPONS FOR FISCAL 2009: 523082

TOTAL MS REPORTS FOR FISCAL 2010: 207632
TOTAL MS WEAPONS FOR FISCAL 2010: 480670



From: Ficaretta, Teresa
Sent: Thursday, December 30, 2010 3:23 PM
To: Lallemand, Chad A.
Cc: Yoder, Chad J.; Herbert, Arthur W.
Subject: FY 2008 through FY 2010 firearms recovered in Mexico and traced to US FFLs
Attachments: FFL_TRACE_SUMMARY_nodups (2).xls

Chad: As requested, I am sending you a spreadsheet containing trace information for FY2008-FY2010. The information on the spreadsheet is summarized below:

20,320	-All firearms recovered in Mexico traced to US FFL
9,905	-Rifles and Shotguns recovered in Mexico traced to US FFL
8,250	-Rifles recovered in Mexico traced to US FFL
5,796	-Rifles greater than .22 caliber recovered in Mexico traced to US FFL
5,796	-Rifles greater than .22 caliber recovered in Mexico traced to US FFL organized/sorted by State

I will send you a separate spreadsheet with information relating to traces for Federal firearms licensees in the four SW Border States.

For FY2008 to FY2010

Retail Final Disposition US dealers in FLS
MEXICO RECOVERED TRACES

COUNT(*)	FCNT	
1 FFLS have	214 TRACES	214
1 FFLS have	211 TRACES	211
1 FFLS have	199 TRACES	199
1 FFLS have	193 TRACES	193
1 FFLS have	119 TRACES	119
1 FFLS have	114 TRACES	114
1 FFLS have	113 TRACES	113
1 FFLS have	97 TRACES	97
1 FFLS have	96 TRACES	96
1 FFLS have	87 TRACES	87
1 FFLS have	77 TRACES	77
1 FFLS have	74 TRACES	74
1 FFLS have	72 TRACES	71
1 FFLS have	66 TRACES	66
1 FFLS have	64 TRACES	64
1 FFLS have	61 TRACES	61
1 FFLS have	59 TRACES	59
1 FFLS have	57 TRACES	57
1 FFLS have	55 TRACES	55
1 FFLS have	52 TRACES	52
1 FFLS have	51 TRACES	51
1 FFLS have	49 TRACES	49
1 FFLS have	47 TRACES	47
1 FFLS have	46 TRACES	46
1 FFLS have	40 TRACES	40
1 FFLS have	38 TRACES	38
1 FFLS have	37 TRACES	37
1 FFLS have	36 TRACES	36
1 FFLS have	29 TRACES	29
2 FFLS have	92 TRACES	124
2 FFLS have	56 TRACES	112
2 FFLS have	54 TRACES	108
2 FFLS have	59 TRACES	106
2 FFLS have	45 TRACES	90
2 FFLS have	41 TRACES	82
2 FFLS have	32 TRACES	64
2 FFLS have	24 TRACES	48
3 FFLS have	68 TRACES	204
3 FFLS have	44 TRACES	132
3 FFLS have	42 TRACES	126
3 FFLS have	27 TRACES	81
3 FFLS have	25 TRACES	75
3 FFLS have	23 TRACES	69
4 FFLS have	39 TRACES	156
4 FFLS have	31 TRACES	124
4 FFLS have	28 TRACES	112
5 FFLS have	35 TRACES	175
5 FFLS have	33 TRACES	165
6 FFLS have	30 TRACES	180
6 FFLS have	17 TRACES	102
8 FFLS have	26 TRACES	208
8 FFLS have	21 TRACES	189
9 FFLS have	18 TRACES	162
9 FFLS have	16 TRACES	144
10 FFLS have	22 TRACES	220
10 FFLS have	20 TRACES	200
11 FFLS have	19 TRACES	209
12 FFLS have	12 TRACES	144
14 FFLS have	14 TRACES	196
15 FFLS have	13 TRACES	195
18 FFLS have	15 TRACES	270
23 FFLS have	11 TRACES	263
44 FFLS have	10 TRACES	440

Weapons Type Rifle and Shotgun
MEXICO RECOVERED TRACES

COUNT(*)	FCNT	
1 FFLS have	170 TRACES	170
1 FFLS have	146 TRACES	146
1 FFLS have	143 TRACES	143
1 FFLS have	108 TRACES	108
1 FFLS have	88 TRACES	88
1 FFLS have	68 TRACES	68
1 FFLS have	65 TRACES	65
1 FFLS have	64 TRACES	64
1 FFLS have	60 TRACES	60
1 FFLS have	56 TRACES	56
1 FFLS have	55 TRACES	55
1 FFLS have	51 TRACES	51
1 FFLS have	49 TRACES	49
1 FFLS have	49 TRACES	43
1 FFLS have	41 TRACES	41
1 FFLS have	40 TRACES	40
1 FFLS have	39 TRACES	39
1 FFLS have	37 TRACES	37
1 FFLS have	36 TRACES	36
1 FFLS have	32 TRACES	32
1 FFLS have	31 TRACES	31
1 FFLS have	29 TRACES	29
1 FFLS have	24 TRACES	24
1 FFLS have	23 TRACES	23
1 FFLS have	22 TRACES	22
1 FFLS have	66 TRACES	132
2 FFLS have	35 TRACES	70
2 FFLS have	27 TRACES	54
2 FFLS have	26 TRACES	52
3 FFLS have	34 TRACES	102
3 FFLS have	25 TRACES	75
3 FFLS have	18 TRACES	63
4 FFLS have	17 TRACES	68
4 FFLS have	15 TRACES	60
5 FFLS have	20 TRACES	100
5 FFLS have	12 TRACES	60
7 FFLS have	18 TRACES	91
8 FFLS have	16 TRACES	144
8 FFLS have	14 TRACES	112
10 FFLS have	11 TRACES	143
11 FFLS have	10 TRACES	117
17 FFLS have	9 TRACES	168
22 FFLS have	8 TRACES	208
26 FFLS have	7 TRACES	280
40 FFLS have	6 TRACES	390
55 FFLS have	5 TRACES	325
65 FFLS have	4 TRACES	480
120 FFLS have	3 TRACES	675
225 FFLS have	2 TRACES	1100
600 FFLS have	1 TRACES	2699
2899 FFLS have		5905

Weapons Type Rifle
MEXICO RECOVERED TRACES

COUNT(*)	FCNT	
1 FFLS have	169 TRACES	169
1 FFLS have	143 TRACES	143
1 FFLS have	140 TRACES	140
1 FFLS have	108 TRACES	108
1 FFLS have	77 TRACES	77
1 FFLS have	68 TRACES	68
1 FFLS have	66 TRACES	66
1 FFLS have	64 TRACES	64
1 FFLS have	62 TRACES	62
1 FFLS have	55 TRACES	55
1 FFLS have	49 TRACES	49
1 FFLS have	46 TRACES	46
1 FFLS have	43 TRACES	43
1 FFLS have	40 TRACES	40
1 FFLS have	37 TRACES	37
1 FFLS have	36 TRACES	36
1 FFLS have	35 TRACES	35
1 FFLS have	31 TRACES	31
1 FFLS have	25 TRACES	25
1 FFLS have	24 TRACES	24
1 FFLS have	23 TRACES	23
1 FFLS have	22 TRACES	22
1 FFLS have	19 TRACES	19
2 FFLS have	51 TRACES	102
2 FFLS have	39 TRACES	78
2 FFLS have	29 TRACES	58
2 FFLS have	28 TRACES	56
2 FFLS have	21 TRACES	42
2 FFLS have	18 TRACES	36
3 FFLS have	16 TRACES	60
3 FFLS have	15 TRACES	48
4 FFLS have	27 TRACES	108
5 FFLS have	17 TRACES	85
6 FFLS have	15 TRACES	90
6 FFLS have	14 TRACES	84
6 FFLS have	12 TRACES	72
7 FFLS have	18 TRACES	126
8 FFLS have	9 TRACES	72
8 FFLS have	11 TRACES	110
10 FFLS have	10 TRACES	190
19 FFLS have	8 TRACES	216
27 FFLS have	7 TRACES	189
46 FFLS have	6 TRACES	276
51 FFLS have	5 TRACES	255
105 FFLS have	4 TRACES	420
188 FFLS have	3 TRACES	549
480 FFLS have	2 TRACES	960
2540 FFLS have	1 TRACES	2540
8250		

Weapons Type Rifle with Caliber > 22
MEXICO RECOVERED TRACES

COUNT(*)	FCNT	
1 FFLS have	167 TRACES	167
1 FFLS have	149 TRACES	149
1 FFLS have	133 TRACES	133
1 FFLS have	109 TRACES	109
1 FFLS have	73 TRACES	73
1 FFLS have	68 TRACES	68
1 FFLS have	62 TRACES	62
1 FFLS have	51 TRACES	51
1 FFLS have	45 TRACES	45
1 FFLS have	40 TRACES	40
1 FFLS have	39 TRACES	39
1 FFLS have	36 TRACES	36
1 FFLS have	29 TRACES	29
1 FFLS have	28 TRACES	28
1 FFLS have	25 TRACES	25
1 FFLS have	24 TRACES	24
1 FFLS have	22 TRACES	22
1 FFLS have	16 TRACES	16
1 FFLS have	15 TRACES	15
2 FFLS have	34 TRACES	68
2 FFLS have	26 TRACES	52
2 FFLS have	21 TRACES	42
2 FFLS have	19 TRACES	38
3 FFLS have	20 TRACES	60
4 FFLS have	27 TRACES	108
4 FFLS have	17 TRACES	68
4 FFLS have	14 TRACES	56
5 FFLS have	18 TRACES	90
5 FFLS have	9 TRACES	45
8 FFLS have	15 TRACES	90
8 FFLS have	11 TRACES	88
12 FFLS have	10 TRACES	120
16 FFLS have	8 TRACES	128
31 FFLS have	6 TRACES	186
37 FFLS have	5 TRACES	185
57 FFLS have	4 TRACES	228
111 FFLS have	3 TRACES	333
289 FFLS have	2 TRACES	578
1761 FFLS have	1 TRACES	1761
5796		

ATF AR 0631

54 FLS have	9 TRACES	486
55 FLS have	8 TRACES	440
56 FLS have	7 TRACES	588
57 FLS have	6 TRACES	576
147 FLS have	5 TRACES	735
256 FLS have	4 TRACES	1024
413 FLS have	3 TRACES	1239
1127 FLS have	2 TRACES	2254
5022 FLS have	1 TRACES	5022
Total Traces		20320

AK	13
AL	32
AR	26
AZ	1264
CA	742
CO	54
CT	12
DE	2
FL	79
GA	31
GU	1
HI	4
IA	8
ID	16
IL	69
IN	30
KS	42
KY	17
LA	45
MA	8
MD	13
ME	4
MI	49
MN	25
MO	24
MS	12
MT	12
NC	52
ND	2
NE	15
NH	2
NJ	5
NM	110
NV	89
NY	24
OH	68
OK	83
OR	32
PA	41
SC	20
SD	3
TN	22
TX	2450
UT	17
VA	18
VT	2
WA	75
WI	17
WV	7
WY	14
	5796

CASES INITIATED INVOLVING MULTIPLE SALES FY 2003 THROUGH FY 2010

Row Labels	Column Labels									
	2003	2004	2005	2006	2007	2008	2009	2010	Grand Total	
Atlanta Field Division										
Cases Initiated Involving Multiple Sales	55	85	60	52	30	24	16	28	332	
Estimated Number of Firearms Trafficked	774	647	798	391	174	161	245	156	3,346	
Number of Firearms Reported as Recovered	59	91	170	52	44	42	60	11	529	
Baltimore Field Division										
Cases Initiated Involving Multiple Sales	7	8	6	8	4	4	4	1	43	
Estimated Number of Firearms Trafficked	32	26	10	19	6	2			95	
Number of Firearms Reported as Recovered	7	7	4	6	2	2			28	
Boston Field Division										
Cases Initiated Involving Multiple Sales	15	13	19	14	19	27	24	28	159	
Estimated Number of Firearms Trafficked	105	127	55	225	224	194	591	308	1,829	
Number of Firearms Reported as Recovered	22	21	7	65	18	29	19	44	225	
Charlotte Field Division										
Cases Initiated Involving Multiple Sales	13	18	17	8	16	10	8	7	97	
Estimated Number of Firearms Trafficked	128	861	247	52	421	247	142	97	2,335	
Number of Firearms Reported as Recovered	16	57	31	17	16	15	3	21	175	
Chicago Field Division										
Cases Initiated Involving Multiple Sales	47	31	43	24	11	13	16	24	209	
Estimated Number of Firearms Trafficked	906	295	788	267	45	182	167	130	2,760	
Number of Firearms Reported as Recovered	56	66	93	51	23	22	42	51	454	
Columbus Field Division										
Cases Initiated Involving Multiple Sales	47	46	56	33	47	38	42	28	332	
Estimated Number of Firearms Trafficked	755	813	1,049	145	375	234	242	91	3,704	
Number of Firearms Reported as Recovered	121	188	134	29	22	22	39	12	547	
Criminal Intelligence Division										
Cases Initiated Involving Multiple Sales				5	3	6	1		15	
Estimated Number of Firearms Trafficked				34	95	150	13		292	
Number of Firearms Reported as Recovered				12	55	37			104	
Dallas Field Division										
Cases Initiated Involving Multiple Sales	11	13	8	8	4	12	8	14	78	
Estimated Number of Firearms Trafficked	258	251	235	2,351	22	243	131	98	3,564	
Number of Firearms Reported as Recovered	4	30		15	2	33	25	19	128	
Denver Field Division										
Cases Initiated Involving Multiple Sales	1	2	4	5	7	3	5	7	34	
Estimated Number of Firearms Trafficked	22	175	1,547	272	51	15	491	31	2,515	
Number of Firearms Reported as Recovered	4	7	167	15	11	5	9	11	225	
Detroit Field Division										
Cases Initiated Involving Multiple Sales	5	3	2	30	5	11	6	2	64	
Estimated Number of Firearms Trafficked	79	7	545	157	139	54	20	4	1,005	
Number of Firearms Reported as Recovered	3	5	26	30	3	15	5	1	77	
Houston Field Division										
Cases Initiated Involving Multiple Sales	18	21	26	34	27	25	103	26	280	
Estimated Number of Firearms Trafficked	640	1,108	737	320	578	571	970	466	5,380	
Number of Firearms Reported as Recovered	44	64	65	13	87	135	67	3	478	
International Affairs Office										
Cases Initiated Involving Multiple Sales				10	13	20	5	14	71	
Estimated Number of Firearms Trafficked				82	61	208	457	390	1,198	
Number of Firearms Reported as Recovered				31	21	57	50	141	300	
Kansas City Field Division										
Cases Initiated Involving Multiple Sales	6	5	8	4	6	7	7	5	48	
Estimated Number of Firearms Trafficked	22		47	40		658	15	102	954	
Number of Firearms Reported as Recovered	1	1	2	2		3	7		16	
Los Angeles Field Division										
Cases Initiated Involving Multiple Sales	5	17	6	12	6	10	7	8	69	
Estimated Number of Firearms Trafficked	33	79	75	311	148	20,427	262	60	21,375	
Number of Firearms Reported as Recovered	3	43	21	71	25	5,033	105	15	5,316	
Louisville Field Division										
Cases Initiated Involving Multiple Sales	11	11	9	6	3	10	13	4	69	
Estimated Number of Firearms Trafficked	303	74	133	141	540	152	458	85	1,685	
Number of Firearms Reported as Recovered	7	13	27	4	13	51	16	5	131	
Miami Field Division										
Cases Initiated Involving Multiple Sales	24	20	14	28	16	35	13	40	190	
Estimated Number of Firearms Trafficked	4,731	1,745	406	574	275	365	73	238	8,427	
Number of Firearms Reported as Recovered	12	25	59	8	18	58	6	25	252	
Nashville Field Division										
Cases Initiated Involving Multiple Sales	11	13	16	6	13	6	10	7	84	
Estimated Number of Firearms Trafficked	8,691	23,863	40,259	1,330	433	537	272	102	76,590	
Number of Firearms Reported as Recovered	378	88	269	45	60	37	29	3	783	
New Orleans Field Division										
Cases Initiated Involving Multiple Sales	8	9	13	5	16	11	7	12	81	
Estimated Number of Firearms Trafficked	54	56	28	300	37	34	141	2,408	3,458	
Number of Firearms Reported as Recovered	7	6	1		16	9	11	2,786	2,846	
New York Field Division										
Cases Initiated Involving Multiple Sales	33	31	37	47	18	18	7	5	196	
Estimated Number of Firearms Trafficked	643	785	333	579	138	74	18	26	2,506	
Number of Firearms Reported as Recovered	185	90	65	208	43	26	11	16	645	
Newark Field Division										
Cases Initiated Involving Multiple Sales	2	3	2	8	3	3	7	6	34	
Estimated Number of Firearms Trafficked	137	23	22	191	55	29	49	18	524	
Number of Firearms Reported as Recovered	13	7	3	48	8	6	14	6	105	
Philadelphia Field Division										
Cases Initiated Involving Multiple Sales	49	44	32	26	21	9	18	6	205	
Estimated Number of Firearms Trafficked	557	293	293	344	357	167	167	15	2,093	
Number of Firearms Reported as Recovered	177	47	24	52	88	9	11	9	417	
Phoenix Field Division										
Cases Initiated Involving Multiple Sales	22	61	49	46	42	28	24	39	310	
Estimated Number of Firearms Trafficked	1,785	1,091	663	1,402	1,349	297	466	2,616	9,666	
Number of Firearms Reported as Recovered	217	185	132	162	319	204	65	488	1,775	
San Francisco Field Division										
Cases Initiated Involving Multiple Sales	6	6	9	11	8	10	12	5	67	
Estimated Number of Firearms Trafficked	9	362	107	277	78	294	102	107	1,356	
Number of Firearms Reported as Recovered	20	2	32	13	13	97	35	17	218	
Seattle Field Division										
Cases Initiated Involving Multiple Sales	7	4	13	15	5	2	7	3	76	
Estimated Number of Firearms Trafficked	178	21	602	657	2		91	30	1,671	
Number of Firearms Reported as Recovered	1	3	19	14			16	3	56	
St. Paul Field Division										
Cases Initiated Involving Multiple Sales	5	7	11	7	3	6	4		43	
Estimated Number of Firearms Trafficked	61	30	41	4	19	19	260		434	
Number of Firearms Reported as Recovered	5	9	17	1	3	8	6		49	
Tampa Field Division										
Cases Initiated Involving Multiple Sales	22	14	36	60	138	154	130	117	671	
Estimated Number of Firearms Trafficked	949	336	1,509	66	579	523	1,391	764	6,157	
Number of Firearms Reported as Recovered	83	17	62	20	17	45	89	123	456	
Violent Crime Intelligence Division										
Cases Initiated Involving Multiple Sales								1	1	
Estimated Number of Firearms Trafficked										
Number of Firearms Reported as Recovered										
Washington Field Division										
Cases Initiated Involving Multiple Sales	4	11	13	10	4	3	2	2	47	
Estimated Number of Firearms Trafficked	20	42	123	52	24	17		1	279	
Number of Firearms Reported as Recovered	8	17	22	10	4				62	
Total Cases Initiated Involving Multiple Sales	435	477	537	523	493	505	506	439	3,835	
Total Estimated Number of Firearms Trafficked	22,648	33,240	50,584	10,622	6,223	25,874	7,155	8,703	165,089	
Total Number of Firearms Reported as Recovered	1,381	1,087	1,409	1,003	928	8,044	144	5,837	16,418	

