

CHANGES FOR ATF F 4473

BELOW ARE THE FOLLOWING CHANGES TO ATF F 4473 QUESTIONS 1-36 ONLY:

Old: 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. Certain violations of the Gun Control Act are punishable by up to 10 years imprisonment and/or up to a \$250,000 fine.

New: 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. Certain violations of the Gun Control Act, 18 U.S.C. §§ 921 et. Seq., are punishable by up to 10 years imprisonment and/or up to a \$250.00 fine.

Old: Prepare in original only. All entries must be in ink. Read the Important Notices, Instructions and Definitions on this form. "Please Print".

New: Prepare in original only. All entries must be handwritten in ink. Read the Notices, Instructions, and Definitions on this form. "PLEASE PRINT"

Old 2.: Current Residence Address (**Cannot be a post office box.**)
Number and Street Address

New: Current Residence Address (U.S. Postal, two-letter abbreviations are acceptable. Cannot be a post office box.)

Old 3.: Place of Birth
U.S. City/State Foreign Country

**New: Place of Birth
U.S. City and State -Or- | Foreign Country**

Old 5.: Weight

**New: Weight
(Lbs.)**

Old 9.: Unique Personal Identification Number (UPIN) if applicable (See Instruction to Transferor 6.)

New: Personal Identification Number (UPIN) if applicable (See Instructions for Question 9.)

Old 10.: Race (Ethnicity) (Check one or more boxes.)

American Indian or Alaska Native	Black or African American	Native Hawaiian or
Hispanic or Latino	Asian	Other Pacific Islander
		White

New: Race (Ethnicity) (Check one or more boxes. See Instructions for Question 10.)

American Indian or Alaska Native	Black or African American	Native Hawaiian or Other Pacific Islander
Hispanic or Latino	Asian	White

Old 11.: Answer question 11.a. through 12 by writing “yes” or “no” in the boxes to the right of the question.

New: Answer question 11.a. through 12 by checking or marking “yes” or “no” in the boxes to the right of the questions.

Old 11a.: Are you the actual buyer of the firearm(s) listed on this form? **Warning: You are not the actual buyer if you are acquiring the firearms(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).

New 11a.: Are you the actual transferee/buyer of the firearm(s) listed on this form? **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 firearms(s) to you.** (See instructions for Question 11.a.) Exception: **If you are picking up a repaired firearm(s)** for another person you are **not** required to answer 11.a. and may proceed to question 11.b.)

Old 11c.: Have you ever been convicted in any court of a **felony**, 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 4, Exception 1.)

New 11c.: Have you ever been convicted in any court of a **felony**, 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 Instructions for Question 11.c.)

Old 11f.: 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?

New 11f.: Have you ever been adjudicated mentally defective (*which includes a determination by a court, board, commission, or other lawful authority that you are a danger to yourself or to others or are incompetent to manage your own affairs*) **OR** have you ever been committed to a mental institution? (See Instructions for Question 11.f.)

Old 11h.: 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 5.)

New 11h.: 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 Instructions for question 11.h.)

Old 11i.: Have you ever been convicted in any court of a misdemeanor crime of domestic violence? (See Important Notice 4, Exception 1 and Definition 4.)

Old 11i.: Have you ever been convicted in any court of a misdemeanor crime of domestic violence? (See Instructions for question 11.i.)

Old 1.: Are you a nonimmigrant alien? (See Definition 6.) If you answered “no” to this question, you are not required to respond to question 12.

New 1.: Are you a nonimmigrant alien? (See Instructions for Question 11.1.) If you answered “no” to this question, do **NOT** respond to question 12 and proceed to question 13.

Old 12.: If you answered “yes” to question 11.1., do you fall within any of the exceptions set forth in Important Notice 4, Exception 2? (e.g., valid State hunting license.) (If “yes,” the licensee must complete question 20c.)

New 12.: If you are a nonimmigrant alien, do you fall within any of the exceptions set forth in the instructions? (If “yes,” the licensee must complete question 20d.) (See Instructions for Question 12.) If question 11.1 is answered with a “no” response, then do **NOT** respond to question 12 and proceed to question 13.

Old 13.: What is your State of residence (if any)? _____ (See Definition 5. If you are not a citizen of the United States, you only have a State of residence if you have resided in a State for at least 90 continuous days immediately prior to the date of this sale.)

