

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) CLEVE'S MARINE & SPORTING GOODS INC 136 S BROADWAY SALINA, KS 67401, SALINE		2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 779025-2016-0141-B1B																																								
		3. PERMIT/LICENSE NUMBER 548169017J15904	4a. TARGET DATE 9/15/2016	4b. TARGET HOURS																																						
		5. REQUESTED BY (SIGNATURE, TITLE AND DATE) 10/01/2015																																								
6. ATF OFFICER(S) ASSIGNED (b)(6) - Lead Investigator																																										
7. ASSIGNED BY (SIGNATURE, TITLE AND DATE) (b)(6), Area Supervisor, 10/04/2015																																										
8. PURPOSE/SPECIAL INSTRUCTIONS Warning Letter issued in FY 2014. Conduct Recall DE inspection.																																										
<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td colspan="2" style="width: 20%;">9. INSPECTION RESULTS</td><td style="width: 20%;"><input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC</td><td colspan="2" style="width: 60%;">10. TRAVEL EXPENSES (OPTIONAL)</td></tr><tr><td>NO. OF VIOLATIONS</td><td>6</td><td>NO. OF REFERRALS</td><td></td><td>2111 - PER DIEM</td></tr><tr><td>NO. OF TECS CHECKS</td><td>4</td><td>NO. OF TECS HITS</td><td></td><td>2112 - P.O.A.</td></tr><tr><td rowspan="2">NO. OF TAX ADJUSTMENTS</td><td rowspan="2"></td><td>\$ VALUE OF TAX INCREASES</td><td></td><td>2113 - COMM. AIR</td></tr><tr><td>\$ VALUE OF TAX DECREASES</td><td></td><td>2114 - RENTAL CAR</td></tr><tr><td>NO. OF ASSESSMENTS</td><td></td><td>\$ VALUE OF ASSESSMENTS</td><td></td><td>2115 - GPV EXPENSES</td></tr><tr><td>NO. OF CLAIMS</td><td></td><td>\$ VALUE OF CLAIMS</td><td></td><td>2116 - MISC.</td></tr><tr><td>NO. OF TAX PERIODS</td><td></td><td>\$ VALUE OF TAXES VERIFIED</td><td></td><td>TOTAL \$ FOR INSP.</td></tr></table>					9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC	10. TRAVEL EXPENSES (OPTIONAL)		NO. OF VIOLATIONS	6	NO. OF REFERRALS		2111 - PER DIEM	NO. OF TECS CHECKS	4	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.
9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC	10. TRAVEL EXPENSES (OPTIONAL)																																							
NO. OF VIOLATIONS	6	NO. OF REFERRALS		2111 - PER DIEM																																						
NO. OF TECS CHECKS	4	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) - Industry Operations Investigator Submitted on: 02/07/2017 Recommend warning letter, report of violations and no recall inspection. Viols WL ONLY and No Recall Inspection																																										
12. TIME ACCOUNTING DATA																																										
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)																																										
		OCT 2016	1.00																																							
		NOV 2016	16.00																																							
		DEC 2016	3.00																																							
		JAN 2017	18.00																																							
		FEB 2017	20.00																																							
ATF OFFICER'S SUBTOTAL		58.00	ATF OFFICER'S SIGNATURE																																							
TOTAL HOURS		58.00																																								

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) CLEVE'S MARINE & SPORTING GOODS INC 136 S BROADWAY SALINA, KS 67401, SALINE	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 779025-2016-0141-B1B		
	3. PERMIT/LICENSE NUMBER 548169017J15904	4a. TARGET DATE 9/15/2016	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE) 10/01/2015		

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

ALTERNATE RECOMMENDATION: WARNING LETTER – NO RECALL

The inspection meets the standard for Warning Conference under the Administrative Action Policy (2/8/2013). The licensee was cited for repeat violations of failing to obtain complete and accurate information in Block 11.a ("Yes" - Actual Buyer) – (b)(6) form; and Block 11.i ("Yes" - MCDV Conviction) – (b)(6) form – Warning Letter at Sec. 6.c.(3); and Warning Conference at Sec. 6.d.(18) – previous Warning Letter 2014; Warning Conference 2010. Additional form and inventory violations do not rise to the level of administrative action.