NUMBER OF FIREARMS TAKEN INTO ATF CUSTODY IN MULTIPLE SALES CASES BY TYPE AND DIVISION FY 2003 THROUGH FY 2010

Sum of Quantity

Column Labels

TYPE	2003	2004	2005	2006	2007	2008	2009	2010	Grand Total
Atlanta Field Division	262	104	113	101	19	35	32	23	689
ANY OTHER WEAPON (NFA)			3	1					4
ASSAULT WEAPON (CRIME BILL)		5					1		6
HANDGUN	109	84	95	58	16	27	25	17	431
MACHINE-GUN			3			3			6
OTHER FIREARM			1						1
RIFLE	30	12	5	34	2	3	4		90
SHOTGUN	15	3	6	8	1	2	2		37
FIREARM NOT FURTHER DESCRIBED	108							6	114
Baltimore Field Division	11	4	4	15	1	1			36
ASSAULT WEAPON (CRIME BILL)	2	1							3
HANDGUN	3	1	4	7	1	1			17
MACHINE-GUN	1								1
RIFLE	5			3					8
SHOTGUN		2		5					7
Boston Field Division	12	111	32	102	14	12	31	108	422
ASSAULT WEAPON (CRIME BILL)			1				2		3
HANDGUN	11	104	8	34	13	11	21	97	299
RIFLE		3	11	57			2	9	82
SAWED OFF RIFLE/SHOTGUN (Short Barrel)		1					3		4
SHOTGUN		3	12	9	1		1	1	27
FIREARM NOT FURTHER DESCRIBED	1			2		1	2	1	7
Charlotte Field Division	20	111	133	4	16	33	2	28	347
ASSAULT WEAPON (CRIME BILL)		1							1
HANDGUN	10	31	131	3	12	23	2	28	240
RIFLE	5	17	2	1	3	2			30
SAWED OFF RIFLE/SHOTGUN (Short Barrel)					1				1
SHOTGUN	5	62				7			74
FIREARM NOT FURTHER DESCRIBED						1			1
Chicago Field Division	3	7	15	18	7		13	32	95
ASSAULT WEAPON (CRIME BILL)		1		1			1		3
HANDGUN	3	2	12	12	4		11	21	65
MACHINE-GUN		1							1
RIFLE			2	3				9	14
SAWED OFF RIFLE/SHOTGUN (Short Barrel)					3				3
SHOTGUN		1	1	2			1	1	6
FIREARM NOT FURTHER DESCRIBED		2						1	3
Columbus Field Division	76	115	170	137	58	31	236	85	908
ANY OTHER WEAPON (NFA)			3			1	7		11
ASSAULT WEAPON (CRIME BILL)			1						1
HANDGUN	63	71	142	82	41	26	134	69	628
MACHINE GUN CONVERSION KIT		13		1			4		18
MACHINE-GUN				3			31		34
OTHER FIREARM		1	2	1					4
RIFLE	10	13	8	32	11	4	33	9	120
SAWED OFF RIFLE/SHOTGUN (Short Barrel)			2						2
SHOTGUN	2	16	5	17	6		24	6	76
FIREARM NOT FURTHER DESCRIBED	1	1	7	1			3	1	14
Dallas Field Division	16	29	36	114	16	32	21	27	291
ASSAULT WEAPON (CRIME BILL)					10				10
HANDGUN	15	28	28	53	5	15	14	21	179
MACHINE-GUN					1	3			4
OTHER FIREARM				4		1			5
RIFLE		1	6	55		12	3	3	80
SHOTGUN	1		2	2		1	4	3	13
Denver Field Division		1	7	17	170	2	9	26	232
HANDGUN		1	3	12	7		9	23	55
MACHINE-GUN				3					3
OTHER FIREARM					1				1
RIFLE			1	2	49	1		2	55
SAWED OFF RIFLE/SHOTGUN (Short Barrel)						1			1
SHOTGUN			2		21				23
FIREARM NOT FURTHER DESCRIBED			1		92			1	94

Detroit Field Division	7	7	28	13	31	8			94
HANDGUN	7	6	25	12	7	4			61
RIFLE					13	2			15
SHOTGUN		1		1	11	1			14
FIREARM NOT FURTHER DESCRIBED			3			1			4
Houston Field Division	57	17	83	115	204	112	11	124	723
ANY OTHER WEAPON (NFA)								1	1
ASSAULT WEAPON (CRIME BILL)		1	3			10			14
HANDGUN	28	7	51	82	123	48	7	52	398
MACHINE-GUN				1				3	4
RIFLE	17	4	23	24	63	47	4	59	241
SHOTGUN	12	5	6	8	18	7		8	64
FIREARM NOT FURTHER DESCRIBED								1	1
Kansas City Field Division	4	411	30	1	2	11	110	1	570
HANDGUN	3	172	10		2	8	31		226
MACHINE-GUN			14			1			15
RIFLE		57	4			2	67	1	131
SAWED OFF RIFLE/SHOTGUN (Short Barrel)		1	1						2
SHOTGUN		52		1			11		64
FIREARM NOT FURTHER DESCRIBED	1	129	1				1		132
Los Angeles Field Division		9	42	16	180	264	93	99	703
ANY OTHER WEAPON (NFA)					1				1
ASSAULT WEAPON (CRIME BILL)					35		12	5	52
HANDGUN		5	23	10	83	47	25	60	253
MACHINE-GUN			1			1			2
OTHER FIREARM				1			1		2
RIFLE		2	8	3	41	109	40	26	229
SAWED OFF RIFLE/SHOTGUN (Short Barrel)				1					1
SHOTGUN		2	10	1	19	36	11	8	87
FIREARM NOT FURTHER DESCRIBED					1	71	4		76
Louisville Field Division	25	45	169	10	6	150	5	5	415
ASSAULT WEAPON (CRIME BILL)		1				3			4
HANDGUN	25	36	114	10	5	91	4	5	290
MACHINE-GUN			2			1			3
RIFLE		5			1	41	1		48
SHOTGUN		3				8			11
WEAPON MADE FROM RIFLE/SHOTGUN						1			1
FIREARM NOT FURTHER DESCRIBED			53			5			58
Miami Field Division	106	238	17	28	20	134	43	29	615
ANY OTHER WEAPON (NFA)		1							1
HANDGUN	25	77	7	22	17	108	39	17	312
MACHINE-GUN	4	25							29
OTHER FIREARM	1	1				1			3
RIFLE	53	103	10	4	1	18	2	6	197
SAWED OFF RIFLE/SHOTGUN (Short Barrel)								2	2
SHOTGUN	2	27		1	2	5	1	1	39
WEAPON MADE FROM RIFLE/SHOTGUN						1			1
FIREARM NOT FURTHER DESCRIBED	21	4		1		1	1	3	31
Nashville Field Division	23	79	357	84	342	31	211	53	1,180
ANY OTHER WEAPON (NFA)							1		1
HANDGUN	16	63	158	49	122	28	69	21	526
MACHINE-GUN							9	13	22
RIFLE	1	14	94	15	112	3	60	14	313
SAWED OFF RIFLE/SHOTGUN (Short Barrel)				1	10		1		12
SHOTGUN	3	2	80	15	75		17	3	195
FIREARM NOT FURTHER DESCRIBED	3		25	4	23		54	2	111
New Orleans Field Division	16	16	26	13	21	31	9	7	139
ANY OTHER WEAPON (NFA)	1								1
HANDGUN	14	16	22	12	17	11	7	7	106
MACHINE-GUN					1				1
OTHER FIREARM					2				2
RIFLE			4		1	13	2		20
SAWED OFF RIFLE/SHOTGUN (Short Barrel)	1			1					2
SHOTGUN						6			6
FIREARM NOT FURTHER DESCRIBED						1			1
New York Field Division	45	45	14	54	25	11		3	197
ANY OTHER WEAPON (NFA)				1					1
HANDGUN	44	39	13	45	24	7			172
RIFLE	1	2	1	4		1		1	10
SAWED OFF RIFLE/SHOTGUN (Short Barrel)					1				1

SHOTGUN		1		1		3		2	7
FIREARM NOT FURTHER DESCRIBED		3		3					6
Newark Field Division		13	4	16	12	16		8	69
ASSAULT WEAPON (CRIME BILL)				1	3				4
HANDGUN		13	1	15	9	16		5	59
MACHINE-GUN			1						1
RIFLE								1	1
SHOTGUN			2						2
FIREARM NOT FURTHER DESCRIBED								2	2
Philadelphia Field Division	90	164	43	108	54	14	166	32	671
ANY OTHER WEAPON (NFA)							3		3
ASSAULT WEAPON (CRIME BILL)	2								2
HANDGUN	53	76	35	61	35	12	87	19	378
MACHINE-GUN	4	1			2		4	1	12
OTHER FIREARM							2		2
RIFLE	2	62	5	16	11		56	6	158
SAWED OFF RIFLE/SHOTGUN (Short Barrel)					2			1	3
SHOTGUN		17	3	21	4	1	10	5	61
WEAPON MADE FROM RIFLE/SHOTGUN						1	1		2
FIREARM NOT FURTHER DESCRIBED	29	8		10			3		50
Phoenix Field Division	317	136	192	74	401	69	45	1,101	2,335
ANY OTHER WEAPON (NFA)					1			5	6
ASSAULT WEAPON (CRIME BILL)	2		1		18			29	50
HANDGUN	102	96	90	27	129	22	16	593	1,075
MACHINE-GUN	1		3		3			11	18
OTHER FIREARM	1				2				3
RIFLE	55	19	82	36	190	38	22	222	664
SAWED OFF RIFLE/SHOTGUN (Short Barrel)	1		1		2		1	7	12
SHOTGUN	16	3	12	2	51		2	230	316
WEAPON MADE FROM RIFLE/SHOTGUN								1	1
FIREARM NOT FURTHER DESCRIBED	139	18	3	9	5	9	4	3	190
San Francisco Field Division	12	5	21	58	26	9	40	46	217
ASSAULT WEAPON (CRIME BILL)				2	1				3
HANDGUN	7	1	20	42	17	3	22	29	141
RIFLE	3	4	1	11	4	4	11	11	49
SAWED OFF RIFLE/SHOTGUN (Short Barrel)							1		1
SHOTGUN				1	4	2	6	6	19
FIREARM NOT FURTHER DESCRIBED	2			2					4
Seattle Field Division	16	26	39	12	6			12	111
ANY OTHER WEAPON (NFA)			1						1
ASSAULT WEAPON (CRIME BILL)	1								1
HANDGUN	9	9	22	9	5			12	66
RIFLE	6	12	11	1					29
SHOTGUN		6	5	1	1				13
FIREARM NOT FURTHER DESCRIBED				1					1
St. Paul Field Division	9		34	49	19	7	3	16	137
HANDGUN	2		22	14	5	2	3	9	57
RIFLE	4		10	30	11	3		5	63
SHOTGUN	1		2	5	2	2		2	14
FIREARM NOT FURTHER DESCRIBED	2				1				3
Tampa Field Division	81	509	108	90	62	40	58	314	1,262
ANY OTHER WEAPON (NFA)			2						2
ASSAULT WEAPON (CRIME BILL)	3								3
HANDGUN	44	275	82	81	24	30	29	206	771
MACHINE-GUN							1	1	2
OTHER FIREARM		2	1					2	5
RIFLE	14	165	22	9	15	6	17	66	314
SAWED OFF RIFLE/SHOTGUN (Short Barrel)	2					1		22	25
SHOTGUN	4	54			23	3	11	17	112
FIREARM NOT FURTHER DESCRIBED	14	13	1						28
Washington Field Division	86	155	12	11	7		7		278
ANY OTHER WEAPON (NFA)		2							2
HANDGUN	45	81	10	10	5		6		157
MACHINE-GUN	1	2							3
OTHER FIREARM	1								1
RIFLE	23	55	1	1					80
SAWED OFF RIFLE/SHOTGUN (Short Barrel)	1								1
SHOTGUN	12	14	1		2		1		30
FIREARM NOT FURTHER DESCRIBED	3	1							4
Grand Total	1,294	2,357	1,729	1,260	1,719	1,053	1,145	2,179	12,736

FY (multiple items)

NUMBER OF FIREARMS TAKEN INTO ATF CUSTODY IN MULTIPLE SALES CASES BY TYPE AND CALIBER FY 2003 THROUGH FY 2010

Sum of Quantity column Labels

CALIBER	ANY OTHER WEAPON (NFA)	ASSAULT WEAPON (CRIME BILL)	HANDGUN	MACHINE GUN CONVERSION KIT	MACHINE-GUN	OTHER FIREARM	RIFLE	SAWED OFF RIFLE/SHOTGUN (short Barrel)	SHOTGUN	WEAPON MADE FROM RIFLE/SHOTGUN	FIREARM NOT FURTHER DESCRIBED	Grand Total
5			1				4					5
6			2				7				1	10
7			4		1		50				8	63
8			3		1		25				2	31
9	3	25	1,829	15	34	3	82	1	2		161	2,155
10			22						4		3	29
11			2									2
12	7		1		1	4	25	20	977	2	93	1,130
16			1				3	2	62		1	69
17			6				25		1			32
20	2		1				4	12	135	1	7	162
22	5	6	831		2	3	751	1	6	1	159	1,765
25	1		269				2				16	288
26			1									1
27							1					1
28									6			6
30		3	15		7		110	1			19	155
31			1									1
32	1		318				17		2		25	363
33							1					1
35			1				12				3	16
36			1									1
37	1											1
38			579				4		2		53	638
40			680		1		9				38	728
41			29				2				6	37
44			145				27		2		28	202
45	2	3	874		13	1	42				72	1,007
50			14		1	1	10				3	29
52											1	1
54							1					1
56							1					1
57		3	99				17				1	120
65							5				2	7
68							3					3
75							6					6
77							2					2
93							1					1
117									1			1
204							1					1
218							2					2
220							1					1
221			1									1
222							2					2
223	2	38	49	1	24	6	340	25			28	513
240							1					1
243			1				27				6	34
257							2					2
260							3					3

