

# Firearms Transaction Record Part 1-- Low Volume--Over-The-Counter

**Warning: You may not receive a firearm if prohibited by Federal or State law. The information you provide will be used to determine whether you are prohibited under law from receiving a firearm. THIS FORM MAY BE USED ONLY BY DEALERS SELLING OR DISPOSING OF 50 OR LESS FIREARMS PER YEAR. Prepare in original only. All entries must be in ink. Read the Important Notices, Instructions and Definitions on this form.**

1. Firearm Received From: a. Nonlicensee (Name & Address) <span style="float: right;">▶</span> OR b. Licensee (Name & License Number)						2. Date Received
3. Description of Firearm <span style="float: right;">▶</span>	Manufacturer and Importer (If any)	4. Type (Pistol, Revolver, Rifle, Shotgun, etc.)	5. Model	6. Caliber or Gauge	7. Serial Number	

**Section A - Must Be Completed Personally By Unlicensed Transferees (Buyers) (If Transferee Is A Federal Firearms Licensee, Skip To Section B.)**

8. Transferee's Full Name  _____ (Last)                      (First)                      (Middle)	9. Residence Address (No., Street, City, County, State, ZIP Code; cannot be a post office box)
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10. Place of Birth (City, State or Foreign Country)	11. Height _____ Weight _____	12. <input type="checkbox"/> Male <input type="checkbox"/> Female	13. Birth Date Month _____ Day _____ Year _____	14. Social Security Number (Optional, but will help prevent misidentification.)
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15. Race (Ethnicity) (Check one or more boxes)

<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> Black or African American	<input type="checkbox"/> Native Hawaiian or Other Pacific Islander
<input type="checkbox"/> Hispanic or Latino	<input type="checkbox"/> Asian	<input type="checkbox"/> White

16. What is your State of residence (if any)? \_\_\_\_\_ (See Definition 6. If you are not a citizen of the United States, you have a State of residence only if you have resided in a State continuously for at least 90 days prior to the date of this sale.)

17. What is your country of citizenship? (List more than one, if applicable.) \_\_\_\_\_

18. If you are not a citizen of the United States, what is your I.C.E.-issued alien number or admission number? \_\_\_\_\_

**Certification of Unlicensed Transferee (Buyer)**

19. Answer questions 19a through 19l by writing "yes" or "no" in the boxes to the right of the questions.	
a. Are you the actual buyer of the firearm(s) listed on this form? <b>Warning: You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual buyer, the dealer cannot transfer the firearm(s) to you. (See Important Notice 1 for actual buyer definition and examples.)</b>	
b. Are you under indictment or information in any court for a <b>felony</b> , or any other crime, for which the judge could imprison you for more than one year? (An information is a formal accusation of a crime by a prosecutor. See Definition 4.)	
c. Have you been convicted in any court of a <b>felony</b> , or any other crime, for which the judge could have imprisoned you for more than one year, even if you received a shorter sentence including probation? (See Important Notice 6, Exception 1.)	
d. Are you a fugitive from justice?	
e. Are you an unlawful user of, or addicted to, marijuana, or any depressant, stimulant, or narcotic drug, or any other controlled substance?	
f. Have you ever been adjudicated mentally defective (which includes having been adjudicated incompetent to manage your own affairs) or have you ever been committed to a mental institution?	
g. Have you been discharged from the Armed Forces under <b>dishonorable</b> conditions?	
h. Are you subject to a court order restraining you from harassing, stalking, or threatening your child or an intimate partner or child of such partner? (See Important Notice 7.)	
i. Have you been convicted in any court of a misdemeanor crime of domestic violence? (See Important Notice 6, Exception 1 and Definition 5.)	
j. Have you ever renounced your United States citizenship?	
k. Are you an alien <b>illegally</b> in the United States?	
l. Are you a nonimmigrant alien? (See Definition 7.)	

20. **Nonimmigrant Aliens Only:** Do you fall within any of the exceptions set forth in Important Notice 6, Exception 2?  
 Yes  No  (If "yes," the buyer must provide a copy of supporting documentation and the licensee must complete question 27c.)

I certify that the above answers are true and correct. I understand that answering "yes" to question 19a when I am not the actual buyer of the firearm is a crime punishable as a felony. I understand that a person who answers "yes" to any of the questions 19b through 19k is prohibited from purchasing or receiving a firearm. I understand that a person who answers "yes" to question 19l is prohibited from purchasing or receiving a firearm, unless the person also answers "yes" to question 20. I also understand that making any false oral or written statement or exhibiting any false or misrepresented identification with respect to this transaction is a crime punishable as a felony. I further understand that the repetitive purchase of firearms for the purpose of resale for livelihood and profit without a Federal firearms license is a violation of law. (See Important Notice 8.)

