

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) CLARK, THOMAS W 2320 WATTERSON TRAIL LOUISVILLE, KY 40299, JEFFERSON	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 775045-2017-0088-B1B		
	3. PERMIT/LICENSE NUMBER 461111017A20240	4a. TARGET DATE 9/30/2017	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

6. ATF OFFICER(S) ASSIGNED
(b)(6) - Lead Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)
(b)(6), Area Supervisor, 11/25/2016

8. PURPOSE/SPECIAL INSTRUCTIONS
Jefferson County compliance inspection focusing on awareness of possible straw purchases and trafficking of firearms. Please have FLS indicate licensee name on choose licensee page.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC		10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	4	NO. OF REFERRALS		2111 - PER DIEM	
NO. OF TECS CHECKS	17	NO. OF TECS HITS		2112 - P.O.A.	
NO. OF TAX ADJUSTMENTS		\$ VALUE OF TAX INCREASES		2113 - COMM. AIR	
		\$ VALUE OF TAX DECREASES		2114 - RENTAL CAR	
NO. OF ASSESSMENTS		\$ VALUE OF ASSESSMENTS		2115 - GPV EXPENSES	
NO. OF CLAIMS		\$ VALUE OF CLAIMS		2116 - MISC.	
NO. OF TAX PERIODS		\$ VALUE OF TAXES VERIFIED		TOTAL \$ FOR INSP.	

11. ATF OFFICER'S RECOMMENDATION
Submitted by (b)(6) - Senior Industry Operations Investigator

Submitted on: 01/24/2017

On 01/09/2017, Senior Industry Operations Investigator (b)(6) commenced an unannounced compliance inspection at the business premises of Federal Firearms Licensee (FFL) Thomas W. Clark. See attached narrative for full details.

Licensee was cited for 4 violations of the Gun Control Act (GCA). The inspection period covered the entire timeframe since the last inspection (5/11/2011 through 1/8/2017) due to the licensee's extremely low volume of firearms sales and transfers. During the inspection period, licensee acquired and disposed of (b)(6) firearms. A&D Record Book violations included (b)(6) instances of failure to timely and/or correctly record acquisitions (42.3% error rate) and (b)(6) instances of failure to timely and/or correctly record disposition entries (19.2% error rate). Though the error percentage for the inspection period rises to the level of Warning Conference, Investigator (b)(6) believes that issuance of a Warning Letter would be appropriate. Both Mr. Clark and Mr. Just stated that they better understand the regulatory requirements and the importance of maintaining accurate and complete firearms records, including the requirement that Mr. Clark record his own name and residence address in the disposition section of the A&D Record Book. Mr. Clark and Mr. Just both stated that they would make a more concerted effort to maintain the required records in the appropriate manner in the future.

Also recommend the FFLC amend the Search Results main screen to display the licensee name. The licensee name fields are blank for responsible person and applicant.

Viols WL ONLY and Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)	
JAN 2017	30.00		
ATF OFFICER'S SUBTOTAL	30.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS	30.00		

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) CLARK, THOMAS W 2320 WATTERSON TRAIL LOUISVILLE, KY 40299, JEFFERSON	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 775045-2017-0088-B1B		
	3. PERMIT/LICENSE NUMBER 461111017A20240	4a. TARGET DATE 9/30/2017	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

Alt. recommendation from WC to WL and Recall due to low volume dealer and 100% review from 2011 to present. WL mailed on 1/25/2017.
Recall will be conducted in FY 2018. Owner not available due to out of town in Florida for winter. All correctable violations have been corrected.

Viols WL ONLY and Recall Inspection

☒ REVIEWED

☒ CONCUR

☒ SEE COMMENTS

☒ FINAL DISPOSITION

SIGNATURE AND TITLE

(b)(6) - Area Supervisor

REVIEW DATE

01/25/2017

ROUTING SEQUENCE AND DATE

- ☐ 1. _____
- ☐ 2. _____
- ☐ 3. _____
- ☐ 4. _____

CONTROL FILE POSTED DATE _____

Report of Violations

Instructions

Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.

Name of Proprietor CLARK, THOMAS W	Street Address 2320 WATTERSON TRAIL	City LOUISVILLE	State KY	Zip Code 40299-	County JEFFERSON	Page 1 of 2 Pages
License/Permit/Registry Number <i>(If any)</i> 461111017A20240		Expiration Date 1/1/2017	Date(s) or Period of Inspection 01/09/2017 through 01/17/2017			

Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 1

Nature of Violation:

Licensee failed to make accurate and complete entries to the A&D Record Book.

- In 1 instance, the serial number was not recorded.
- In 0 instances, the date of acquisition was not recorded.
- In 1 instances, licensee failed to record the address or Federal firearms license number of the supplier.
- In 0 instances, for firearms transferred to his personal collection, licensee failed to record the name and address of the transferee.

Citation: 27 CFR 478.125(e)

Date Corrections to be Made: 01/17/2017

(If not corrected immediately)

Corrective Action to be Taken: A&D Record Book corrections have been completed.
(If not corrected immediately) Licensee will ensure that all future entries are accurate, complete and meet all requirements of 27 CFR 478.125(e).