New 13.: Changed to block format.

What is your State of Residence (if any)?
(See Instructions for Question 13.)

Old 14.: What is your country of citizenship? (list/check more than one, if applicable.)
United States of America Other (Specify) _____

New 14.: Changed to block format.

What is your Country of citizenship? (List/Check more than one, if applicable. If you are a citizen of the United States, proceed to question 16.) United States of America
Other (Specify) _____

Old 15.: If you are not a citizen of the United States, what is your U.S.-issued alien number or admission number?

New 15.: Changed to block

format.

If you are not a citizen of the United States, what is your U.S.-issued alien number or admission number?

Old: Blank

New: Transferee (Buyer) Continue to Next Page

Old Statement: I certify that the answers to Section A are true and correct. I am aware that ATF Form 4473 contains Important Notices, Instructions, and Definitions. I understand that answering “yes” to question 11.a. if 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 11.b. through 11.k. is prohibited from purchasing or receiving a firearm. I understand that a person who answers “yes” to question 11.l. is prohibited from purchasing or receiving a firearm, unless the person also answers “yes” to question 12. 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 6.*)

New Statement: I certify that my answers to Section A are true, correct, and complete. I have read and understand the Notices, Instructions, and Definitions on ATF Form 4473. I understand that answering “yes” to question 11.a. if I am not the actual buyer is a crime punishable as a felony. I understand that a person who answers “yes” to any of the questions 11.b. through 11.k. is prohibited from purchasing or receiving a firearm. I understand that a person who answers “yes” to question 11.l. is prohibited from purchasing or receiving a firearm, unless the person also answers “yes” to question 12. 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 Instructions for Question 16).

Old 18.: Type of firearms (s) to be transferred:

Handgun Long Guns Both

New 18.: Handgun Long Guns Other Firearm (Frame, Receiver, etc. See Instructions for Question 18.)

Old 19.: Location of Sale if at a gun show or other qualifying event. (See *Instructions to Transferor 15.*)

_____ City, State)

New 19.: If sale at a guns how or other qualifying event. Name of Event

City, State _____

Old 20a.: Identification (e.g. drivers license or other valid government-issued photo identification (See *Instruction to Transferor 1.*)

Type of Identification | Number on Identification | Expiration Date of Identification (if any)
Month | Day | Year

New 20a.: Identification (e.g. VA drivers license or other valid government-issued photo identification (See *Instructions to Question 20.a.*)

Issuing Authority and Type of Identification | Number on Identification | Expiration Date of Identification (if any)
Month | Day | Year

Old 20c.: 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.*)

New 20c.: All Aliens: Type and dates of documents that establish 90-day residency (*e.g. utility bills or lease agreements*). (See Instructions for Question 20.c.) Type(s) of Document

Old 20d.: Blank

New 20d.: Nonimmigrant Aliens Must Provide: Type of documentation showing an exception to the nonimmigrant alien prohibition, (See Instructions for Question 20d.)

Old: 21a.: The transferee's identifying information in Section A was transmitted to NICS or the appropriate State agency on: _____
(Date)

New: 21a.: Block format: Date the transferee's identifying information in Section A was transmitted to NICS or the appropriate State agency: Month | Day | Year

Old: 22.: No NICS check was required because the transfer involved only NFA firearm(s). (See Instructions to Transferor 8.)

New: 22.: No NICS check was required because the transfer involved only NFA firearm(s). (See Instructions for Question 22.)

Old: Section C

New: Section C- Must Be Completed Personally By Transferee (Buyer)

Old: If the transfer of the firearm(s) takes place on a different day from the date that the transferee (buyer) signed Section A, the transferee must complete Section C immediately prior to the transfer of the firearm(s). (See Instruction to Transferee 3 & Instruction to transferor 9.)

New: If the transfer of the firearms(s) takes place on a different day from the date that the transferee (buyer) signed Section A, the transferee must complete Section C immediately prior to the transfer of the firearm(s). (See Instructions for Question 24 and 25.)

Old: I certify that the answers I provide to the questions in Section A of this form are still true correct.

New: I certify that my answers to the questions in Section A of this form are still true, correct and complete.