21. Transferee's Signature	22. Date
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**Section B - To Be Completed By Transferor (Seller) When Transferee (Buyer) Is A Federal Firearms Licensee. After transferor completes Section B, skip to Section E. (If transferee is unlicensed, transferor should skip to Section C.)**

23. FFL's Name and License Number	24. Date Transfer is Completed
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**Section C - Must Be Completed by Transferor (Seller) when Transferee (Buyer) is Unlicensed**

25. Type of firearm(s) to be transferred (check one or more boxes): <input type="checkbox"/> Handgun <input type="checkbox"/> Long Gun <input type="checkbox"/> Silencer <input type="checkbox"/> Destructive Device	26. Location of sale if at a gun show. (See Instruction to Transferor 14.) _____ (city, State)
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27a. Type of Identification (e.g., driver's license or other valid government- issued photo identification.): \_\_\_\_\_  
\_\_\_\_\_  
Number on Identification: \_\_\_\_\_  
Expiration Date of Identification (if any) \_\_\_\_\_. (See Instruction to Transferor 1.)

27b. **Aliens only:** Type and dates of documentation showing State residency (e.g., utility bills or lease agreements. See Instruction to Transferor 2.)

27c. **Nonimmigrant aliens only:** Type of documentation showing an exception to the nonimmigrant alien prohibition (e.g., hunting license/permit; waiver. See Instruction to Transferor 3.)

**Question 28, 29, or 30 Must be Completed Prior to the Transfer of the Firearm(s) (See Instructions to Transferor 6-8.)**

28a. The transferee's identifying information in Section A of this form was transmitted to NICS or the appropriate State agency on _____ (Date).	28b. The NICS or State transaction number (if provided) was:
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28c. The response initially provided by NICS or the appropriate State agency was: <input type="checkbox"/> Proceed <input type="checkbox"/> Denied <input type="checkbox"/> Delayed	28d. If initial NICS or State response was "Delayed," the following response was received from NICS or the appropriate State agency on _____ (Date) <input type="checkbox"/> Proceed <input type="checkbox"/> Denied <input type="checkbox"/> No resolution was provided within 3 business days.
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28e. The name and Brady identification number of the NICS examiner (if provided) _____ / _____ (optional) (name) (number)	29. <input type="checkbox"/> No NICS check was required because the transfer involved only NFA firearm(s). (See Instruction to Transferor 8.)
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30.  No NICS check was required because the buyer has a valid permit which qualifies as an exemption to NICS (See Instruction to Transferor 8.)  
State Permit Type: \_\_\_\_\_ Date of Issuance: \_\_\_\_\_  
Expiration Date (if any): \_\_\_\_\_ Permit Number: \_\_\_\_\_

**Section D - Must be Completed by an Unlicensed Transferee (Buyer), If Applicable**

If the transfer of the firearm(s) takes place on a different day from the date that the transferee signed Section A, the transferee must complete Section D immediately prior to the transfer of the firearm(s). (See Instruction to Transferee 5 & Instruction to Transferor 9.)

**I certify that the answers I provided to the questions in Section A of this form are still true and correct.**

31. Transferee's Signature	32. Date
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**Section E - Must be Completed by Transferor (Seller)**

33. Manufacturer and/or Importer	34. Model	35. Serial Number	36. Type (pistol, revolver, rifle, shotgun, etc.)	37. Caliber or Gauge

**Complete ATF F 3310.4 for Multiple Purchases of Handguns (See Instruction to Transferor 12.)**

38. Trade/corporate name and address of transferor (Hand stamp may be used.)	39. Federal Firearms License Number (Hand stamp may be used.)
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On the basis of (1) the statements in Section A; (2) my verification of identity noted in question 27a and my verification again at the time of transfer (if the transfer does not occur on the same day the verification was noted in question 27a); and (3) the information in the current State Laws and Published Ordinances, it is my belief that it is not unlawful for me to sell, deliver, transport, or otherwise dispose of the firearm(s) listed on this form to the person identified in Section A.