CALIBER	ANY OTHER WEAPON (NFA)	ASSAULT WEAPON (CRIME BILL)	HANDGUN	MACHINE GUN CONVERSION KIT	MACHINE-GUN	OTHER FIREARM	RIFLE	SAWED OFF RIFLE/SHOTGUN (Short Barrel)	SHOTGUN	WEAPON MADE FROM RIFLE/SHOTGUN	FIREARM NOT FURTHER DESCRIBED	Grand Total
264							4					4
270							35				6	41
280							5					5
300							34				7	41
303					2		34				2	38
306							2					2
307							1					1
308		2	1		14		120	1	1		10	149
320			1									1
338							4				1	5
340			1				1					2
348							3					3
351							2					2
356			1				1					2
357		1	342				10				28	381
375							1				1	2
380		3	536		2		3				56	600
400			2								1	3
405											1	1
410	1		7				11	2	92		9	122
416							1					1
444							3					3
450							1					1
454			1								1	2
455			2									2
458							2				1	3
460			2									2
480			1									1
500			8									8
545							7					7
556	3	11	35		4		117	1			2	173
635			28									28
735							4					4
762		65	57	1	20	1	623	2	1	1	16	787
763			1				2					3
765			42				2				7	51
792					1		10					11
**	5		61	1	11	6	51	4	13		3	155
22/20						1					1	2
22/410							3		2		1	6
22/44	1											1
22/45			6								2	8
222/20						1						1
22-250							9					9
223/20											1	1
233/12							1					1
25-06							14					14
25-20							5					5
25-35							2					2
30-06					2		116		2		14	134
30-30			2				107	1	1		14	125
30-40							2					2

CALIBER	ANY OTHER WEAPON (NFA)	ASSAULT WEAPON (CRIME BILL)	HANDGUN	MACHINE GUN CONVERSION KIT	MACHINE-GUN	OTHER FIREARM	RIFLE	SAWED OFF RIFLE/SHOTGUN (Short Barrel)	SHOTGUN	WEAPON MADE FROM RIFLE/SHOTGUN	FIREARM NOT FURTHER DESCRIBED	Grand Total
32/380			2									2
32-20			6								2	8
32-40							1					1
38/200			1									1
38-40											1	1
38-44			1									1
38-55							6					6
40/357			1									1
41/44			3									3
44/410									2			2
44-40			5				6				1	12
45/410			7								2	9
45-70			1				19					20
50 BMG						1	6					7
ZZ	1		16		20	1	18		3		8	67
7/8/2011			1				4					5
7/30/2011			1									1
Grand Total	35	160	6,962	18	161	29	3,041	73	1,317	5	935	12,736

Column Labels

Row Labels	2003	2004	2005	2006	2007	2008	2009	2010	Grand Total
AK									
Sum of Count Case		3			1				4
Sum of Count Dfdt		9			1				10
ALM									
Sum of Count Case	1		1					0	2
Sum of Count Dfdt	1		1					1	3
ALN									
Sum of Count Case	2	1	1	7	4	3			18
Sum of Count Dfdt	7	1	1	9	8	13			39
ALS									
Sum of Count Case	2	1				0			3
Sum of Count Dfdt	2	4				1			7
ARE									
Sum of Count Case	1	2		1					4
Sum of Count Dfdt	1	6		1					8
ARW									
Sum of Count Case		0				1			1
Sum of Count Dfdt		2				1			3
AZ									
Sum of Count Case	3	8	9	14	10	5	6	3	58
Sum of Count Dfdt	9	15	19	31	22	19	13	11	139
CAC									
Sum of Count Case			0	0	0	0	1	0	1
Sum of Count Dfdt			1	5	3	11	8	1	29
CAE									
Sum of Count Case		1							1
Sum of Count Dfdt		1							1
CAN									
Sum of Count Case		1	1	0	1	0			3
Sum of Count Dfdt		1	1	1	1	1			5
CAS									
Sum of Count Case					1	1		2	4
Sum of Count Dfdt					3	1		2	6
CO									
Sum of Count Case	0	1	2	2		1			6
Sum of Count Dfdt	1	1	2	2		1			7
CT									
Sum of Count Case	1	1		0	0				2
Sum of Count Dfdt	1	1		1	6				9
DC									
Sum of Count Case	0	1	1	1	2	0			5
Sum of Count Dfdt	1	2	5	3	4	1			16
DE									

Sum of Count Case	3	2	2	1	1				9
Sum of Count Dfdt	3	4	3	3	1				14
FLM									
Sum of Count Case	3	1	6	2	3	2	1	4	22
Sum of Count Dfdt	3	2	9	6	7	19	3	11	60
FLN									
Sum of Count Case		1		1			1	2	5
Sum of Count Dfdt		2		1			1	3	7
FLS									
Sum of Count Case	4	6	1	1	2	0	2	3	19
Sum of Count Dfdt	14	7	1	1	3	3	4	4	37
GAM									
Sum of Count Case	1		4	3	3	0	0		11
Sum of Count Dfdt	4		7	5	5	1	1		23
GAN									
Sum of Count Case	14	17	15	16	9	8	6	2	87
Sum of Count Dfdt	23	35	28	37	15	22	8	7	175
GAS									
Sum of Count Case	7	9	4	4	4	3	1		32
Sum of Count Dfdt	17	19	9	4	12	6	1		68
IAN									
Sum of Count Case	0			0		1			1
Sum of Count Dfdt	1			4		2			7
IAS									
Sum of Count Case	1		0	1	1				3
Sum of Count Dfdt	1		1	2	5				9
ID									
Sum of Count Case	1		1						2
Sum of Count Dfdt	1		1						2
ILC									
Sum of Count Case			1	1			2		4
Sum of Count Dfdt			1	2			2		5
ILN									
Sum of Count Case	13	3	5	5	0	2	3	2	33
Sum of Count Dfdt	15	6	9	12	6	5	3	4	60
ILS									
Sum of Count Case			1		1				2
Sum of Count Dfdt			1		1				2
INN									
Sum of Count Case	16	13	10	10	3	3	2	3	60
Sum of Count Dfdt	19	18	22	19	3	6	3	5	95
INS									
Sum of Count Case	3	1	1	1	1	0	0	0	7
Sum of Count Dfdt	3	2	4	2	1	1	1	1	15
KS									
Sum of Count Case	0	3		1			1		5
Sum of Count Dfdt	3	6		3			2		14

KYE

Sum of Count Case				1	1	0		0	1	3
Sum of Count Dfdt				2	4	2		2	1	11

KYW

Sum of Count Case	2	3	1			0	1			7
Sum of Count Dfdt	8	5	1			1	2			17

LAE

Sum of Count Case						2				2
Sum of Count Dfdt						2				2

LAM

Sum of Count Case	1						1	1		3
Sum of Count Dfdt	4						1	1		6

LAW

Sum of Count Case			1							1
Sum of Count Dfdt			2							2

MA

Sum of Count Case	2	7	2	1	1	1	0	1		15
Sum of Count Dfdt	5	9	4	1	1	1	10	3		34

MD

Sum of Count Case	3	1	1				0	0		5
Sum of Count Dfdt	9	3	3				0	0		15

ME

Sum of Count Case	2		2	1	1	0	2			8
Sum of Count Dfdt	2		3	3	2	2	6			18

MIE

Sum of Count Case	1	1	0	1	3	0	1			7
Sum of Count Dfdt	4	1	1	4	9	1	2			22

MIW

Sum of Count Case						1	0			1
Sum of Count Dfdt						1	1			2

MN

Sum of Count Case	2	1		1			1			5
Sum of Count Dfdt	3	1		2			11			17

MOE

Sum of Count Case							1			1
Sum of Count Dfdt							3			3

MOW

Sum of Count Case				1	0					1
Sum of Count Dfdt				1	1					2

MSN

Sum of Count Case	0	2	1				2	0	1	6
Sum of Count Dfdt	3	5	3				3	1	1	16

MSS

Sum of Count Case	1	1	0			0	0	0		2
Sum of Count Dfdt	1	1	1			2	1	2		8

MT

Sum of Count Case							1	1		2
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Sum of Count Dfdt						1	1		2
NCE									
Sum of Count Case	2	2	4	3		0		1	12
Sum of Count Dfdt	7	4	10	3		2		1	27
NCM									
Sum of Count Case	2		0	0		0	0		2
Sum of Count Dfdt	10		1	2		1	1		15
NCW									
Sum of Count Case		1							1
Sum of Count Dfdt		1							1
ND									
Sum of Count Case						1			1
Sum of Count Dfdt						1			1
NE									
Sum of Count Case	1	1	0			0			2
Sum of Count Dfdt	5	16	1			1			23
NH									
Sum of Count Case			1	1	0		1	1	4
Sum of Count Dfdt			2	1	2		1	1	7
NJ									
Sum of Count Case	3	6	4	3	2	0	3	3	24
Sum of Count Dfdt	4	7	6	7	4	23	4	6	61
NM									
Sum of Count Case	1		3	10	11	3	2	3	33
Sum of Count Dfdt	1		4	11	13	3	2	3	37
NV									
Sum of Count Case	1	2		1	3	1	0	1	9
Sum of Count Dfdt	2	2		2	3	1	1	2	13
NYE									
Sum of Count Case	6	2	3	2	3	3	1		20
Sum of Count Dfdt	28	21	24	9	6	14	3		105
NYN									
Sum of Count Case	0	0		1	0	0	1		2
Sum of Count Dfdt	6	8		11	5	1	2		33
NYS									
Sum of Count Case	2	0	2	2	2	2	0	0	10
Sum of Count Dfdt	5	4	16	2	4	2	2	1	36
NYW									
Sum of Count Case		1	1	1		1			4
Sum of Count Dfdt		1	1	1		1			4
OHN									
Sum of Count Case	8	4	6	6	3	3	3	4	37
Sum of Count Dfdt	10	8	12	12	12	6	23	8	91
OHS									
Sum of Count Case	5	4	4	3	1		3		20
Sum of Count Dfdt	6	5	5	11	4		3		34
OKN									

Sum of Count Case	1	1							2
Sum of Count Dfdt	10	2							12
OR									
Sum of Count Case	0	2	0	1					3
Sum of Count Dfdt	1	4	2	1					8
PAE									
Sum of Count Case	14	10	17	12	11	6	5	6	81
Sum of Count Dfdt	29	28	27	46	42	29	12	10	223
PAM									
Sum of Count Case	0	2	1	3	3	1	1	0	11
Sum of Count Dfdt	2	12	5	9	9	1	1	1	40
PAW									
Sum of Count Case	1	2	1	5	3	1	1	2	16
Sum of Count Dfdt	3	6	1	7	4	3	3	2	29
PR									
Sum of Count Case	1		1	1					3
Sum of Count Dfdt	2		1	3					6
RI									
Sum of Count Case	0	1	1		2		1	1	6
Sum of Count Dfdt	5	2	1		5		4	2	19
SC									
Sum of Count Case				1	1		2	0	4
Sum of Count Dfdt				2	1		3	1	7
SD									
Sum of Count Case				1	1				2
Sum of Count Dfdt				2	1				3
TNE									
Sum of Count Case	0		1				1		2
Sum of Count Dfdt	17		2				2		21
TNM									
Sum of Count Case			1						1
Sum of Count Dfdt			1						1
TNW									
Sum of Count Case							2		2
Sum of Count Dfdt							3		3
TXE									
Sum of Count Case	2		1						3
Sum of Count Dfdt	3		1						4
TXN									
Sum of Count Case	2	2	1	2	0				7
Sum of Count Dfdt	5	2	3	2	2				14
TXS									
Sum of Count Case	4	4	4	4	1	5	7	4	33
Sum of Count Dfdt	5	5	8	11	6	12	33	35	115
TXW									
Sum of Count Case	3	1	1	1	1	2	2	2	13
Sum of Count Dfdt	8	1	1	2	1	3	3	2	21

UT

Sum of Count Case	0	1		2	0	2		5
Sum of Count Dfdt	1	1		5	1	2		10

VAE

Sum of Count Case				1				1
Sum of Count Dfdt				2				2

VAW

Sum of Count Case		1	0					1
Sum of Count Dfdt		24	1					25

VI

Sum of Count Case				0	0	1	1	2
Sum of Count Dfdt				1	1	1	1	4

VT

Sum of Count Case		2	0	0	1	1		1	5
Sum of Count Dfdt		3	3	8	4	1		1	20

WAE

Sum of Count Case				0	1	1		2
Sum of Count Dfdt				4	1	1		6

WAW

Sum of Count Case			2	1	1			4
Sum of Count Dfdt			2	3	1			6

WIE

Sum of Count Case	3	4	1	2	1	3	1	15
Sum of Count Dfdt	4	10	2	4	1	4	1	26

WIW

Sum of Count Case	1			0	1		1	3
Sum of Count Dfdt	3			9	2		2	16

WVN

Sum of Count Case	1		1	2	1	1	1	7
Sum of Count Dfdt	2		4	5	1	1	9	22

WVS

Sum of Count Case	1			1	0			2
Sum of Count Dfdt	2			3	1			6

WY

Sum of Count Case		1	2	1				4
Sum of Count Dfdt		2	3	3				8

Total Sum of Count Case	154	150	139	152	110	75	66	58	904
Total Sum of Count Dfdt	345	358	296	373	266	254	187	138	2217

te: January 04, 2010

TO:

OMB
Office of Info and Regulation Affairs
Attn: Dept of Justice Desk Officer
Washington, DC. 20503

Subject: RE: OMB Number 1140-NEW

To whom it may concern, regarding OMB Number 1140-NEW

Addressing POINT 1: This proposal is clearly unnecessary. There's no law today that prevents dealers from reporting suspicious transactions (or attempted transactions) to the BATFE, and dealers often do so. The BATFE is also free to inspect dealers' sales records—either for annual compliance inspections or during a criminal investigation. These methods of collecting information should be more than adequate for BATFE's limited purpose. In reality, this is just another obvious attempt to establish a registry of Americans who lawfully purchase semi-automatic rifles to use for sport, competition, collecting and hunting. A registry that would be used by BATFE in cooperation with ignorant and fearful gun control supporters who ultimately want to see any weapons banned. BATFE, as a government agency (all of whom took a sworn oath to uphold the US Constitution) and respect second amendment rights of Americans. BATFE should reject pressure and intimidation from MAIG and other gun control groups that wish to infringe on lawful activity and instead focus on illegal activities that are obviously more accountable for illegal arms moving into Mexico.

Addressing POINT 3 & 4: This proposal is not necessary to enhance the quality, utility and clarity of information collected. A simple, inexpensive, online form can be provided to dealers for reporting information. There need be no complicated, expensive US tax dollars spent on a complicated cumbersome collection system.

ATF AR 0647



Office of the Mayor
New York, NY 10007

Date :01 06:11

Total number of pages :10

To :912026489640

Company :

Department :

Fax number :912026489640

From :Dariotis, Dina

Subject:

★ MAYORS AGAINST ILLEGAL GUNS ★ www.mayorsagainstillegalsguns.org

January 6, 2010

The Honorable Eric H. Holder, Jr.
United States Attorney General
U.S. Department of Justice
950 Pennsylvania Ave., N.W.
Washington, D.C. 20530

RE: More than 500 Mayors Support Proposed ATF Policy Requiring Reports of Multiple Sale of Long Guns along the U.S.-Mexico Border

Dear Attorney General Holder:

We are writing to you to express our support for the "Report of Multiple Sale or Other Disposition of Certain Rifles" proposal of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) included in the Federal Register notice dated December 17, 2010 [OMB Number 1140-NEW]. As mayors of over 550 cities across the country, we are extremely concerned about the threat that illegal gun trafficking of long guns, including semiautomatic assault rifles, poses to the safety of our communities. We are writing to offer our support for the new ATF policy, which will require firearms retailers in southwest border states to report multiple sales of certain rifles—a significant step that will give ATF key information for investigating and cracking down on illegal gun traffickers, including those who supply weapons to drug cartels in Mexico.

In 2009, Mayors Against Illegal Guns submitted its *Blueprint for Federal Action on Illegal Guns* to the Obama Administration. The *Blueprint*, a set of 40 steps for improving federal enforcement of existing gun laws, included a recommendation that the ATF require certain licensed firearms dealers to submit reports for bulk sales of long guns. The coalition offered this recommendation in recognition of the increasing number of U.S. firearms that have been recovered in crimes in Mexico. As reported in numerous government sources – including the ATF and the Department of Justice, Office of the Inspector General (OIG) – 90 percent of the firearms recovered and traced in drug cartel-related crimes in Mexico originated in the United States.¹ Moreover, the Mayors Against Illegal Guns coalition's own analysis has shown that the four southwest border states were the source for 75 percent of these firearms. ATF officials have indicated that Mexican drug cartels' weapons of choice include AR-15s, AK-47s, and other high-capacity "long guns," and that these weapons are overwhelmingly traced to U.S. sources.