Old 26.: Manufacturer and/or Importer

New 26.: Manufacturer and/or Importer (If the manufacturer and importer are different the FFL should include both)

Old 29.: Type (*pistol, revolver, rifle, shotgun, etc.*)

New 29.: Type (*pistol, revolver, rifle, shotgun, receiver, frame, etc.*)

Old 30a : Blank

New 30a: Total Number of Firearms (Please handwrite by printing e.g., one, two, three, etc. Do not use numerals.)

Old 30b.: Blank

New 30b.: Is any part of this transaction a Pawn Redemption?

Yes No

Old 30c.: Blank

New 30c.: For Use by FFL (See Instructions for Question 30c.)

Old 32.: Federal Firearms Licensee Number (complete 15 Digit FFL Number.) (Hand stamp may be used.)

New 32.: Federal Firearms License Number (Must contain at least first three and last five digits of FFL number X-XX-XXXXX.) (Hand stamp may be used)

Old: the basis of (1) the statements in Section A (and Section C if the transfer does not occur on the day Section A was completed (2) my verification of the identification noted in question 20a (and my reverification at the time of transfer if the transfer does not occur on the day Section A was completed); 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 firearms(s) listed on this form to the person identified in Section A.

New: I certify that my answers in Sections B and D are true, correct, and complete. I have read and understand the Notices, Instructions, and Definitions on ATF Form 4473. On the basis of: (1) the statements in Section A (and Section C if the transfer does not occur on the day Section A was completed); (2) my verification of the identification noted in question 20a (and my reverification at the time of transfer if the transfer does not occur on the day Section A was completed); 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.

Old 33.: Transferor's/Seller's name (*Please print*)

New 33.: Transferor's/Seller's name (***Please print***)

Old 36.: Date Transfer is Completed

New 36.: Date Transfer is Completed

BELOW ARE THE FOLLOWING CHANGES TO ATF F 4473 NOTICES, INSTRUCTIONS AND DEFINITIONS:

NOTICES, INSTRUCTIONS AND DEFINITIONS

Purpose of the Form: 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 **may lawfully** 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 should only be used for sales or transfers where the seller is licensed under 18 U.S.C. § 923. The seller of a firearm must determine the lawfulness of the transaction and maintain proper records

of the transaction. Consequently, the seller must be familiar with the provisions of 18 U.S.C. §§ 921-931 and the regulations in 27 CFR Part 478. In determining the lawfulness of the sale or delivery of a long gun (*rifle or shotgun*) to a resident of another State, the seller is presumed to know the applicable State laws and published ordinances in both the seller's State and the buyer's State.

Section A

Question 2. Current Residence Address: U.S. Postal abbreviations are acceptable. (*e.g., St., Rd., Dr., PA, NC, etc.*). Address cannot be a post office box. County and Parish are one and the same.

Question 10. Race (Ethnicity): Any other race or ethnicity that does not fall within those indicated, please select the closest representation.

Question 11.a. Actual Transferee/Buyer: For purposes of this form, you are the actual transferee/buyer if you are purchasing the firearm for yourself or otherwise acquiring the firearm for yourself (*e.g., redeeming the firearm from pawn/retrieving it from consignment, firearm raffle winner*). You are also the actual transferee/buyer if you are legitimately purchasing the firearm as a gift for a third party. **ACTUAL TRANSFEREE/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 TRANSFEREE/BUYER** of the firearm and must answer “**NO**” to question 11.a. 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 transferee/buyer of the firearm and should answer “**YES**” to question 11.a. However, you may not transfer a firearm to any person you know or have reasonable cause to believe is prohibited under 18 U.S.C. § 922(g), (n), or (x). **Please note: EXCEPTION: If you are picking up a repaired firearm(s) for another person, you are not required to answer 11.a. and may proceed to question 11.b.**

Question 11.b. - 11.i. Definition of Prohibited Person: Generally, 18 U.S.C. § 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.

Question 11.b. Under Indictment or Information or Convicted in any Court: An indictment, information, or conviction in any Federal, State, or local court. **An information is a formal accusation of a crime verified by a prosecutor.**

EXCEPTION to 11.c. and 11.i.: 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 of the jurisdiction where the conviction occurred, the person has been pardoned, the conviction has been expunged or set aside, or the person **has had their civil rights** (*the right to vote, sit on a jury, and hold public office*) **taken away and later restored** AND (2) the person is not prohibited by the law of the jurisdiction where the conviction occurred from receiving or possessing firearms. Persons subject to this exception should answer **“no”** to 11.c. or 11.i., as applicable.