**The Person Actually Transferring the Firearm(s) Must Complete Questions 40-43.**

40. Transferor's Name (Please print.)	41. Transferor's Signature	42. Transferor's Title	43. Date Transfer is Completed
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## Important Notices

1. For purposes of this form, you are the actual buyer if you are purchasing the firearm for yourself or otherwise acquiring the firearm for yourself (*for example, redeeming the firearm from pawn/retrieving it from consignment*). You are also the actual buyer if you are acquiring the firearm as a legitimate gift for a third party. **ACTUAL BUYER EXAMPLES:** Mr. Smith asks Mr. Jones to purchase a firearm for Mr. Smith. Mr. Smith gives Mr. Jones the money for the firearm. Mr. Jones is NOT the actual buyer of the firearm and must answer "no" to question 19a. The licensee may not transfer the firearm to Mr. Jones. However, if Mr. Brown goes to buy a firearm with his own money to give to Mr. Black as a present, Mr. Brown is the actual buyer of the firearm and should answer "yes" to question 19a. Question 19a is not applicable to a person receiving a firearm he/she brought in for repair. Such persons should answer question 19a as "N/A."
2. Under 18 U.S.C. § 922, firearms may not be sold to or received by certain persons. The information and certification on this form are designed so that a person licensed under 18 U.S.C. § 923 may determine if he or she lawfully may sell or deliver a firearm to the person identified in Section A, and to alert the buyer of certain restrictions on the receipt and possession of firearms. This form only should be used for sales or transfers where the seller is licensed under 18 U.S.C. § 923.
3. The Brady law, 18 U.S.C. § 922(t), requires that prior to transferring any firearm to an unlicensed person, a licensed importer, manufacturer or dealer must first contact the National Instant Criminal Background Check System (NICS). NICS will advise the licensee whether the system finds any information that the prospective purchaser is prohibited by law from possessing or receiving a firearm. For purposes of this form, contacts to NICS include contacts to State agencies that have been designated to conduct NICS checks for the Federal Government.
4. **Warning:** Any seller who knowingly transfers a firearm to any person prohibited from receiving or possessing a firearm violates the law even if the seller has complied with the background check requirements of the Brady law.
5. The seller of a firearm is responsible for determining the lawfulness of the transaction and for keeping proper records of the transaction. Consequently, the seller should be familiar with the provisions of 18 U.S.C. §§ 921-931 and the regulations appearing in 27 CFR Part 478. In determining the lawfulness of the sale or delivery of a rifle or shotgun to a resident of another State, the seller is presumed to know applicable State laws and published ordinances in both the seller's State and the buyer's State.
6. The buyer of a firearm should be familiar with 18 U.S.C. § 922. Generally, § 922 prohibits the shipment, transportation, receipt, or possession in or affecting interstate commerce of a firearm by one who: has been convicted of a misdemeanor crime of domestic violence; has been convicted of a felony, or any other crime, punishable by imprisonment for a term exceeding one year (*this does not include State misdemeanors punishable by imprisonment of two years or less*); is a fugitive from justice; is an unlawful user of, or addicted to, marijuana or any depressant, stimulant, or narcotic drug, or any other controlled substance; has been adjudicated mentally defective or has been committed to a mental institution; has been discharged from the Armed Forces under dishonorable conditions; has renounced his or her U.S. citizenship; is an alien illegally in the United States or a nonimmigrant alien; or is subject to certain restraining orders. Furthermore, section 922 prohibits the shipment, transportation, or receipt in or affecting interstate commerce of a firearm by one who is under indictment or information for a felony, or any other crime, punishable by imprisonment for a term exceeding one year.

**Exception 1:** A person who has been convicted of a felony, or any other crime, for which the judge could have imprisoned the person for more than one year, or who has been convicted of a misdemeanor crime of domestic violence, is not prohibited from purchasing, receiving, or possessing a firearm if: (1) under the law where the conviction occurred, the person has been pardoned, the conviction has been expunged or set aside, or the person has had civil rights (*the right to vote, sit on a jury, and hold public office*) restored AND (2) the person is not prohibited by the law where the conviction occurred from receiving or possessing firearms. Persons subject to this exception should answer "no" to 19c or 19i, as applicable. A person who has been convicted of a misdemeanor crime of domestic violence also is not covered by the prohibition unless: (1) the person was represented by a lawyer or gave up the right to a lawyer; and (2) if the person was entitled to a jury, was tried by a jury or gave up the right to a jury trial. Persons subject to this exception should answer "no" to 19i.