Further, the OIG has reported that the percentage of crime guns recovered in Mexico that are long guns has steadily increased from 20 percent in FY 2004 to 48 percent in FY 2009. According to the OIG report, long guns were recovered at almost the same rate as handguns in FY 2009, and long guns were also found to have a shorter "time-to-crime" than handguns. ATF considers a

¹ See U.S. Department of Justice, Office of the Inspector General, *Review of ATF's Project Gunrunner*, November 2010.

short time-to-crime to be a key indicator of illegal trafficking. Finally, the OIG reported that Mexican cartels are buying these assault rifles in multiples and recommended that ATF try to obtain multiple long gun sales reports to help develop investigative leads.

As you know, federal law currently requires federally licensed dealers to complete "multiple sale reports" (MSRs) whenever the same person buys more than one handgun from a dealer within five business days.² If one of these handguns is later recovered in a crime, these reports greatly improve ATF's tracing capabilities and help detect illegal firearms traffickers. In 2008, ATF initiated roughly 300 criminal investigations from data found in multiple sales forms and those investigations were connected with 25,000 illegal firearms. Yet, this reporting procedure does not currently apply to the sale of high capacity rifles and other long guns, such as semi-automatic AK-47s. Because such long guns are often the weapons of choice for Mexican drug cartels, and because they are overwhelmingly traced back to U.S. sources, reports of multiple long gun sales will supply critical investigative leads to ATF.

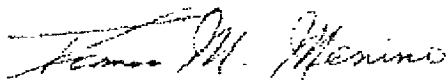
There is no more important time for adoption of this policy. The drug war in Mexico has claimed roughly 30,100 lives since 2006, according to the Mexican government – and the violence is spilling back across the border. Fourteen Border Patrol agents have died in the line of duty since 2006, including two from gunfire. Just last month, on December 14, 2010, Agent Brian Terry was shot and killed by a suspect armed with a semi-automatic AK-47.

It is important to note that implementation of the long gun reporting requirement will not pose a significant burden on firearm retailers. The proposed policy is narrowly focused on retailers in southwest border states. The multiple sales reports, which ATF estimates will take less than 12 minutes for retailers to complete, do not present a substantial burden for licensed firearms retailers, as they are already required to submit the same reports for multiple sales of handguns.


ATF has the clear authority to require multiple sales reports of long guns through its existing "Demand Letter" authority, which allows the agency to require federal firearms licensees to submit records for inspection, including records of importation, production, receipt, sales, or other disposition of firearms.³ The information included in multiple sales reports falls within the scope of the ATF's existing authority and does not require legislative approval.

Given the magnitude of the public safety threat of illegal gun trafficking along the U.S.-Mexico border, we strongly support ATF's plans to require retailers to report multiple sales of long guns and we urge the ATF to implement this proposed policy as soon as possible. Thank you for your consideration of these comments.

Sincerely,



Thomas M. Menino
Mayor of Boston
Coalition Co-Chair



Michael R. Bloomberg
Mayor of New York City
Coalition Co-Chair

cc: Hillary Rodham Clinton, Secretary of State
Janet Napolitano, Secretary of Homeland Security

² See 18 U.S.C. § 923(g)(3)(A), 27 CFR 478.126a.

³ 18 U.S.C. § 923(g)(5)(A) and 27 C.F.R. § 478.126.

Jacob Lew, Director of the Office of Management and Budget
 Kenneth Melson, Deputy Director of the ATF
 Peter Rouse, White House Chief of Staff
 Cass R. Sunstein, Administrator of White House Office of Information and Regulatory Affairs
 Barbara Terrell, Firearms Industry Programs Branch, ATF
 Lynn Murray, Clearance Officer, Policy and Planning, Department of Justice

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Mayor James M. Baker, Wilmington, Delaware	Mayor Christopher Koos, Normal, Illinois
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 Mayor Lester J. Ward, Brownsville, Pennsylvania
 Mayor Anna Marie Quader, Burgettstown, Pennsylvania
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 Mayor George Nicksic, Hyde Park, Pennsylvania
 Mayor Nicholas Yanosich, Industry, Pennsylvania
 Mayor Charles Ritter, Ivyland, Pennsylvania
 Mayor James C. Sanders, Jefferson, Pennsylvania
 Mayor Bruce Smallacombe, Jermyn, Pennsylvania
 Mayor Donald Bosh, Knoxville, Pennsylvania
 Mayor Sandra Green, Kutztown, Pennsylvania
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 Mayor Rick Gray, Lancaster, Pennsylvania
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 Mayor Donald L. Rehrig, Lehighton, Pennsylvania
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 Mayor William D. Hart, Lykens, Pennsylvania
 Mayor Randy Schlegel, Lyons, Pennsylvania
 Mayor Thomas A. Bell, Mahaffey, Pennsylvania
 Mayor Gerard J. McGlone, Jr., Malvern, Pennsylvania
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 Mayor Angela Adkins, Midland, Pennsylvania
 Mayor Ethel J. Kellerman, Milesburg, Pennsylvania
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 Mayor John P. Antoline, Monaca, Pennsylvania
 Mayor John Dorin, Montoursville, Pennsylvania
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 Mayor Thomas Lush, Myerstown, Pennsylvania
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 Mayor Frances Tkach, New Philadelphia, Pennsylvania
 Mayor Mary M. Hetrick, Newport, Pennsylvania
 Mayor Grace Angotti, New Salem, Pennsylvania
 Mayor Thomas Reenock, Northampton, Pennsylvania
 Mayor Carol A. Jarvis, Northern Cambria, Pennsylvania
 Mayor F. John Szatkiewicz, Ohioville, Pennsylvania

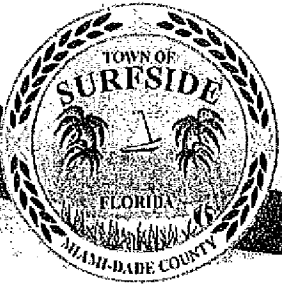
Mayor Michele Petrini Avvisato, Old Forge, Pennsylvania
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Mayor Tom Beehan, Oak Ridge, Tennessee
Mayor Richard Ward, Hurst, Texas
Mayor Bob Kiss, Burlington, Vermont
Mayor Christopher C. Lours, Rutland City, Vermont
Mayor William B. Euille, Alexandria, Virginia
Mayor Faye Prichard, Ashland, Virginia
Mayor Dave Norris, Charlottesville, Virginia
Mayor James P. Councill III, Franklin, Virginia
Mayor Brenda Pelham, Hopewell, Virginia
Mayor Paul D. Fraim, Norfolk, Virginia
Mayor Annie M. Mickens, Petersburg, Virginia
Mayor Iris Tharp, Quantico, Virginia
Mayor Dwight C. Jones, Richmond, Virginia
Mayor William D. Sessoms Jr, Virginia Beach, Virginia
Mayor H. Clarence Bauman, Chewelah, Washington
Mayor Garland D. Walton, Connell, Washington
Mayor Robert F. Sheckler, Des Moines, Washington
Mayor Tamara Jenkins, DuPont, Washington
Mayor Will Ibershof, Duvall, Washington
Mayor Gary S. Jensen, Ferndale, Washington
Mayor Ron (Pete) Poulson, Kalama, Washington
Mayor David M. Ferguson, Mesa, Washington
Mayor Daniel N. Mork, Millwood, Washington
Mayor James F. Gerwig, Morton, Washington
Mayor Russ Rickett, Oakesdale, Washington
Mayor Spencer Nichols, Pe Ell, Washington
Mayor Paul Warden, Prosser, Washington
Mayor Terry Anderson, SeaTac, Washington
Mayor Mike McGinn, Seattle, Washington
Mayor Charlotte L. Mackner, Skykomish, Washington
Mayor Mary B. Verner, Spokane, Washington
Mayor Dianne W. White, Stanwood, Washington
Mayor Marilyn Strickland, Tacoma, Washington
Mayor Dave Cieslewicz, Madison, Wisconsin
Mayor Tom Barrett, Milwaukee, Wisconsin
Mayor Richard Johns, Rhinelander, Wisconsin
Mayor Al Richards, Saint Francis, Wisconsin
Mayor Kristine M. Deiss, West Bend, Wisconsin

Thursday 06 of Jan 2011, NYC Mayor's Office ->

Page 10 of 10

ATF AR 0657



TOWN OF SURFSIDE

9293 HARDING AVENUE
SURFSIDE, FLORIDA 33154
(305) 861-4863 • FAX: (305) 861-1302
WWW.TOWNOFSURFSIDEFL.GOV

January 7, 2011

The Honorable Eric H. Holder, Jr.
United States Attorney General
U.S. Department of Justice
950 Pennsylvania Ave., N.W.
Washington, D.C. 20530

Attorney General Holder:

As Mayor of the Town of Surfside, I am deeply concerned about the threat that illegal gun trafficking poses to the safety of the people in my community, including our brave police officers. It is out of this concern that I am writing to express my support for the "Report of Multiple Sale or Other Disposition of Certain Rifles" proposed by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) in the Federal Register notice dated December 17, 2010 [OMB Number 1140-NEW]. The new ATF policy will require firearms retailers in southwest border states to report multiple sales of long guns—a significant step that will give ATF key information for investigating and cracking down on illegal gun traffickers, particularly along the U.S.-Mexico border.

According to the National Drug Intelligence Center, Mexican drug trafficking organizations have infiltrated small and large cities in 48 U.S. states, affecting our national security. Not only in communities along the southwest border, but also across the country, law enforcement are seeing the serious public safety consequences of the drug cartels' violent war for control, which is fueled by illegal gun trafficking from the U.S. to Mexico.

There is clear evidence that the number of guns, particularly semiautomatic assault rifles, purchased in the U.S. and recovered in Mexican drug-cartel related violence is on the rise. A recent Mayors Against Illegal Guns report revealed that 90 percent of the firearms recovered and traced in drug cartel-related crimes in Mexico originated in the United States--- 75 percent of these firearms originated in southwest border states. ATF has also indicated that the Mexican

drug cartels' weapons of choice include AR-15s, AK-47s, and other high-capacity "long guns," and that these weapons are overwhelmingly traced to U.S. sources. Further, the Department of

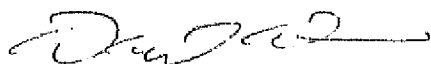
Justice, Office of Inspector General (OIG) recently reported that the percentage of crime guns recovered in Mexico that are long guns has doubled since 2004, and that long guns are being recovered at almost the same rate as handguns. The OIG also found that Mexican cartels are buying assault rifles in multiples and recommended that ATF try to obtain multiple long gun sales reports to help develop investigative leads.

As you know, federal law currently requires federally licensed dealers to complete "multiple handgun sale reports" whenever the same person buys more than one handgun from a dealer within five business days.¹ If one of these handguns is later recovered in a crime, these reports greatly improve ATF's tracing capabilities and help to detect illegal firearms traffickers. In 2008, ATF initiated roughly 300 criminal investigations from data found in multiple sales forms and those investigations were connected with 25,000 illegal firearms. Yet, this reporting procedure does not currently apply to the sale of high capacity rifles and other long guns, such as AK-47s.

It is important to note that implementation of the long gun reporting requirement will not pose a significant burden on firearm retailers. The proposed policy is narrowly focused on retailers in southwest border states. The multiple sales reports, which ATF estimates will take less than 12 minutes for retailers to complete, do not present a significant burden for licensed firearms retailers, as they are already required to submit the same reports for multiple sales of handguns.

Given the magnitude of the public safety threat of illegal gun trafficking along the U.S.-Mexico border, I strongly support ATF's plans to require retailers to report multiple sales of long guns and I urge the ATF to implement this proposed policy as soon as possible. Thank you for your consideration of these comments.

Respectfully,



Daniel E. Dietch
Mayor, Town of Surfside

Cc: Kenneth E. Melson, Acting Director of ATF
Barbara Terrell, Firearms Industry Programs Branch at Barbara.Terrell@atf.gov
Roger M. Carlton, Town Manager
David Allen, Chief of Police, Town of Surfside

¹ See 18 U.S.C. § 923(g)(3)(A); 27 CFR 478.126a.



Office of the Mayor

Mayor, Matthew T. Ryan
Executive Assistant, Andrew Block
Secretary, Rebecca Browne

January 7, 2011

The Honorable Eric H. Holder, Jr.
United States Attorney General
U.S. Department of Justice
950 Pennsylvania Ave., N.W.
Washington, D.C. 20530

Attorney General Holder:

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PH: (607) 772-7001 • FX: (607) 772-7079

ATF AR 0660

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Respectfully,



Matthew T. Ryan, Mayor

Cc: Kenneth E. Melson, Acting Director of ATF

Cc: Barbara Terrell, Firearms Industry Programs Branch at Barbara.Terrell@atf.gov

¹ See 18 U.S.C. § 923(g)(3)(A); 27 CFR 478.126a.

[illegible]

ATF AR 0663

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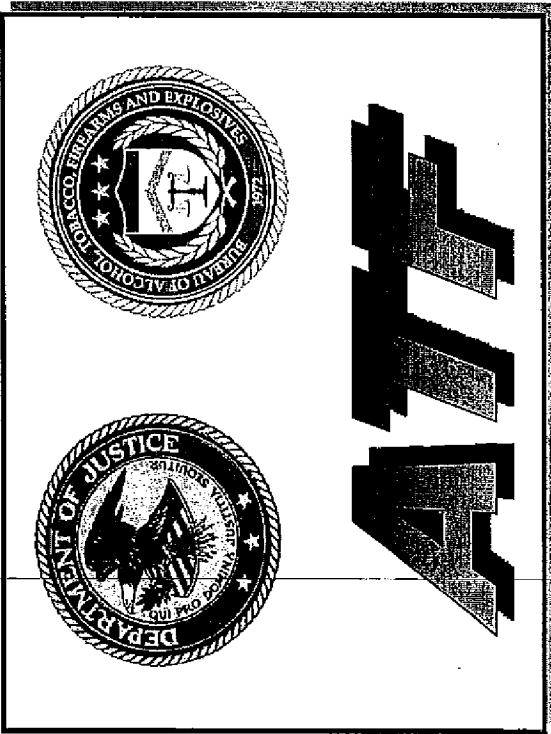
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HANDGUN TRAFFICKING MULTIPLE SALES FORM USED MM
HANDGUN TRAFFICKING MULTIPLE SALES FORM USED MM



St. Paul IV Field Office
Pensacola Field Office

St. Paul Field Division
Tampa Field Division



Department of Justice
**Bureau of Alcohol, Tobacco,
Firearms and Explosives**
Office of Strategic Intelligence and Information
Violent Crime Intelligence Division
Violent Crime Analysis Branch
Data Source: Firearms Tracing System

Data Source: Firearms Tracing System

December 1, 2006 – November 30, 2010
(as of January 12, 2011)

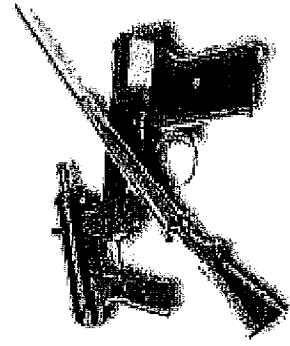
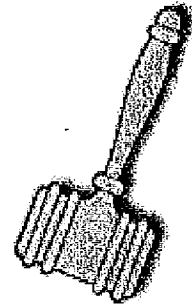
AT THE FOREFRONT OF THE FUTURE