JUSTIFICATION FOR ALTERNATE: Although repeat in nature, the violations do not appear to affect public safety. NICS proceeded both buyers and follow up background checks confirmed the same. There was no indication of a straw purchase related to the Block 11.a violation. The number of forms in error has decreased since previous inspections and the previous Warning Conference that addressed issues in Section 11.a on the F4473 was conducted outside the 5-year threshold. No losses of inventory were reported. The licensee will be inspected on a 5-year cycle.

AS Reviewed: 2/9/17
Sent to DIO: 2/9/17
DIO Concur: 2/10/17
Warning Letter Sent: 2/10/17
PII sent 2/10/2017

Viols WL ONLY and No Recall Inspection

☒ REVIEWED ☒ CONCUR ☒ SEE COMMENTS ☐ FINAL DISPOSITION

SIGNATURE AND TITLE

(b)(6) - Area Supervisor

Digitally signed
by (b)(6)

REVIEW DATE

02/09/2017

REVIEW COMMENTS AND RECOMMENDATION

Concur with alternate for warning letter.

Viols WL ONLY and No Recall Inspection

(b)(6)

(b)(6)

Date: 2017.02.10

13:04:57 -06'00'

☒ REVIEWED ☒ CONCUR ☒ SEE COMMENTS ☒ FINAL DISPOSITION

SIGNATURE AND TITLE

WLBOWERS - Director Industry Operations

REVIEW DATE

02/10/2017

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 CLEVE'S MARINE & SPORTING GOODS INC	Street Address 136 S BROADWAY	City SALINA	State KS	Zip Code 67401-	County SALINE	Page 1 of 2 Pages
License/Permit/Registry Number <i>(If any)</i> 548169017J15904		Expiration Date 9/1/2017		Date(s) or Period of Inspection 11/28/2016 through 12/01/2016		

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:**
Failure to accurately complete Acquisition and Disposition Record. In ☐ instances the firearm was improperly logged out to the wrong individual.
- Citation:** 27 CFR 478.125(e)
- Date Corrections to be Made:**
(If not corrected immediately)
- Corrective Action to be Taken:** Licensee shall make proper changes in the A&D Record.
(If not corrected immediately)
- Number:** 2
- Nature of Violation:**
Failure of licensee to accurately complete ATF F4473. On ☐ form the licensee left items 26-30 blank (firearms information). On ☐ form the serial number was incorrect (#28).
- Citation:** 27 CFR 478.124(c)(4)
- Date Corrections to be Made:**
(If not corrected immediately)
- Corrective Action to be Taken:** Licensee shall complete the 3rd page to ATF F 4473.
(If not corrected immediately)
- Number:** 3
- Nature of Violation:**
Failure of licensee to obtain correct information on ATF F 4473. On ☐ form licensee transferred a firearm to individual that answered "yes" to 11i (misdemeanor crime of DV) when not prohibited.
- Citation:** 27 CFR 478.124(c)(1)
- Date Corrections to be Made:**
(If not corrected immediately)
- Corrective Action to be Taken:** Licensee shall ensure correct and proper information is entered on ATF F 4473's.
(If not corrected immediately)

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 CLEVE'S MARINE & SPORTING GOODS INC	Street Address 136 S BROADWAY	City SALINA	State KS	Zip Code 67401-	County SALINE	Page 2 of 2 Pages
License/Permit/Registry Number (If any) 548169017J15904		Expiration Date 9/1/2017		Date(s) or Period of Inspection 11/28/2016 through 12/01/2016		

Inspection Results

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


- Number:** 4

Nature of Violation:
Failure of licensee to obtain correct information to item 11a (actual purchaser) on  ATF Form 4473. Failure of licensee to complete items 31-33 and 35 on  ATF F 4473.

Citation: 27 CFR 478.21(a)

Date Corrections to be Made:
(If not corrected immediately)


Corrective Action to be Taken: Licensee shall ensure he obtains correct and proper answers to ATF F 4473's. Licensee shall complete the 3rd page of the ATF F 4473.
(If not corrected immediately)
- Number:** 5

Nature of Violation:
Failure of licensee to complete 34 and 36 on  ATF F 4473.