**Exception 2:** A nonimmigrant alien is not prohibited from purchasing, receiving, or possessing a firearm if the alien: (1) is in possession of a hunting license or permit lawfully issued in the United States; (2) is an official representative of a foreign government who is accredited to the United States Government or their Government's mission to an international organization having its headquarters in the United States; or (3) has received a waiver from the prohibition from the Attorney General of the United States. (*See 18 U.S.C. § 922(j)(2) for additional exceptions.*) Persons subject to one of these exceptions should answer "yes" to questions 19l and 20 and provide the documentation requested by question 27c.

7. Under 18 U.S.C. § 922, firearms may not be sold to or received by persons subject to a court order that: (A) was issued after a hearing which the person received

actual notice of and had an opportunity to participate in; (B) restrains such person from harassing, stalking or threatening an intimate partner or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and (C)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or (ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury. For purposes of this prohibition, an "intimate partner" of a person is: the spouse of the person, a former spouse of the person, an individual who is a parent of a child of the person, or an individual who cohabitates or has cohabited with the person.

8. Under 18 U.S.C. §§ 922 and 923, it is unlawful for a person to engage in the business of dealing in firearms without a license. A person is engaged in the business of dealing in firearms if he or she devotes time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms. A license is not required of a person who only makes occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or who sells all or part of his or her personal collection of firearms.
9. Persons acquiring firearms for exportation should be aware that the State or Commerce Departments may require a license be obtained prior to exportation.

## Instructions to Unlicensed Transferees (Buyers)

1. The buyer must personally complete Section A of this form and certify (*sign*) that the answers are true and correct. However, if the buyer is unable to read and/or write, the answers (*other than the signature*) may be written by another person, excluding the seller. Two persons (*other than the seller*) must then sign as witnesses to the buyer's answers and signature.
2. When the buyer of a firearm is a corporation, company, association, partnership or other such business entity, an officer authorized to act on behalf of the business must complete Section A of the form with his or her personal information, sign Section A, and attach a written statement, executed under penalties of perjury, stating: (A) the firearm is being acquired for the use of and will be the property of that business entity, and (B) the name and address of that business entity.
3. If the buyer is a member of the Armed Forces on active duty acquiring a firearm in the State where his or her permanent duty station is located, but does not reside at his or her permanent duty station, the buyer must list both his or her permanent duty station address and his or her residence address in response to question 9.
4. Skip Section B.
5. If the transfer of the firearm takes place on a different day from the date that the buyer signed Section A, the seller must again check the photo identification of the buyer prior to the transfer, and the buyer must complete the certification in Section D at the time of transfer.

## Instructions to Transferors (Sellers)

1. **Know your Customer:** Before a licensee may sell or deliver a firearm to a nonlicensee, the licensee must establish the identity, place of residence, and age of the buyer. The buyer **must** provide a valid government-issued photo identification to the seller that contains the buyer's name, residence address, and date of birth. The licensee must record the type, identification number, and expiration date (*if any*) of the identification in question 27a. A driver's license or an identification card issued by a State in place of a license is acceptable. Social security cards are not acceptable because no address, date of birth, or photograph is shown on the cards. If the buyer is a member of the Armed Forces on active duty acquiring a firearm in the State where his or her permanent duty station is located, but he or she has a driver's license from another State, you should list the buyer's military identification card and official orders showing where his or her permanent duty station is located in response to question 27a.
2. **Sale of Firearms to Legal Aliens (Part 1):** A buyer who is not a citizen of the United States must provide additional documentation (*beyond a valid government-issued photo identification that contains the buyer's name, residence address, and date of birth*) to establish that he or she has resided in a State continuously for at least 90 days prior to the date of the sale. *See Definition 6.* Examples of appropriate documents to establish State residency are utility bills from each of the last 3 months prior to the sale or a lease agreement which demonstrates 90 days of residency prior to the sale. (*A licensee may attach a copy of the documentation to the ATF F 4473 Part I (LV), rather than record the type of documentation in question 27b.*)