Committed to a Mental Institution: A formal commitment of a person to a mental institution by a court, board, commission, or other lawful authority. The term includes a commitment to a mental institution involuntarily. The term includes commitment for mental defectiveness or mental illness. It also includes commitments for other reasons, such as for drug use. The term does not include a person in a mental institution for observation or a voluntary admission to a mental institution. **Please also refer to Question 11.c. for the definition of a prohibited person.**

EXCEPTION to 11. f. NICS Improvement Amendments Act of 2007: A person who has been adjudicated as a mental defective or committed to a mental institution is not prohibited if: (1) the person was adjudicated or committed **by a department or agency of the Federal Government**, such as the United States Department of Veteran’s Affairs (“VA”) (as opposed to a State court, State board, or other lawful State authority); and (2) either: (a) the person’s adjudication or commitment for mental incompetency was set-aside or expunged by the adjudicating/committing agency; (b) the person has been fully released or discharged from all mandatory treatment, supervision, or monitoring by the agency; or (c) the person was found by the agency to no longer suffer from the mental health condition that served as the basis of the initial adjudication. **Persons who fit this exception should answer “no” to Item 11.f. This**

exception does not apply to any person who was adjudicated to be not guilty by reason of insanity, or based on lack of mental responsibility, or found incompetent to stand trial, in any criminal case or under the Uniform Code of Military Justice.

Question 11.h. Definition of Restraining Order: 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. An “intimate partner” of a person is: the spouse or former spouse of the person, the parent of a child of the person, or an individual who cohabitates or cohabitating with the person.

Question 11.i. Definition of Misdemeanor Crime of Domestic Violence: A Federal, State, local, or tribal offense that is a misdemeanor under Federal, State, or tribal 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 cohabitating 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. (*See Exception to 11.c. and 11.i.*) **A person who has been convicted of a misdemeanor crime of domestic violence also is not prohibited unless: (1) the person was represented by a lawyer or gave up the right to a lawyer; or (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 11.i.**

Question 11.l. “Nonimmigrant Alien”: An alien in the United States in a nonimmigrant classification. The definition includes, among others, 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.

EXCEPTION to 11.l.: 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; or (2) has received a waiver from the prohibition from the Attorney General of the United

States. (See 18 U.S.C. § 922(y)(2) for additional exceptions.) Persons subject to one of these exceptions should answer “yes” to questions 11.l. and 12 and provide a copy of the hunting license or letter granting the waiver, which must be recorded in 20.d. If the Transferee (Buyer) answered “yes” to this question, the licensee MUST complete 20.d.

Question 12. Exceptions to Nonimmigrant Alien Response: If question 11.l. is answered with a “no” response, then do NOT respond to question 12 and proceed to question 13. If response is “yes,” then licensee must complete question 20.d., and may attach a copy.

Question 13. 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 also 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 immediately prior to the date of sale or delivery of a firearm.

If you are a U.S. citizen with two States of residence, you should list your current residence address in response to question 2 (e.g., if you are buying a firearm while staying at your weekend home in State X, you should list your address in State X in response to question 2.) If you are not a citizen of the United States, you only have a State of residence if you have resided in a State for at least 90 continuous days **immediately** prior to the date of this sale.

Question 16. Certification Definition of Engaged in the Business: Under 18 U.S.C. § 922 (a)(1), 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.

Section B

Question 18. Type of Firearm(s): Check all boxes that apply. “Other” refers to frames, receivers and other firearms that are not either handguns or long guns (rifles or shotguns), such as firearms having a pistol grip that expel a shotgun shell, or National Firearms Act (NFA) firearms. If a frame or receiver can only be made into a long gun (*rifle or shotgun*), it is still a frame or receiver not a handgun or long gun. However, they still are

“firearms” by definition, and subject to the same GCA limitations as any other firearms. See Section 921(a)(3)(b). 18 U.S.C. Section 922(b)(1) makes it unlawful for a licensee to sell any firearm other than a shotgun or rifle to any person under the age of 21. Since a frame or receiver for a firearm, to include one that can only be made into a long gun, is a “firearm other than a shotgun or rifle,” it cannot be transferred to anyone under the age of 21. Also, note that multiple sales forms are not required for frames or receivers of any firearms, or pistol grip shotguns, since they are not “pistols or revolvers” under Section 923(g)(3)(a).