Citation: 27 CFR 478.124(c)(5)

Date Corrections to be Made:
(If not corrected immediately)

Corrective Action to be Taken: Licensee shall complete the 3rd page of the ATF F 4473.
(If not corrected immediately)
- Number:** 6

Nature of Violation:
Failure of licensee to record the correct NICS date on item 21a on  ATF F 4473.

Citation: 27 CFR 478.124(c)(3)(iv)

Date Corrections to be Made:
(If not corrected immediately)

Corrective Action to be Taken: Licensee shall correct the date and ensure future compliance.
(If not corrected immediately)

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



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Kansas City Field Division – KC III (Regulatory)

1251 NW Briarcliff Pkwy, Ste 600
Kansas City, MO 64116
www.atf.gov

February 10, 2017

779025
5373

(b)(6)

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Cleve's Marine & Sporting Goods, Inc.
Attn: Mr. Cleve E. Mulder, President
136 S. Broadway
Salina, KS 67401

RE: 5-48-169-01-7J-15904

Dear Mr. Mulder:

This letter summarizes the issues discussed with you conducted on November 28, 2016 through December 2016. During the inspection, your company was cited for violations of the Federal Firearms Regulations, Part 478. A copy of the Report of Violation is enclosed.

All violations were fully explained to you by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Investigator (b)(6). You indicated that you understood the requirements of the firearms laws and that your company would take action to comply.

The records your company is maintaining are continuing efforts to redact information with all Federal laws and regulations regarding firearms dealers. This is to ensure that criminals do not gain access to this information.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Cleve's Marine & Sporting Goods, Inc.
Attn: Mr. Cleve E. Mulder, President
136 S. Broadway
Salina, KS 67401

2. Article Number

(Transfer from service label)

PS Form 3811, July 2013

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To: Cleve's Marine & Sporting Goods, Inc.
Attn: Mr. Cleve E. Mulder, President
Street, Apt. No.:
or PO Box No. 136 S. Broadway
City, State, ZIP+4:
Salina, KS 67401
PS Form 3800, August 2006 See Reverse for Instructions

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [Signature]
☐ Agent
☐ Addressee

B. Received by (Printed Name)
Cleve E. Mulder
C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail[®] ☐ Priority Mail Express[™]
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Kansas City Field Division – KC III (Regulatory)

1251 NW Briarcliff Pkwy, Ste 600
Kansas City, MO 64116
www.atf.gov

February 10, 2017

779025(b)(6)
5373

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Cleve's Marine & Sporting Goods, Inc.
Attn: Mr. Cleve E. Mulder, President
136 S. Broadway
Salina, KS 67401

RE: 5-48-169-01-7J-15904

Dear Mr. Mulder:

This letter summarizes the issues discussed with you during the recent compliance inspection conducted on November 28, 2016 through December 1, 2016, related to your company's Federal firearms license. The inspection covered the period of November 28, 2015 through November 28, 2016. During the inspection, your company was cited for violations of Title 27, Code of Federal Regulations, Part 478. A copy of the Report of Violations, Form 5030.5 issued at the time of the inspection is enclosed.

All violations were fully explained to you by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Investigator (b)(6). You indicated that you understood the requirements of the firearms laws and regulations. Additionally, you ensured IOI (b)(6) that your company would take action to prevent future violations.

The records your company is required to maintain are important to law enforcement in our continuing efforts to reduce violent crime and protect the public. It is essential that you comply with all Federal laws and regulations that govern your company's firearms activities as a licensed firearms dealer. This is critical to ATF 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.

Cleve's Marine & Sporting Goods, Inc.
Attn: Mr. Cleve E. Mulder, President
Page 2

You are reminded that retention of your company's Federal firearms license is conditioned upon its 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 the license. Please contact the ATF Kansas City Group III Office if you have any questions regarding this matter at (816) 410-6000.

(b)(6)

Industry Operations (Kansas)
Kansas City Group III (Regulatory)
Kansas City Field Division

cc: National Licensing Center
Director of Industry Operations