3. **Sale of Firearms to Legal Aliens (Part 2):** Even if a nonimmigrant alien can establish State residency, he or she is prohibited from receiving a firearm unless he or she falls within an exception to the nonimmigrant alien prohibition. See *Important Notice 6, Exception 2*. If a nonimmigrant alien claims to fall within one of these exceptions by answering "yes" to question 20, he or she must provide the licensee with documentation of the exception (e.g., *hunting license/permit; waiver*). The licensee must record the type of documentation in question 27c and attach a copy of the document to the ATF F 4473 Part I (LV). If the documentation is a hunting license/permit, the licensee must make sure it has not expired. An expired hunting license/permit does not qualify for the exception.
4. If the buyer's name is illegible, the seller must print the buyer's name above the name written by the buyer in question 8.
5. If the firearm is transferred to an unlicensed person, the seller must complete Sections C and E. If the firearm is transferred to a Federal firearms licensee, the seller must complete Sections B (*this applies to both over-the-counter and non-over-the-counter transactions between licensed dealers*) and E.
6. **NICS Check:** After the buyer has completed Section A of the form and the licensee has completed questions 25-27, and prior to transferring a firearm to a nonlicensee, the licensee must contact NICS in accordance with the instructions received from ATF (*see Instruction 8 below for NICS check exceptions*.) However, the licensee should NOT contact NICS and should stop the transaction if: the buyer answers "no" to question 19a; the buyer answers "yes" to any question in 19b-19l, unless the buyer only has answered "yes" to question 19l and also answers "yes" to question 20; or the buyer is unable to provide the documentation required by question 27a, b, or c.
7. If more than three firearms are involved in a transaction, the information required by Section E, questions 33-37, must be provided for these firearms on a separate sheet of paper, which must be attached to the ATF F 4473 Part I (LV) covering the transaction.
14. If the transfer occurs at a gun show authorized by 27 CFR § 478.100, the seller must record the location of the sale in question 26.
15. Each dealer maintaining firearms acquisition and disposition records pursuant to 27 CFR 478.124a (*Low Volume Dealers*) shall retain ATF F 4473 (LV), Part I and II, reflecting firearms possessed by such business in chronological (*by date of receipt*) or numerical (*by transaction serial number*) order. ATF F 4473 (LV) reflecting the licensee's sales or disposition of firearms shall be maintained in alphabetical (*by name of purchaser*), chronological (*by date of disposition*) or numerical (*by transaction serial number*) order. After the seller has completed the firearms transaction, he or she must make the completed, original ATF F 4473 Part I (LV) (*which includes the Important Notices, Instructions, and Definitions*), and any supporting documents, part of his or her permanent records. Forms 4473 Part I (LV) must be retained for at least 20 years. **ATF F 4473 Part I (LV) for Denied Transfers Must Be Retained:** If the transfer of a firearm is denied by NICS, or if for any other reason the transfer does not go through after a NICS check is initiated, the licensee must retain the ATF F 4473 Part I (LV) in his or her records for at least 5 years. ATF F 4473 Part I (LV) with respect to which a sale, delivery or transfer did not take place shall be separately retained in alphabetical (*by name*) or chronological (*by date of transferee's certification*) order.
16. ATF F 4473 Part I (LV) may be destroyed if a firearm recorded as an acquisition on the form is disposed of in a non-over-the-counter transaction, and prior to destruction the acquisition information is transferred to a ATF F 4473 Part II (LV).
17. You may include any other information on this form that is relevant to the transaction.