Number: 2

Nature of Violation:

Licensee failed to provide accurate information on ATF Form 4473, Section D.

- Item #26 10/3 112 POF instance, the manufacturer was not recorded
- Item #27 instance, the model was not recorded
- Item #28 instance, the serial number was not recorded
- Item #29 instance, the type was not recorded.
- Item #30 instance, the caliber was not recorded.

Citation: 27 CFR 478.124(c)(4)

Date Corrections to be Made: 01/17/2017

(If not corrected immediately)

Corrective Action to be Taken: Mr. Just corrected a copy of the applicable Form 4473, initialing and dating all changes. The corrected copy was attached to the original ATF Form 4473. In the future, licensee will ensure that all Forms 4473 are thoroughly reviewed for accuracy and completeness prior to firearm transfer.

Report of Violations

Instructions

Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.

Name of Proprietor CLARK, THOMAS W	Street Address 2320 WATTERSON TRAIL	City LOUISVILLE	State KY	Zip Code 40299-	County JEFFERSON	Page 2 of 2 Pages
License/Permit/Registry Number <i>(If any)</i> 461111017A20240		Expiration Date 1/1/2017		Date(s) or Period of Inspection 01/09/2017 through 01/17/2017		

Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 3	Date Corrections to be Made: <i>(If not corrected immediately)</i>
Nature of Violation: Licensee failed to provide required information on ATF Form 4473, Section D. - Item #34 – In <input type="checkbox"/> instance, the signature was not recorded. - Item #36 – In <input type="checkbox"/> instance, the date was not recorded. - Item #36 – In <input type="checkbox"/> instance, the date was incorrect	Corrective Action to be Taken: In the future, licensee will ensure that all Forms 4473 are thoroughly reviewed for accuracy and completeness prior to firearm transfer. <i>(If not corrected immediately)</i>
Citation: 27 CFR 478.124(c)(5)	
Number: 4	Date Corrections to be Made: 01/17/2017 <i>(If not corrected immediately)</i>
Nature of Violation: Licensee failed to record complete and accurate information on ATF Form 4473. - Item #20a – In <input type="checkbox"/> instances, the issuing authority of the identification document was not recorded. - Item #30a – In <input type="checkbox"/> instance, the number of firearms transferred was not recorded. - Item #31 – In <input type="checkbox"/> instance, the name and address of the licensee was not recorded. - Item #32 – In <input type="checkbox"/> instance, the Federal firearm license number was not recorded. - Item #33 – In <input type="checkbox"/> instance, the printed name of the transferor was not recorded. - Item #35 – In <input type="checkbox"/> instance, the title of the transferor was not recorded.	Corrective Action to be Taken: Mr. Just corrected copies of the ATF Forms 4473, initialing and dating all corrections made. The corrected copies were stapled to the original ATF Forms 4473. In the future, licensee will ensure that all Forms 4473 are thoroughly reviewed for accuracy and completeness prior to firearm transfer. <i>(If not corrected immediately)</i>
Citation: 27 CFR 478.21(a)	

I Have Received a Copy of This Report of Violations <i>(Proprietor's signature and title)</i>	Date
Signature and Title of ATF Officer	Date



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

600 Dr. Martin Luther King Jr. Place, Suite 500
Louisville, Kentucky 40202

January 25, 2017

www.atf.gov

775045 (b)(6)
5300

Thomas W. Clark
2320 Watterson Trail
Louisville, KY 40299

Dear Mr. Clark:

During a recent compliance inspection at your firearms business covering the period of May 11, 2011 through January 8, 2017, you were cited for violations of 27 Code of Federal Regulations, Part 478. A copy of the ATF Form 5030.5, Report of Violations, issued at the time of the inspection is enclosed.

The violations were fully explained to you by Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Industry Operations Investigator (IOI) (b)(6). You indicated that you understood the requirements of the firearms laws and regulations, including the importance of ensuring your recordkeeping remains in compliance with the Federal firearms regulations. You further indicated that corrective actions would be taken to eliminate future violations.

The records you are required to maintain and the business operations you conduct are important to law enforcement in our continuing effort to reduce violent crime and protect the public. It is essential that you comply with all Federal laws and regulations that govern your firearms business. This is critical to carrying out our mission to protect the public and ensure that criminals do not gain access to firearms. ATF appreciates the efforts you and other industry members make in this area, and we look forward to continuing to work with you in that regard.

You are reminded that retention of your Federal firearms license is conditioned upon your compliance with Federal laws and regulations. Any future violations, either repeat or otherwise, could be viewed as willful and may result in the revocation of your license. Please ensure that future compliance is achieved.

Mr. Thomas W. Clark

Should you have any questions regarding this matter, please contact IOI (b)(6) or me at (b) (6)

Sincerely yours,

(b)(6)

Area Supervisor
Louisville II Field Office

Enclosure

cc: Federal Firearms Licensing Center
Director, Industry Operations
File