Question 19. Gun Shows: If sale at gun show or other qualifying event sponsored by any national, State, or local organization, as authorized by 27 CFR § 478.100, the seller must record the name of event and the location (*city and State*) of the sale in question 19.

Question 20a. Identification: List issuing authority (*e.g., State, County or Municipality*) and type of identification presented (*e.g., Virginia driver’s license (VA DL), or other valid government-issued identification*).

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 20.a. 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. A combination of government issued documents may be provided. For example, if a U.S. citizen has two States of residence and is trying to buy a handgun in State X, he may provide a driver’s license (*showing his name, date of birth, and photograph*) issued by State Y and another government-issued document (*such as a tax document*) from State X showing his residence address. 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 20.a.

Question 20.b. Alternate Documentation: Licensees may accept a combination of valid government-issued documents to satisfy the identification document requirements of the law. The required valid government-issued photo identification document bearing the name, photograph, and date of birth of transferee may be supplemented by another valid, government-issued document showing the transferee’s residence address. This alternate documentation should be recorded in question 20.b., with issuing authority and type of identification presented. A combination of government-issued documents may be provided. For example, if

a U.S. citizen has two States of residence and is trying to buy a handgun in State X, he may provide a driver's license (*showing his name, date of birth, and photograph*) issued by State Y and another government-issued document (*such as a tax document*) from State X showing his residence address.

Question 20.c. Documentation for All Aliens:

Sale of Firearms to Legal Aliens: 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 immediately prior to the date of the sale. (*See Question 13.*) Examples of appropriate documents to establish State residency are utility bills from each of the last 3 months immediately prior to the sale or a lease agreement that demonstrates 90 days of residency immediately prior to the sale. A licensee may attach a copy of the documentation to ATF Form 4473, rather than record the type of documentation in question 20.c. *Acceptable documentation to prove 90-day continuous residency must be original documentation (e.g., utility bills, current bank statements, rent receipts, mortgage payments, lease agreements, personal property tax bills, documents issued by Federal, State, or local government agencies, first-class mail issued by government agency, insurance policies, or bill with current address or major credit card bill).*

Question(s) 21, 22, 23, NICS BACKGROUND CHECKS: 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 purchaser is prohibited by law from possessing or receiving a firearm. For purposes of this form, contacts to NICS include contacts to State agencies designated to conduct NICS checks for the Federal Government. **WARNING:** Any seller who transfers a firearm to any person they know or have reasonable cause to believe is 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.

After the buyer has completed Section A of the form and the licensee has completed questions 18-20, and before transferring the firearm, the licensee must contact NICS (*read below for NICS check exceptions.*) However, the licensee should NOT contact NICS and should stop the transaction if: the buyer answers "no" to question 11.a.; the buyer answers "yes" to any question in 11.b.-11.l., unless the buyer only has answered "yes" to question 11.l. and also answers "yes" to question 12; or the buyer is unable to provide the documentation required by question 20.a, b, c, or d.

Question(s) 26, 27, 28, 29 and 30, Firearm(s) Description: *These blocks should be completed with the firearm(s) information. Firearms manufactured after 1968 should all be marked with a serial number. Should you acquire a*

firearm that is not marked with a serial number; you may answer question 28 with “NSN” (No Serial Number), “N/A” or “None.”

Types of firearms include: pistol, revolver, rifle, shotgun, receiver, frame and other firearms that are not either handguns or long guns (rifles or shotguns), such as firearms having a pistol grip that expel a shotgun shell or National Firearms Act (NFA) firearms.

Question 30c. This box is for the FFL’s use in recording any information he or she finds necessary to conduct business.

Question 32 Federal Firearms License Number: Must contain at least the first three and last five digits of the FFL number, for instance X-XX-XXXXX.

Question 33-35 Transferor/Sellers Information: For “denied” and “cancelled” NICS transactions, the person who completed Section B must complete Section D, questions 33-35.