#### DEFINITIONS

- At the time that NICS is contacted, the licensee should record in question 28a-c the date of contact, the NICS (*or State*) transaction number, and the response provided by NICS or the State. If the licensee receives a "delayed" response prior to transferring the firearm, the licensee must record in question 28d any response subsequently provided by NICS (*or that no resolution was provided within 3 business days*). (*If the licensee receives a response from NICS after the firearm has been transferred, he or she may note this information on the ATF F 4473 Part I (LV).*) If the licensee receives a delayed response, he or she may record the name and Brady ID number of any NICS examiner who makes a follow up call in question 28e. **Note:** States acting as points of contact for NICS checks may use terms other than "proceed," "delayed," or "denied." In such cases, the licensee should check the box that corresponds to the State's response. Some States may not provide a transaction number for denials. However, in any case where a firearm is transferred within the three business day period, a transaction number is required.
7. **NICS Responses:** If NICS provides a "proceed" response, the transaction may proceed. If NICS provides a "denied" response, the seller is prohibited from transferring the firearm to the buyer. If NICS provides a "delayed" response, the seller is prohibited from transferring the firearm unless 3 business days have elapsed and, prior to the transfer, NICS has not advised the seller that the buyer's receipt or possession of the firearm would be in violation of law. See 27 CFR § 478.102(a) for an example of how to calculate 3 business days.
  8. **Exceptions to NICS Check:** A NICS check is not required if the transfer qualifies for any of the alternatives in 27 CFR § 478.102(d). Generally these include: (a) transfers where the buyer has presented the licensee with a permit or license that allows the buyer to possess, acquire, or carry a firearm, and the permit has been recognized by ATF as a valid alternative to the NICS check requirement; (b) transfers of National Firearms Act weapons approved by ATF; or (c) transfers certified by ATF as exempt because compliance with the NICS check requirements is impracticable. See section 478.102(d) for a detailed explanation. If the transfer qualifies for one of these exceptions, the licensee must obtain the supporting documentation required by 27 CFR § 478.131. A firearm must not be transferred to any buyer who fails to provide such documentation.
  9. If the transfer to a nonlicensee takes place on a different day from the date that the buyer signed Section A, the licensee must again check the photo identification of the buyer prior to the transfer, and the buyer must complete the certification in Section D at the time of transfer.
  10. Immediately prior to transferring the firearm, the seller must complete Section E. The seller must print his or her name in question 40 and provide his or her signature in question 41.
  11. Additional firearms purchases by the buyer may not be added to the form after the seller has signed and dated it. A buyer who wishes to purchase additional firearms after the seller has signed and dated the form must complete a new ATF F 4473 Part I (LV). The seller must conduct a new NICS check on this transaction.
  12. In addition to completing this form, the seller must report any multiple sale or other disposition of pistols or revolvers on ATF F 3310.4. See 27 CFR § 478.126a.
  1. **Over-the-counter Transaction:** The sale or other disposition of a firearm by a seller to a buyer, occurring on the seller's licensed premises. This includes the sale or other disposition of a rifle or shotgun to a nonresident buyer on such premises.
  2. **Low Volume Dealer:** A licensed dealer contemplating the disposition of not more than 50 firearms within the succeeding 12-month period to licensees or nonlicensees. Such 12-month period commences from the date the licensed dealer first records the purchase or other acquisition of a firearm on a ATF F 4473 (LV) Part I or II. If during the course of the 12-month period, dispositions exceed the 50 firearms limitation, the licensed dealer must begin keeping standard records required in 27 CFR 478 for non-low volume dealers.
  3. **State Laws and Published Ordinances:** The publication (ATF P 5300.5) of State firearms laws and local ordinances ATF distributes to licensees.
  4. **Under indictment or information or convicted in any court:** An indictment, information, or conviction in any Federal, State, local, or foreign court.
  5. **Misdemeanor Crime of Domestic Violence:** A Federal, State, or local offense that is a misdemeanor under Federal or State law and has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with, or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim. The term includes all misdemeanors that have as an element the use or attempted use of physical force or the threatened use of a deadly weapon (e.g., assault and battery), if the offense is committed by one of the defined parties.
  6. **State of Residence:** The State in which an individual resides. An individual resides in a State if he or she is present in a State with the intention of making a home in that State. If an individual is a member of the Armed Forces on active duty, his or her State of residence is the State in which his or her permanent duty station is located. An alien who is legally in the United States is a resident of a State only if the alien is residing in the State and has resided in the State continuously for at least 90 days prior to the date of sale or delivery of a firearm. These examples illustrate this definition:
    - Example 1.** A maintains a home in State X. A travels to State Y on a hunting trip. A does not become a resident of State Y by reason of such trip.
    - Example 2.** A is a U.S. citizen and maintains a home in State X and a home in State Y. A resides in State X on weekdays, and in State Y on weekends. During the time A actually resides in State X, A is a resident of State X. During the time A actually resides in State Y, A is a resident of State Y.
  7. **Nonimmigrant Alien:** An alien in the United States in a nonimmigrant classification. The definition includes, in large part, persons traveling temporarily in the United States for business or pleasure, persons studying in the United States who maintain a residence abroad, and certain foreign workers. The definition does NOT include permanent resident aliens.

**Privacy Act Information**

Solicitation of this information is authorized under 18 U.S.C. § 923(g). Disclosure of the individual's social security number is voluntary. The number may be used to verify the individual's identity.

**Paperwork Reduction Act Notice**

The information required on this form is in accordance with the Paperwork Reduction Act of 1995. The purpose of the information is to determine the eligibility of the transferee to receive firearms under Federal law and to ensure a dealer is keeping legally proper records of his or her receipt and disposition of firearms. The information is subject to inspection by ATF officers and is required by 18 U.S.C. §§ 922 and 923.

The estimated average burden associated with this collection is 20 minutes per respondent or recordkeeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to Reports Management Officer, Document Services Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, Washington, DC 20226. Confidentiality is not assured.

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.