ATF Firearms Trace Data Disclaimer

Public L. No. 111-117, Consolidated Appropriations Act of 2010, SEC. 516

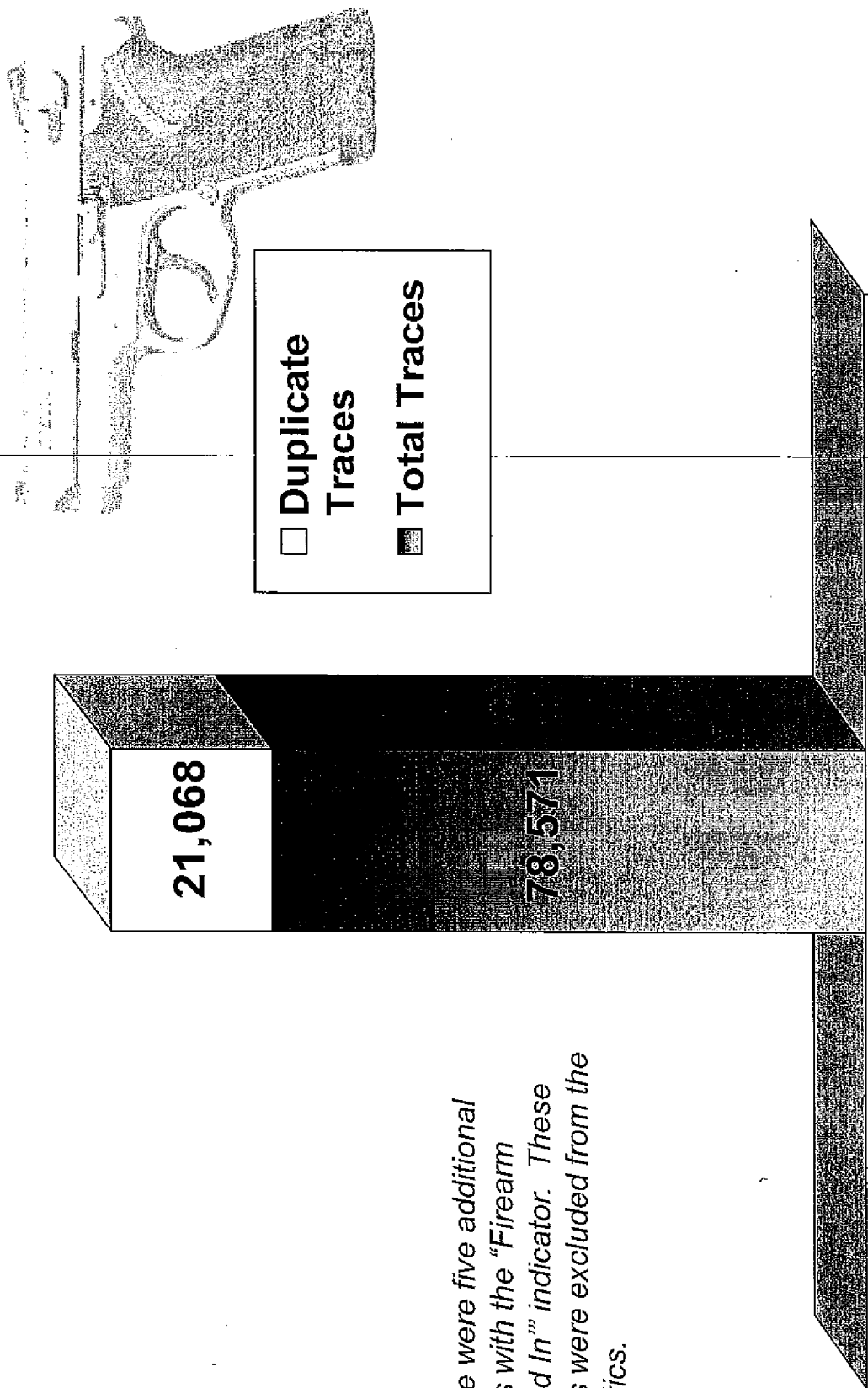
- (1) Firearm traces are designed to assist law enforcement authorities in conducting investigations by tracking the sale and possession of specific firearms. Law enforcement agencies may request firearms traces for any reason, and those reasons are not necessarily reported to the Federal Government. Not all firearms used in crime are traced and not all firearms traced are used in crime.
- (2) Firearms selected for tracing are not chosen for purposes of determining which types, makes or models of firearms are used for illicit purposes. The firearms selected do not constitute a random sample and should not be considered representative of the larger universe of all firearms used by criminals, or any subset of that universe. Firearms are normally traced to the first retail seller, and sources reported for firearms traced do not necessarily represent the sources or methods by which firearms in general are acquired for use in crime.



Law Enforcement Sensitive

Bureau of Alcohol, Tobacco, Firearms and Explosives, Violent Crime Intelligence Division, Violent Crime Analysis Branch

Total Number of Firearms Recovered and Traced in Mexico Between 12/1/06 and 11/30/10



*There were five additional traces with the "Firearm Turned In" indicator. These traces were excluded from the statistics.

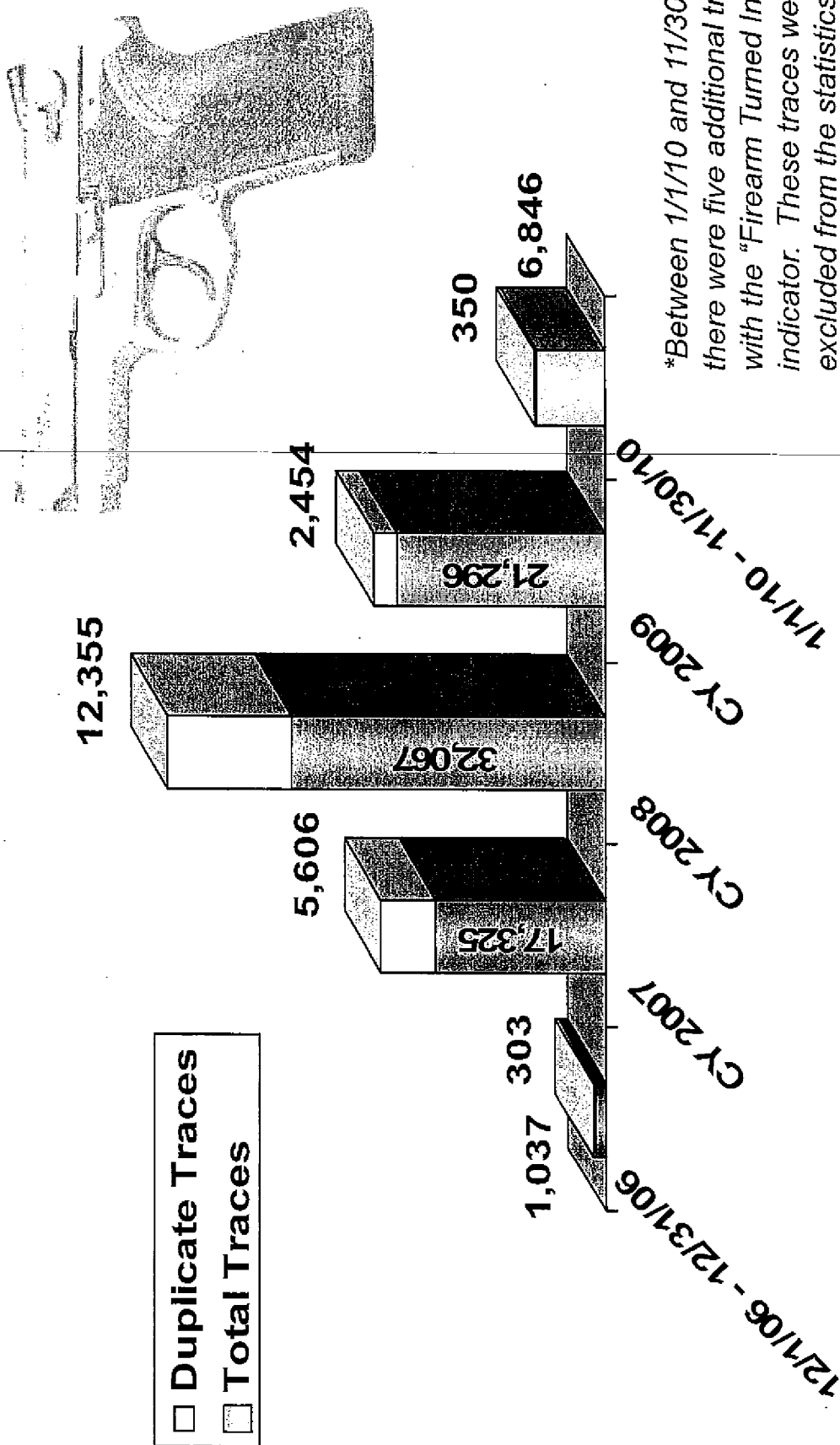
12/1/06 - 11/30/10

Law Enforcement Sensitive

* Data was extracted from the Firearms Tracing System (FTS) on January 12, 2011.

Bureau of Alcohol, Tobacco, Firearms and Explosives, Violent Crime Intelligence Division, Violent Crime Analysis Branch

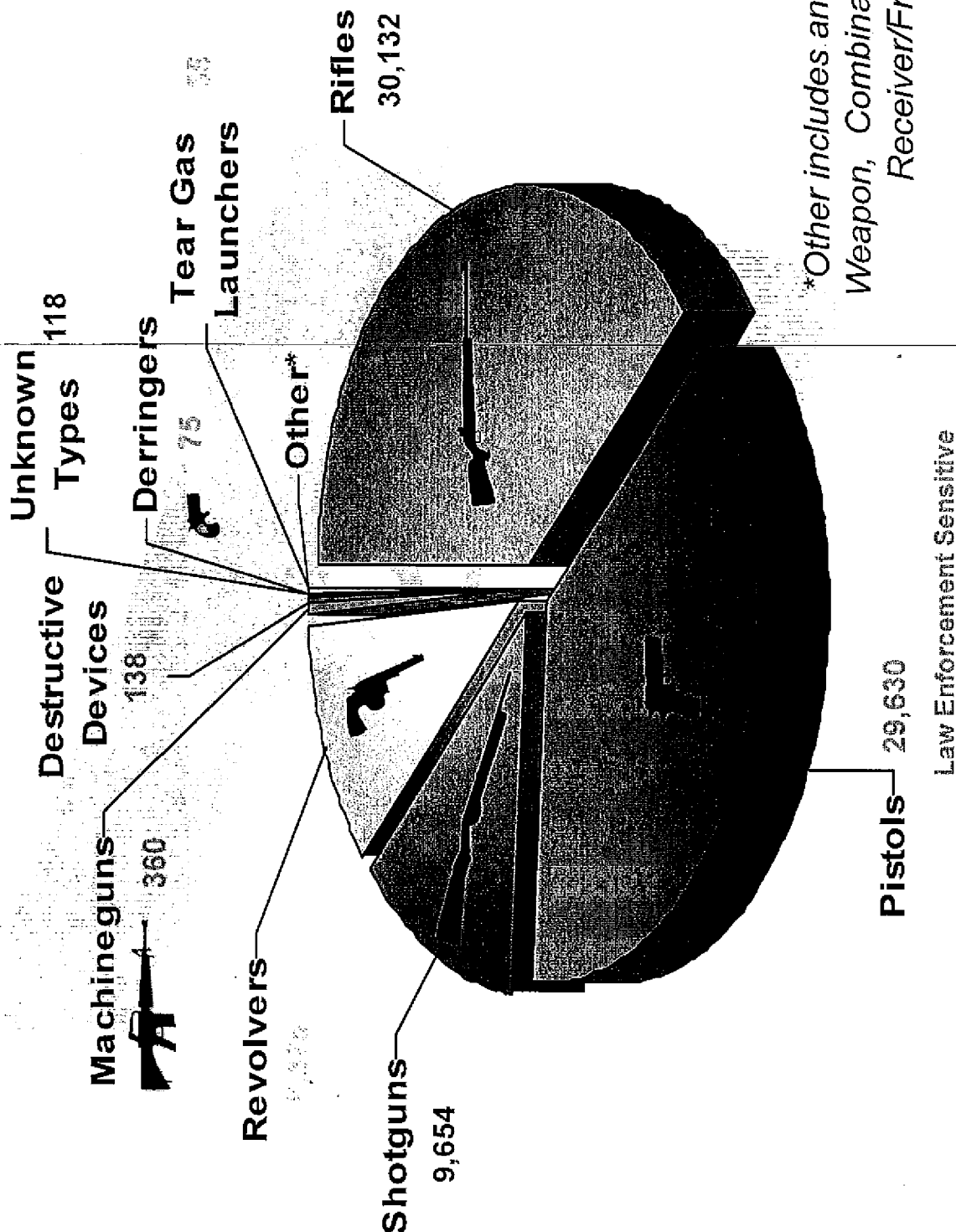
Total Number of Firearms Recovered and Traced in Mexico Between 12/1/06 and 11/30/10



Law Enforcement Sensitive

Bureau of Alcohol, Tobacco, Firearms and Explosives, Violent Crime Intelligence Division, Violent Crime Analysis Branch

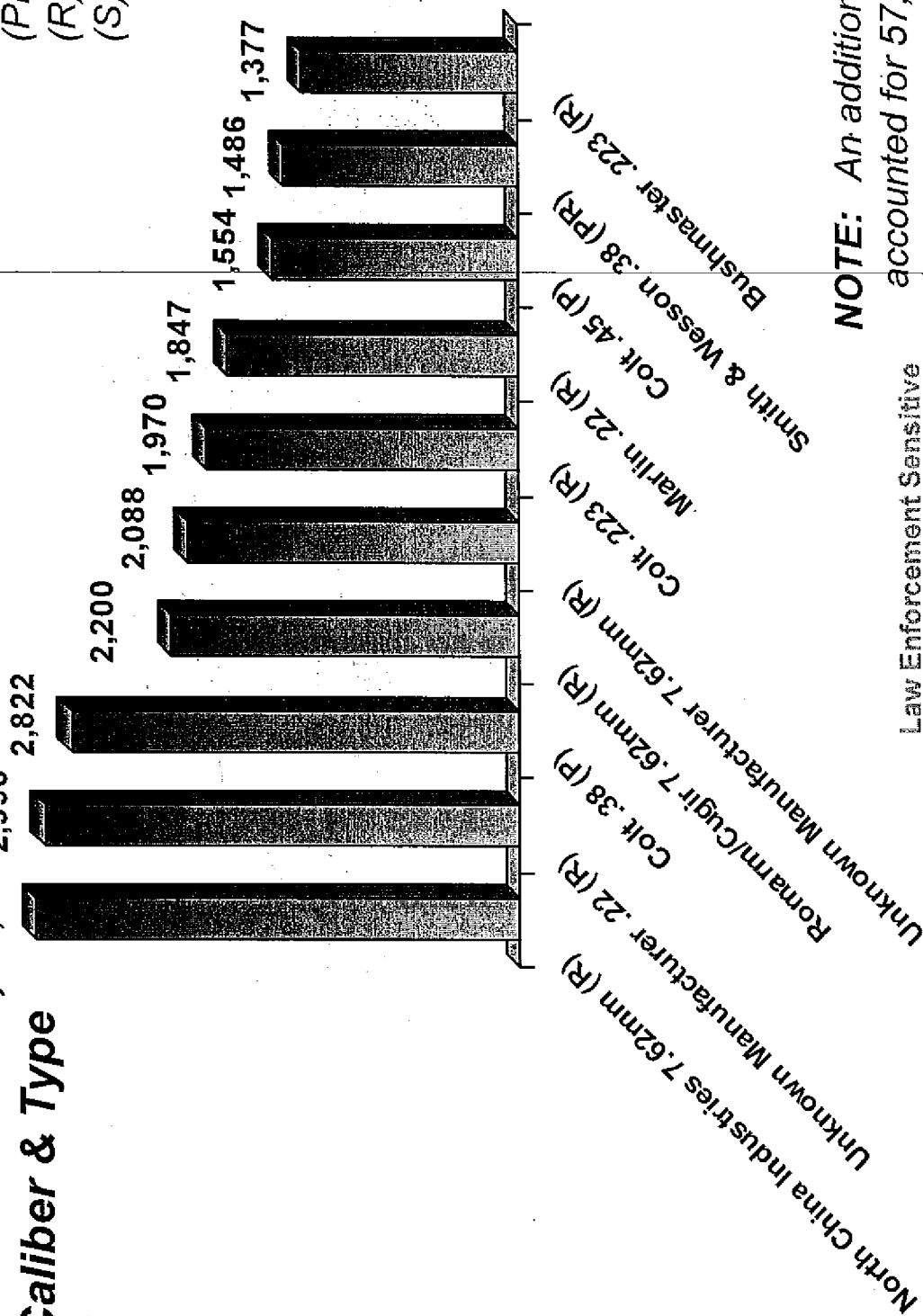
Top Firearm Types Recovered and Traced in Mexico Between 12/1/06 and 11/30/10



Top Firearms Recovered and Traced in Mexico Between 12/1/06 and 11/30/10

By Manufacturer,
Caliber & Type

(P) = Pistol
(PR) = Revolver
(R) = Rifle
(S) = Shotgun

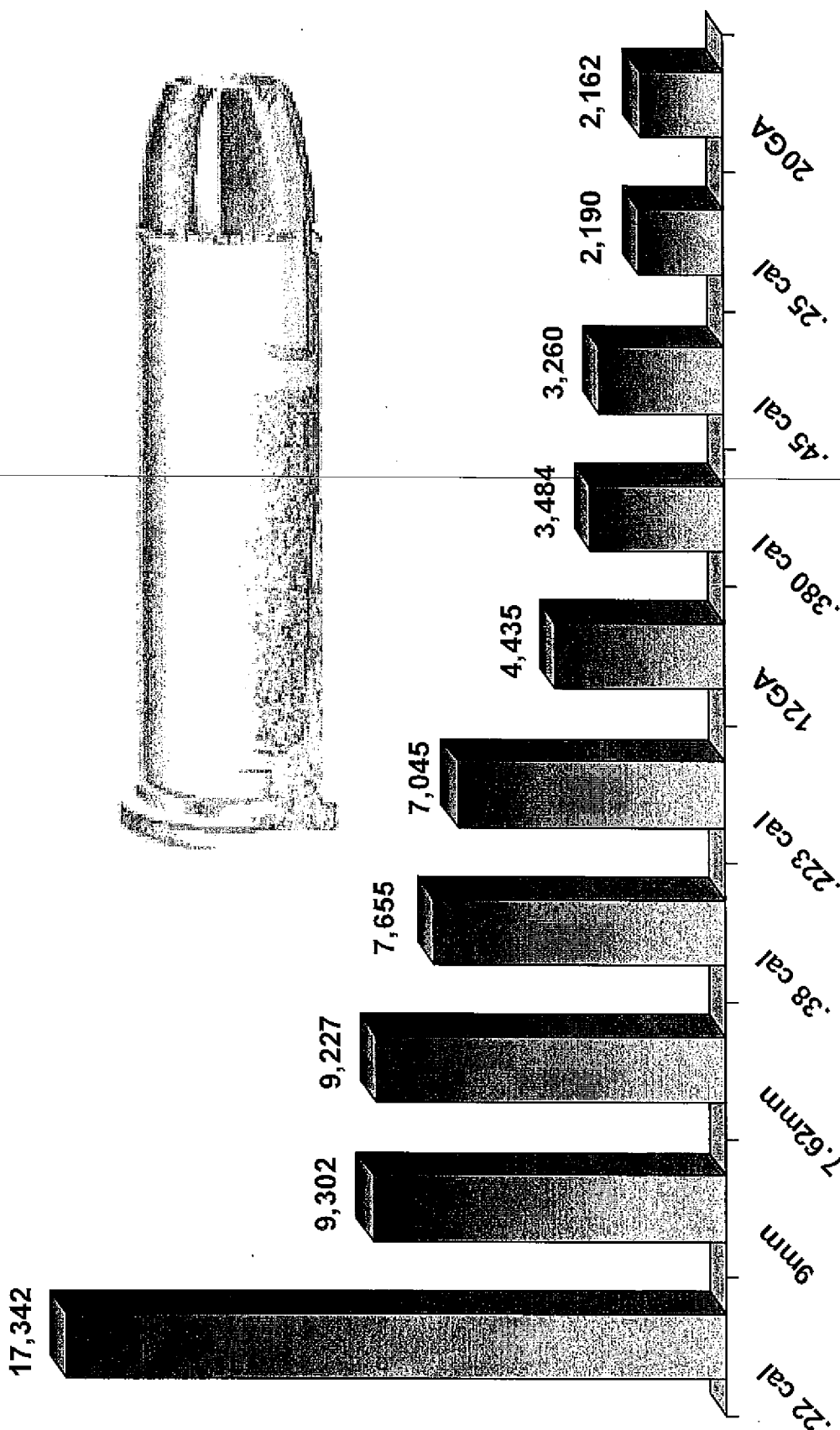


NOTE: An additional 1,646 firearms
accounted for 57,188 other traces.

Law Enforcement Sensitive

Bureau of Alcohol, Tobacco, Firearms and Explosives, Violent Crime Intelligence Division, Violent Crime Analysis Branch

Top Firearm Calibers Recovered and Traced in Mexico Between 12/1/06 and 11/30/10



NOTE: An additional 78 calibers and 998 traces with unknown calibers accounted for 12,469 other traces.

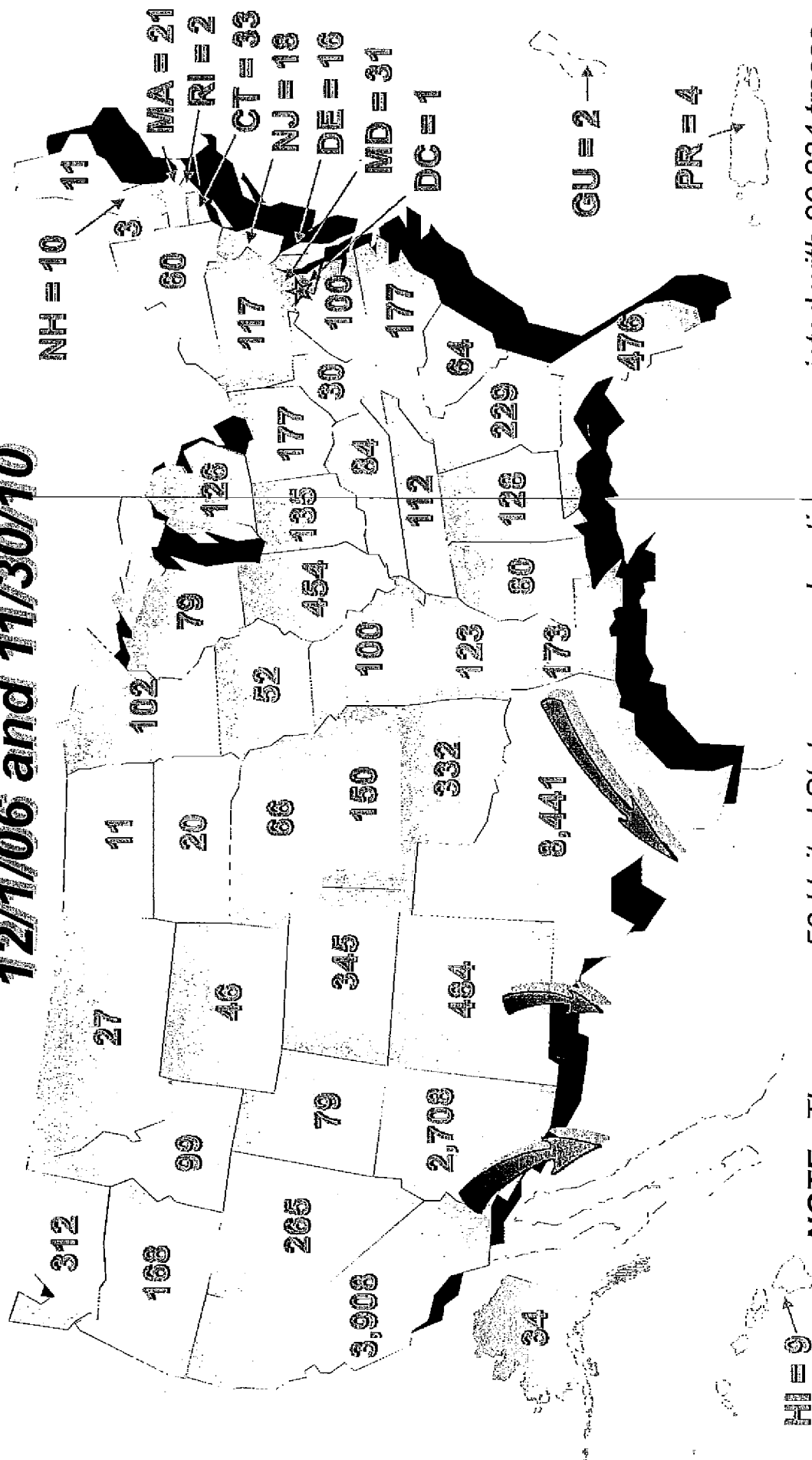
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Bureau of Alcohol, Tobacco, Firearms and Explosives, Violent Crime Intelligence Division, Violent Crime Analysis Branch

United States Source Locations for Firearms

Recovered and Traced in Mexico Between

12/1/06 and 11/30/10

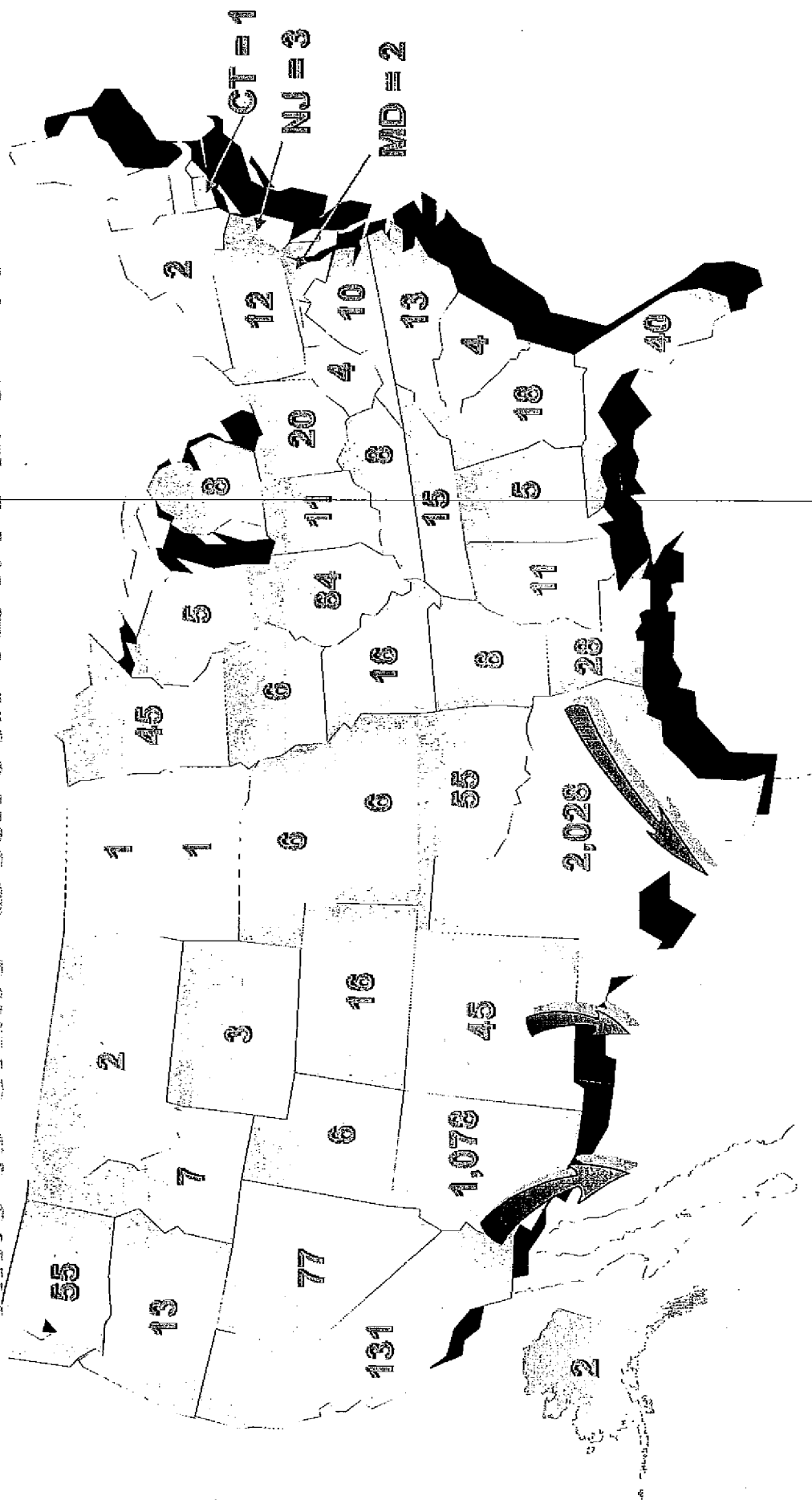


NOTE: There were 53 United States source locations associated with 20,834 traces.

Law Enforcement Sensitive

Bureau of Alcohol, Tobacco, Firearms and Explosives, Violent Crime Intelligence Division, Violent Crime Analysis Branch

United States Source Locations for Firearms Recovered and Traced in Mexico with Short Time-to-Crime* Between 12/1/06 and 11/30/10



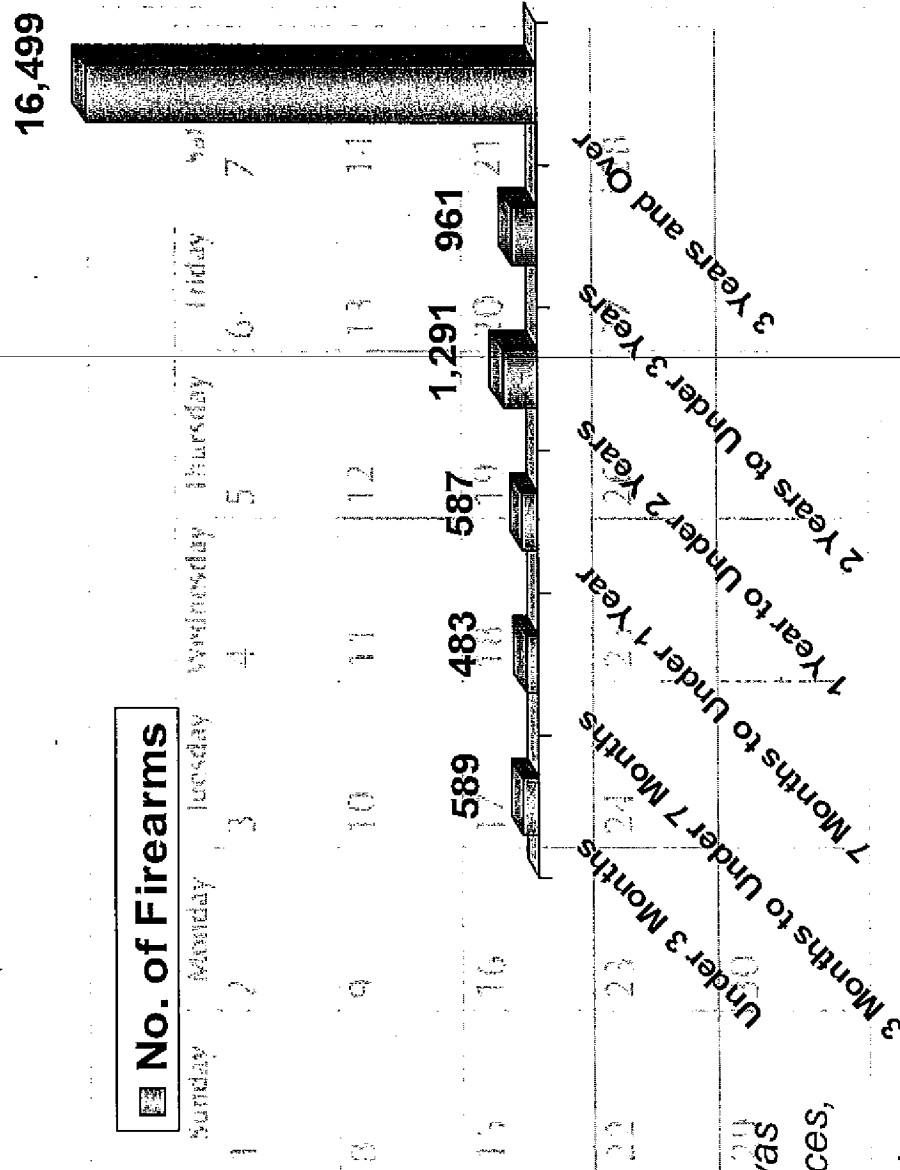
NOTE: There were 43 United States source locations associated with 3,911 traces with short time-to-crime.

*Time-to-Crime Less Than Three Years.

Law Enforcement Sensitive

Bureau of Alcohol, Tobacco, Firearms and Explosives, Violent Crime Intelligence Division, Violent Crime Analysis Branch

Time-To-Crime Rates for U.S. Sourced Firearms Recovered and Traced in Mexico Between 12/1/06 and 11/30/10



NOTE: A purchaser was identified in 20,834 traces, of which time-to-crime could not be calculated on 424 traces.

Mexico National Average Time-to-Crime for 12/1/06 – 11/30/10: **14.90 Years**
United States National Average Time-to-Crime for 12/1/06 – 11/30/10: **10.58 Years**

Law Enforcement Sensitive

Analytical Criteria Used to Compile the Enclosed Statistics

● All of the Preceding Statistics had the Following Selection Criteria in Common:

- Traces with a recovery country of Mexico were included.
- Traces with a recovery date between December 1, 2006 – November 30, 2010 were selected. However, if the recovery date was blank, traces with an entered date between December 1, 2006 – November, 2010 were also selected.
- Duplicate and "Firearm Turned In" traces were excluded.
- Statistics are based on a query of the Firearms Tracing System (FTS) on January 12, 2011.
- All traces may not have been submitted or completed at the time of this study.

● Additional Selection Criteria was Applied to the Following Statistics:

- U.S. Source Locations for Firearms with a Recovery in Mexico
 - Traces must identify a purchaser and the U.S. dealer where the firearm was purchased.
- Time-to-Crime Rates for Firearms with a Recovery in Mexico
 - Traces must identify a purchaser.
 - Includes traces that provide a recovery date and a final purchase date.
 - Time-to-crime is calculated by subtracting the purchase date from the recovery date.

Law Enforcement Sensitive

Hello, I'm Ken Melson, the Acting Director of ATF.

A recent initiative by the Bureau of Alcohol, Tobacco, Firearms and Explosives has caught the attention of national media outlets. I wanted to make sure everyone heard from me about this law enforcement initiative so there isn't any confusion.

Recently, ATF announced through the Federal Register our intent to initiate a new Demand Letter requiring the reporting of multiple sales of certain long guns by Federal Firearms Licensees, known as FFLs, in the four Southwest Border States. We took this step as a way to help gain actionable law enforcement intelligence which we believe will help reduce criminal firearms trafficking along the Southwest border.

Before we can actually issue the Demand Letter we must receive approval from the Office of Management and Budget for purposes of the paperwork reduction act. We expect to receive that approval in early January, 2011.

As many of you already know, the goals of ATF's Southwest border firearms trafficking strategy are:

- To prevent violent crime;
- Ensure the safety of the communities and law enforcement situated along the Southwest Border;
- And to disrupt and dismantle the firearms trafficking networks responsible for the diversion of firearms from lawful commerce into the hands of the Mexican Drug Trafficking Organizations (DTOs)

Since 2006, there has been a significant increase in drug and firearms-related violence in Mexico and along our Southwest border. In response to this increased violence, ATF has deployed focused resources nationally to prevent the firearms trafficking along the Southwest Border and into Mexico.

According to ATF trace data, investigative experience, and Mexican law enforcement officials, a large number of rifles are being used in violent crimes in Mexico and along the border.

Our new Demand Letter will implement a limited reporting of multiple sales of certain long guns that functions similarly to the current practice of reporting on the multiple sales of handguns.

Currently, all FFLs in the country are required to submit a report of multiple sales to the National Tracing Center when an FFL sells two or more handguns to the same purchaser within five consecutive business days.

The proposed Demand Letter, which is narrowly circumscribed to meet our objectives, will apply a similar reporting requirement to certain long guns, but with these distinct differences:

First, the reporting requirement will apply only to FFLs doing business in Texas, New Mexico, Arizona and California, which are major source states for crime guns seized in Mexico and traced to federal firearms licensees.

Secondly, the reporting requirement applies only to those rifles having all of the following characteristics:

- A semi-automatic action;
- A caliber greater than .22; and
- The ability to accept a detachable magazine.

These specific characteristics subject a very narrow group of long guns that have been identified by ATF and the Government of Mexico as being involved in violent crimes in Mexico to the reporting requirement.

This reporting requirement would apply to the disposition of all rifles in the inventory of the FFLs exhibiting these characteristics, both new and used.

Third, we propose to implement this initiative as a pilot project for a period of one year.

Taken together, limiting the geographic scope, impacting a limited number of licensees, affecting a specific group of rifles, and limiting the duration of this reporting requirement, form a tailored, discreet, responsible and proactive response to a significant law enforcement issue.

Let me be absolutely clear. The purpose of requiring FFLs to report the specified multiple long gun sales in these four source states is to identify criminal firearms traffickers, not to prevent the full and free exercise of our Second Amendment rights, or to encumber the FFLs with burdensome paperwork.

These reports will give ATF real-time leads for the investigation of gun trafficking. ATF's experience in these source states proves that multiple purchases of the described rifles are strong indicators of firearms trafficking to Mexico. By obtaining information about these multiple sales, ATF increases the likelihood of uncovering and disrupting trafficking schemes before the firearms make their way into Mexico.

I know that FFLs are good citizens who share ATF's interest and commitment in keeping guns out of criminal hands. Working together we can do that without infringing on the rights of law abiding Americans.

Bureau of Alcohol, Tobacco, Firearms and Explosives

ATF

Official Statement

At the Frontline Against Violent Crime

Public Affairs Division - Washington, DC



FY-11-06

Contact: Public Affairs Division
(202) 648-8500

For Immediate Release

Jan. 17, 2011

www.ATF.gov

OMB APPROVAL OF ATF MULTIPLE SALE REPORTING REQUIREMENT

The following statement is from Kenneth E. Melson, Acting Director, Bureau of Alcohol, Tobacco, Firearms and Explosives:

"Today, the Office of Management and Budget (OMB) approved the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) request to require federal firearms licensees (FFL) in Arizona, California, New Mexico, and Texas to submit multiple sale reports for certain types of rifles. The reporting requirement will apply to the sale of two or more semiautomatic rifles accepting a detachable magazine with a caliber greater than .22 (including .223/5.56 caliber). The approval of this request gives ATF another tool in its arsenal to identify potential firearms traffickers who supply guns to drug trafficking organizations in Mexico and along the Southwest border.

"This reporting requirement will affect FFLs in the four Southwest border states only and is a temporary measure that will not exceed one year. The intelligence gathered from this program may stem the flow of illegal firearms to Mexico and significantly impact ATF's ability to combat firearms trafficking in the United States as well."

###

ATF AR 0681

Denny Rehberg
State of Montana

Appropriations Committee
Labor, Health and Human
Services, and Education
Energy and Water Development
Foreign Operations

Congress of the United States
House of Representatives
Washington, DC 20515

January 24, 2011

Mr. Jacob J. Lew
Director
The Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Director Lew:

I write to you today regarding the emergency request from the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) that was published in the Federal Register on Friday December 17th, 2010. As you know, this request asks the Office of Management and Budget (OMB) to approve an information collection that would require federally licensed firearm dealers to report the sales of two or more semiautomatic rifles to the same customer within a five-day period.

The BATFE had initially asked your office to expedite this request, so that the proposed requirement could take effect as early as January 5, 2011. While I am grateful that your office has yet to approve this request, I remain concerned that enacting this change via an obscure rulemaking procedure, rather than through the legislative process, will set a dangerous precedent.

Implementing the BATFE's proposal would subject firearms dealers and their customers to new, onerous requirements that would inevitably track and catalogue the purchases of law-abiding gun owners. And while Congress has authorized multiple sales reporting for handguns, we have never extended this authority to other types of firearms.

If the BATFE believes that this new requirement is truly necessary for the protection of American citizens living along the Mexican border, they should bring their concerns to the Congress and ask us to make those changes through the same legislative process that was used to implement multiple sales reporting for handguns.

I am strongly opposed to the BATFE's efforts to regulate the sale of firearms through emergency notices and paperwork changes that have not been properly vetted by Congress and the affected public. I ask your office to deny the BATFE's request because I strongly believe that expanding this regulatory power by executive decree would be an end run around Congress.

Sincerely,



Denny Rehberg
Member of Congress

2446 Rayburn House Office Building
Washington, DC 20515
(202) 225-3211

1201 Grand Avenue, Suite 1
Billings, MT 69102
(406) 256-1019
Toll Free: 1-888-232-2626

950 North Montana Avenue
Helena, MT 59601
(406) 443-7878

301 East Broadway
Suite 2
Missoula, MT 59802
(406) 543-9550

105 Smelter Avenue, NE
Suite 1B
Great Falls, MT 59404
(406) 454-1050

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ATF AR 0682

From: Lowrey, Stuart L.
Sent: Wednesday, January 26, 2011 5:06 PM
To: Pellettiere, Christopher A.; Chait, Mark R.; McMahon, William G.; McCabe, Harry L.
Subject: FW: VCAB #112501: Rifles Greater Than .22 Caliber Recovered and Traced in Mexico - FY04 - FY10
Attachments: FY10 FIREARMS DATA RESTRICTIONS.pdf; OSII-Survey Form.pdf

FYI

Stuart L. Lowrey
 Chief, Firearms Operations Division
 ATF HQ - Room 6.S.129
 202.648. [REDACTED]

From: Mullins, Daniel R.
Sent: Wednesday, January 26, 2011 11:14 AM
To: Hickson, Ernest E.
Cc: Martin, Steve K.; Pallotto, Adam; Clark, Terrence L.; Surotchak, Frank J.; Lowrey, Stuart L.
Subject: VCAB #112501: Rifles Greater Than .22 Caliber Recovered and Traced in Mexico - FY04 - FY10

Chief of Staff Hickson:

Per your request, the following are statistics relating to rifles recovered and traced in Mexico with a caliber greater than .22 in FY04 through FY10. The statistics exclude duplicate and firearm turned-in traces. Please note that all traces may not have been submitted or completed at the time of this analysis. The statistics are based on a query of the Firearms Tracing System (FTS) on January 25, 2011.

FY04: 523 traces (1st 7.62 caliber - 236 traces; 2nd .223 caliber - 108 traces)
 FY05: 322 traces (1st 7.62 caliber - 135 traces; 2nd .223 caliber - 114 traces)
 FY06: 372 traces (1st 7.62 caliber - 161 traces; 2nd .223 caliber - 142 traces)
 FY07: 2,430 traces (1st .223 caliber - 986 traces; 2nd 7.62 caliber - 913 traces)
 FY08: 5,853 traces (1st 7.62 caliber - 2,527 traces; 2nd .223 caliber - 1,840 traces)
 FY09: 7,748 traces (1st 7.62 caliber - 3,188 traces; 2nd .223 caliber - 2,544 traces)
 FY10: 3,990 traces (1st 7.62 caliber - 2,008 traces; 2nd .223 caliber - 1,372 traces)

Please complete the attached OSII Customer Satisfaction Survey form. Click on the "Mail" box located at the bottom of the form and then click on "Send".

Please be advised that the Consolidated Appropriations Act of 2010, Public L. 111-117, which became effective on December 16, 2009, restricts the disclosure of any part of the contents of the Firearms Tracing System or any information required to be kept by Federal Firearms Licensees pursuant to 18 USC 923(g), or required to be reported pursuant to 18 USC 923(g)(3) and 923(g)(7).

The information, which is being provided per your request, is for official law enforcement use only and may only be disseminated by the Bureau of Alcohol, Tobacco, Firearms and Explosives to a Federal, State, local, or tribal law enforcement agency, or a Federal, State, or local prosecutor; or a foreign law enforcement agency solely in connection with and for use in a criminal investigation or prosecution; or a Federal agency for a national security or intelligence purpose. This disclosure restriction shall not be construed to prevent the sharing or exchange of such information among

and between Federal, State, local, or foreign law enforcement agencies, Federal, State, or local prosecutors, and Federal national security, intelligence, or counterterrorism officials. Congress has prohibited the public release of any data by the recipient law enforcement agency. The publication of statistical aggregate data regarding firearms traffickers and trafficking channels, firearms misuse, felons, and trafficking investigations is exempt from the restriction. If you have questions regarding these restrictions please contact ATF legal counsel prior to disclosing any of the information provided in this correspondence outside of ATF.

Thank you,

*Daniel Mullins
Supervisory Intelligence Program Specialist
Violent Crime Analysis Branch
Bureau of Alcohol, Tobacco, Firearms and Explosives
304-██████████*

United States Senate

WASHINGTON, DC 20510
February 1, 2011

126629

The Honorable Kenneth E. Melson
Acting Director
Bureau of Alcohol, Tobacco, Firearms and Explosives
99 New York Avenue, NE
Room 5S 144
Washington, DC 20226

The Honorable Jacob Lew
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Acting Director Melson and Director Lew:

We write to you to express our objections to potential approval by the Office of Management and Budget (OMB) of the Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) proposed information collection requiring federally licensed firearm dealers to report the sales of two or more semiautomatic rifles to the same customer within a five-day period. We understand that two Senators and 37 House members have already expressed their concerns, and yet yesterday the *Washington Post* quoted a Department of Justice spokesperson who says OMB is likely to approve the rule this week.

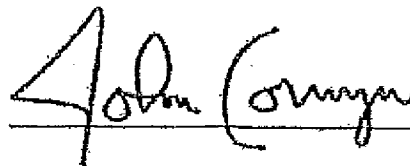
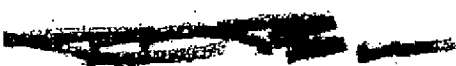
We are strongly opposed to ATF's request to expand unnecessarily burdensome requirements on gun dealers, and, in turn, on lawful gun owners. We are especially alarmed at ATF's attempt to regulate the sale of firearms through an emergency notice such as this, which has not been properly vetted by Congress or by the affected public.

Most importantly, ATF does not have the authority to collect this data. Federal firearms statute clearly limits multiple sales report requirements to "pistols, or revolvers" (18 USC 923(g)(3)(A)). Implementing ATF's proposal would subject firearms dealers and their customers to new, onerous requirements that would inevitably track and catalogue the purchases of law-abiding gun owners. This proposal can be characterized as an end-run around Congress on a significant issue that affects the fundamental constitutional rights of our citizens.

Violence along the Southwest border is a serious issue, and one that we do not take lightly. However, we are troubled that the Administration would focus not on securing the border and enforcing laws already on the books, but instead on hampering the constitutional rights of American citizens.

We urge the ATF and OMB to abandon this ill-conceived proposal. This proposed policy change is a "solution" looking for a problem, and unfounded and misguided protests by foreign governments should not lead to regulatory actions not based on statutory authority.

Sincerely,



70352

Tom Cohen

Jeff Sessions

John R. ...

Mike Creger

John Ensign

Rand Paul

Jan E. ...
Kay Bailey Hutchison

Jim DeMint

Mike Enzi

Dan Vitter

John Barrasso

John Boozman

Jim Cooper

Larry Chabot

cc: The Honorable Eric Holder, Attorney General, U.S. Department of Justice
The Honorable Cass Sunstein, Administrator, Office of Information and Regulatory Affairs

Sent: Monday, February 07, 2011 9:08 PM

To: FN-OMB-OIRA-Submission

Subject: Comment on BATF reporting on certain border-state long gun transfers

Re: [OMB Number 1140-NEW]

I am not a member of the gun industry (nor of the illegal drug importation and enforcement industry). But I am a U.S. citizen, ultimately affected by the southbound traffic in guns and money and the northbound traffic in dangerous, illegal and addictive drugs from Mexico. Some of that gun traffic is alleged to originate in my state, Virginia, and some of it from the states on our Mexican border, in which this emergency, temporary reporting is planned.

I support the effort to document at least some aspects of sales of weapons in the United States which have been documented to sometimes find their way into Mexico for criminal use.

This reporting seems necessary to fulfill ATF's function, because it will inform the Agency and the government (and interested parties, industry and otherwise) whether border-state sales of this very limited subset of weapons are being accomplished at a rate of more than one buy per seller-buyer pair per 5-day period, or not.

I believe the ATF proposed form ATF3310.12 is a reasonable form to help in that effort. I think the 12 minute estimate of time required to complete this form is quite generous, and may overstate the "regulatory burden" on these specific sellers of these specific guns.

In an admittedly un-scientific trial, I filled out one of the draft forms, pretending to "look up" data from scraps of paper on my desk, but actually taking the time to print out numbers and addresses in the various fields of the form, without even using the "rubber stamp" option provided for the gun seller's address. Filling out the form took me 5 minutes, and would have taken less time had I been familiar with the format of serial numbers, and if I had a cooperative buyer with me, with an actual identification document. I estimate it would take a minute more to fax the form, or perhaps two minutes to make a copy and tuck the form in an envelope and address it. So I think an amateur could complete the process in 7 minutes. I trust that ATF agents will observe and time the process when they make controlled "buys" of such weapons to test the program, and can update and refine these numbers as time goes on. But 12 minutes seems generous.

It might be possible to reduce the burden on the reporting FFL if the ATF would experiment with allowing the FFL to satisfy the buyer identification requirement by making a clear, enlarged xerographic copy of the buyer's proffered ID onto a copy of the ATF form, and drawing circles on the copy and linking the circled data to the corresponding data field on the form. This would be a quicker and more accurate transcription of whatever form of ID is presented, and (if quality could be assured) could even provide an image of the buyer. This would enhance the quality, utility, and clarity of the information to be collected. Buyers or sellers who did not wish to permit copying of the ID could fill in the form manually.

NATIONAL RIFLE ASSOCIATION OF AMERICA
INSTITUTE FOR LEGISLATIVE ACTION
11250 WAPLES MILL ROAD
FAIRFAX, VIRGINIA 22030



Office of the Executive Director
CHRIS W. COX

February 10, 2011

Office of Management & Budget
Office of Information and Regulation Affairs
Attention: Department of Justice Desk Officer
Washington, DC 20503

Re: Federal Register Notice of December 17, 2010 (Volume 75, Number 242,
Page 79021), 60-Day Emergency Notice of Information Collection Under
Review: Report of Multiple Sale or Other Disposition of Certain Rifles

To Whom It May Concern:

I am writing on behalf of the National Rifle Association of America, Inc. (NRA), to offer our comments on this Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) information collection request to the Office of Management and Budget (OMB).

The notice proposed an "emergency" requirement that certain federal firearms licensees

report multiple sales or other dispositions whenever the licensee sells or otherwise disposes of two or more rifles within any five consecutive business days with the following characteristics: (a) Semi automatic; (b) a caliber greater than .22; and (c) the ability to accept a detachable magazine.

Now, the OMB has denied the "emergency" request. But regardless of the timeframe in which approval is sought, ATF does not have the statutory authority to impose this requirement on licensees.

The reasons for that lack of authority are fully explained in the attached legal memorandum; but in short, the Congress has comprehensively defined what ATF may and may not require with respect to licensees' records. By specifically requiring reports only of multiple handgun sales, Congress implicitly rejected the idea of requiring reports on multiple sales of other firearms. ATF seemed to understand that point when it responded in October to a recommendation for multiple long gun sales reporting by the Department of Justice Inspector General. ATF's comment on that recommendation was

that it would “explore the full range of options” but that such a requirement “may require a change to the Gun Control Act.”¹

These reports will be requested through “demand letters”—a mechanism that for many years had been used only to conduct firearm traces, to obtain aggregate manufacturing statistics, or to obtain contact information for buyers of certain firearms later declared to be subject to the National Firearms Act. Even when ATF began to use demand letters to seek a broader range of firearm transaction records, one court upholding that program cautioned that the demand letter statute “is not a limitless delegation of authority” and “cannot be construed in an open-ended fashion.”²

The scope of the proposed collection suggests in itself that the proposal exceeds ATF’s statutory authority. The Fourth Circuit stressed that the letter at issue in the *RSM* case was sent to only 41 licensees out of the 80,000 licensees in the United States.³ A second type of demand letter was sent to only 450 dealers nationwide.⁴

Now, ATF proposes to issue demand letters to approximately 8,500 licensees. That estimate appears to be based on the total number of licensed dealers and pawnbrokers in California, Arizona, New Mexico and Texas. If so, nearly one out of seven firearm retailers in the United States would receive demand letters for multiple rifle sales.

The burden estimate in the proposal appears to assume that each licensee subject to a demand letter will respond once during the proposed duration of the program. Given the great variety in size and sales volume among the thousands of licensees in the border states, this seems unlikely.

Even if the burden estimate in the proposal is correct, it is unclear how ATF could make effective use of the large number of reports that would be generated. Recent media reports suggest that ATF is already unable to handle dealers’ voluntary, real-time reports of possible “straw purchases.”⁵ If processing thousands of additional mandatory reports takes even more resources away from investigating these suspicious transactions, the proposed information collection may be more harmful than helpful.

The NRA is well aware that ATF would, understandably, like to take strong steps to address drug-related violence in Mexico. But lawlessness in Mexico—driven by multi-billion dollar drug cartels with access to any and all types of arms on the

¹ See U.S. Dept. of Justice, Office of the Inspector General, *Review of ATF’s Project Gunrunner*, Evaluation and Inspections Report I-2011-001 (Nov. 2010).

² See *RSM, Inc. v. Buckles*, 254 F.3d 61, 67 (4th Cir. 2001).

³ *Id.* at 63.

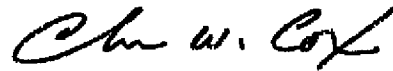
⁴ See *Blaustein & Reich, Inc. v. Buckles*, 365 F.3d 281, 283 (4th Cir. 2004).

⁵ See Kim Murphy, *Guns tracked by firearms bureau found at firefight scene*, Los Angeles Times, Feb. 2, 2011.

international black markets—is no excuse for U.S. law enforcement agencies to spend scarce resources on programs that exceed their legal powers.

Therefore, OMB should deny ATF's request to approve its proposed collection of information. If you have any questions about our comments, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris W. Cox". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Chris W. Cox
Executive Director
NRA Institute for Legislative Action

cc: Barbara A. Terrell
Firearms Industry Programs Branch
Bureau of Alcohol, Tobacco, Firearms and Explosives
99 New York Avenue, N.E.
Washington DC 20226
(202) 648-9640 (fax)

ATF HAS NO AUTHORITY TO IMPOSE MULTIPLE SALES REPORTING FOR RIFLES

The December 17, 2010 “Emergency Notice of Information Collection Under Review: Report of Multiple Sale or Other Disposition of Certain Rifles” does not indicate the statutory authority upon which ATF relies for its proposed multiple sales reporting requirement. However, a statement by ATF Deputy Director Kenneth Melson posted online at www.atf.gov indicates that licensees will be sent “demand letters” seeking the information. This memorandum explains why ATF’s “demand letter” authority does not authorize the proposed collection.

The statutory authority for “demand letters” is 18 U.S.C. § 923(g)(5)(A), which provides:

Each licensee shall, when required by letter issued by the Attorney General, and until notified to the contrary in writing by the Attorney General, submit on a form specified by the Attorney General, for periods and at the times specified in such letter, all record information required to be kept by this chapter or such lesser record information as the Attorney General in such letter may specify.

In determining whether § 923(g)(5)(A) authorizes ATF to require the reporting of multiple sales of certain rifles, its words “must be read in their context and with a view to their place in the overall statutory scheme.” *Davis v. Michigan Dept. of Treasury*, 489 U.S. 803, 809 (1989). More recently, the Supreme Court has explained:

In determining whether Congress has specifically addressed the question at issue, a reviewing court should not confine itself to examining a particular statutory provision in isolation. The meaning—or ambiguity—of certain words or phrases may only become evident when placed in context. . . . A court must therefore interpret the statute “as a symmetrical and coherent regulatory scheme,” . . . and “fit, if possible, all parts into an harmonious whole”

FDA v. Brown & Williamson Tobacco Corp., 529 U.S. 120, 133 (2000)(citations omitted).

In *Mastro Plastics Corp. v. Labor Board*, 350 U.S. 270, 285 (1956), the Court rejected an interpretation of a statute which read words in isolation:

If the above words are read in complete isolation from their context in the Act, such an interpretation is possible. However, “In expounding a statute, we must not be guided by a single sentence or member of a sentence, but look to the provisions of the whole law, and to its object and policy.” (citations omitted).

350 U.S. at 285.

Thus, in determining the scope of ATF's authority under § 923(g)(5)(A), not only must § 923(g)(5)(A) itself be considered, but other statutory provisions must be considered to ascertain Congress' intent and give effect to the legislative will. *Philbrook v. Glodgett*, 421 U.S. 707, 713 (1975).

With respect to multiple sales reporting, Congress has already expressly addressed this question. 18 U.S.C. § 923(g)(3)(A) provides:

(A) Each licensee shall prepare a report of multiple sales or other dispositions whenever the licensee sells or otherwise disposes of, at one time or during any five consecutive business days, two or more pistols, or revolvers, or any combination of pistols and revolvers totalling two or more, to an unlicensed person. The report shall be prepared on a form specified by the Attorney General and forwarded to the office specified thereon and to the department of State police or State law enforcement agency of the State or local law enforcement agency of the local jurisdiction in which the sale or other disposition took place, not later than the close of business on the day that the multiple sale or other disposition occurs.

It is well-established that "a statute ought, upon the whole, to be so construed that, if it can be prevented, no clause, sentence, or word shall be superfluous, void, or insignificant." *Duncan v. Walker*, 533 U.S. 167, 174 (2001) (internal quotation marks omitted).

If § 923(g)(5)(A) authorizes ATF to require the reporting of multiple sales of certain rifles, § 923(g)(3)(A) is rendered superfluous and insignificant because ATF could use the authority of § 923(g)(5)(A) to require the submission of reports of multiple handgun sales. That Congress deemed necessary the enactment of § 923(g)(3)(A) reveals that Congress did not intend that § 923(g)(5)(A) have the broad reach ascribed to it by ATF.

Further, "[w]hen a statute limits a thing to be done in a particular mode, it includes a negative of any other mode." *Christensen v. Harris County*, 529 U.S. 576, 583 (2000).¹ Here, Congress expressly limited multiple sales reporting to pistols and revolvers, thereby negating multiple sales reporting of certain rifles.

The legislative history of § 923(g)(5)(A) confirms that Congress did not intend that § 923(g)(5)(A) would be used to require reporting of multiple sales reporting of certain rifles.

¹ See also *Bulova Watch Co. v. United States*, 365 U.S. 753, 758 (1961) ("It is familiar law that a specific statute controls over a general one").

The original demand letter regulation (27 C.F.R. § 178.126) was promulgated under, and became effective on the same date as, the Gun Control Act of 1968, December 16, 1968. § 105(a), P.L. 90-618, 82 Stat. 1213 (1968); 33 F.R. 18555, 18556 (Dec. 14, 1968). Harold Serr, Director of the Alcohol and Tobacco Tax Division, wrote to Senator Frank Church on December 17, 1968:

[U]nder no circumstances does the Alcohol and Tobacco Tax Division intend to require licensed firearms dealers to submit all records of firearms transactions to a central location. This would be in effect gun registration and the Congress clearly showed its desires in this area when gun legislation was voted on.

131 Cong. Rec. S9129 (July 9, 1985).

Serr wrote that the demand letter regulation would be used “when we become aware of violations of the law by an unscrupulous dealer.” *Id.* An example would be a dealer illegally selling handguns to out-of-state residents who stated that “they could give him any name they chose.” In such a situation, “we would require the dealer to submit records of his sales, not for the purpose of registration, but for the purpose of proceeding against the dealer for a criminal violation of the law.” *Id.* Serr emphasized, however, that ATF had “no intention of requiring law-abiding gun dealers to report their firearms transactions to us.” *Id.*

Section 103 of FOIPA, 100 Stat. 454, amended § 923(g)(1)(A) to provide that licensees “shall not be required to submit to the Secretary reports . . . except as expressly required by this section.” Such records “include, for instance, multiple sales reports and certain informational reports used in connection with tracing.” S.Rep. 98-583, at 15. “See, e.g., proposed 18 U.S.C. 923(g)(4) and (5),² discussed in more detail *infra*.” *Id.* n.32.

Subparagraph (4) would be enacted as the demand letter provision. § 103 of FOIPA, 100 Stat. 455. That provision “is based on existing Treasury regulations describing activities which facilitate the Secretary’s ability to trace the disposition of firearms in connection with criminal investigations.”³ S.Rep. 98-583, at 17. The report continues:

² Subparagraph (5) would be enacted as § 923(g)(3), which provides that a licensee shall report to the Secretary the sale of two or more handguns in a five-day period.

³ In 1994, Congress enacted § 923(g)(7), which created an explicit duty of a licensee to respond to a trace request, “orally or in writing, as the Attorney General may require” within 24 hours and authorized the Attorney General to make such requests by telephone. A trace request pursuant to § 923(g)(7) was, however, only for the purpose of “determining the disposition of 1 or more firearms in the course of a bona fide criminal investigation.”

The purpose of Paragraph (4) is to clarify and ensure the Secretary's authority to conduct legitimate tracing activities in connection with bona fide criminal investigations. The authority granted to the Secretary under this Paragraph is intended to provide access to all information legitimately needed in sensitive criminal investigations, such as the investigation of President Reagan's attempted assassination. However, because of the breadth of the authority granted, limitations on the use of such information, which do not exist under current regulations, were included to restrict any potential for the abuse of the rights of law-abiding licensees.

Id. at 18.

The use of § 923(g)(5)(A) in relation to traces would be limited not only to "bona fide criminal investigations," but would be further confined by what would be enacted as § 926(a).⁴

As the Senate report, which referred to the demand-letter provision as the "tracing provision[]," further explained:

The multiple sales, out-of-business records, and tracing provisions, which, in certain respects, codify existing regulations, were included in the Committee amendment to achieve an appropriate balance between legitimate law enforcement needs and the Committee's determination to substantially restrict the circumstances under which inspections are authorized. This, in turn, reduces the potential for unwarranted intrusions into the business affairs of law-abiding licensees. However, . . . the authority granted under 18 U.S.C. 923(g) (3), (4) and (5), as well as that contained in paragraph (1), as amended, are not to be construed to authorize the United States . . . to use the information obtained from any records or form which are required to be maintained for inspection or submission by licensees under Chapter 44 to establish any system of registration of firearms, firearms owners, or firearms transactions or dispositions.

Id. at 18.

⁴ § 926(a) provides in part that the Attorney General may not promulgate a "rule or regulation" which would:

require that records required to be maintained under this chapter or any portion of the contents of such records, be recorded at or transferred to a facility owned, managed, or controlled by the United States

Specifically, § 106 of FOPA, 100 Stat. 459-60, amended § 926(a) to prohibit BATF from requiring that licensee records “be recorded at or transferred to” a government facility or establishing any registration system, but allowing the authority to conduct traces “in the course of a criminal investigation.” The report states that “this ‘tracing’ authority is codified in the Committee’s amendment,” obviously referring to what would be enacted as § 923(g)(5)(A). Senate Report 98-583 at 27.

Senator Orrin Hatch, floor manager of FOPA, explained of the demand letter regulation: “The Senate bill explicitly codifies regulations permitting tracing of firearms used in crimes.” 132 Cong. Rec. S5351 (May 6, 1986).

In later Senate debate, Senator Hatch explained of § 926(a) that “the authority to request tracing information for dealers can never be used to establish any centralized or regional registration system for firearms or firearm owners.” 131 Cong. Rec. S8691 (June 24, 1985). Senator Hatch also clarified the understanding of the 1968 demand letter regulation which FOPA would codify as follows:

In order to facilitate tracing of firearms used in violent crimes, licensed dealers currently are required to provide the Secretary of Treasury with information about specific weapons upon request. Further a dealer must report multiple handgun sales to the same person which occur within 5 consecutive business days, and if the dealer is going out of business, he must send his records to the BATF rather than destroy or otherwise dispose of them. These tracing authorities are included currently in Federal regulations.

131 Cong. Rec. S8691 (June 24, 1985) (emphasis added).

Senator Hatch added that “the authority to request tracing information for dealers can never be used to establish any centralized or regional registration system for firearms or firearm owners.” *Id.* Hatch stated about § 923(g)(5)(A) that “Congress had no intent to require all law-abiding gun dealers to report all their firearms transactions” to BATF. *Id.* at S9129 (July 9, 1985).⁵ For the purpose of “clarifying the record information submission requirement for firearms licensees,” Senator Hatch inserted into the record ATF Director Serr’s explanation of the purpose of the demand letter regulation quoted above.

Not a single senator voiced a contrary view of the purpose of § 923(g)(5)(A). Thus, the canon of statutory construction that it “is the sponsors that we look to when the

⁵ Senator James McClure, the chief FOPA sponsor, provided the following concise explanation: “The central compromise of the Gun Control Act of 1968 -- the *sine qua non* for the entry of the Federal Government into any form of firearms regulation was this: Records concerning gun ownership would be maintained by dealers, not by the Federal Government and not by State and local governments.” 131 Cong. Rec. S9163-64 (July 9, 1985).

meaning of the statutory words is in doubt,” *Schwegmann Bros. v. Calvert Corp.*, 341 U.S. 384, 394-395 (1951), applies with particular emphasis with respect to § 923(g)(5)(A).

When the bill was being considered by the House after Senate passage, Edward T. Stevenson, Deputy Assistant Secretary, Enforcement and Operations, Department of the Treasury, explained the understanding of the United States of the language which became § 923(g)(5)(A):

Initially, the bill could be interpreted to remove the statutory authority by which the Government may require licensees to report information from required records. Based on this authority, licensees are currently required by regulations to provide information about particular firearms transactions on request, to report multiple sales of handguns to the same person, and to turn in to the Government out-of-business records upon ceasing business. Under S. 49, as passed by the Senate, these existing reporting requirements would be preserved and now specifically required by statute.

Legislation to Modify the 1968 Gun Control Act: Hearings Before the Committee on the Judiciary, House of Representatives, 99th Cong., 1st & 2d Sess., 1139 (1986) (emphasis added).

As discussed, *supra*, the “existing reporting requirements” referred to by Deputy Assistant Secretary Stevenson were “existing Treasury regulations describing activities which facilitate the Secretary’s ability to trace the disposition of firearms in connection with criminal investigations.” S.Rep. 98-583, at 17.

Thus, it was the clear understanding of both Congress and the executive branch prior to the enactment of § 923(g)(5)(A) that both the original regulation and the statute as enacted by FOPA were limited in scope to (1) information from dealers who were in violation of the law, and (2) information from any dealers about specific firearms dispositions necessary for bona fide criminal investigations.

Since the proposed multiple sales demand letters will apparently be sent to all dealers in a four-state area, including those who have never been found in violation of any law, and will request information about firearms that are not the subject of any criminal investigation, ATF has no authority for the proposed information collection.