

Bureau of Alcohol, Tobacco, Firearms, and Explosives

Supplemental FFL Responsible Person Questionnaire

(supplement for use by additional responsible persons)

Supplemental FFL Responsible Person Questionnaire

1. **EACH RESPONSIBLE PERSON MUST COMPLETE AND SIGN A SEPARATE RESPONSIBLE PERSON QUESTIONNAIRE.** If you need to add an additional responsible person to your FFL at any time, the responsible person being added must complete this Supplemental FFL Responsible Person Questionnaire (ATF Form 5310.12B). If adding a RP to an existing license, be sure to include a signed written request from an existing RP on the license, giving permission to add the new responsible person. (see instruction #4)
2. Issuing your license or adding a responsible person will be delayed if this form is incomplete or otherwise improperly prepared.
3. **IMPORTANT!** All new responsible persons must submit a properly prepared FD-258 (*fingerprint card*) with this questionnaire. The fingerprints must be clear for accurate classification and taken by someone properly equipped to take them. The FD-258 should include "WVATF1100 ATF-FFLC, MARTINSBURG, WV" in the ORI block to facilitate fingerprint processing.
4. List any given, married, and maiden names in Item 4, e.g., "Mary Alice (Smith) Jones," not "Mrs. John Jones." (if you need additional space, attach a separate sheet. See instruction #1)

1. License or applicant name		2. Federal firearms license number (if being added to an existing FFL)	
3. Name of responsible person (last, first, middle)		4. Aliases (include given, married, maiden names)	
5. Position/title			
6. Social Security number	7. Birthdate (MM/DD/YYYY)	8. Birthplace (city and state OR foreign country)	
9. Current residence address		10. Telephone number (personal contact # with area code)	
		11. Email address	
12. Previous address(es) - Please provide every address you have had in the last five years and dates which you lived at the address(es) (if you need additional space, attach a separate sheet. See instruction #1)		13. Sex ☐ Male ☐ Female	
		14. Height _____ feet _____ inches	
		15. Weight _____ (lbs)	
		16. Eye color ☐ Black ☐ Blue ☐ Brown ☐ Gray ☐ Green ☐ Hazel ☐ Maroon ☐ Multiple ☐ Pink ☐ Other _____	
		17. Hair color ☐ Bald ☐ Black ☐ Blond ☐ Brown ☐ Gray ☐ Red ☐ Sandy ☐ White ☐ Other _____	
		18. Ethnicity Hispanic or Latino ☐ Yes ☐ No	
		19. Race (please check one or more boxes) ☐ American Indian or Alaska Native ☐ Black or African American ☐ Native Hawaiian or Other Pacific Islander ☐ Asian ☐ White	

For the following questions give full details on a separate sheet for all "yes" answers (see instruction #1)

	Yes	No
20. Have you ever held a federal firearms license? (if so, please include FFL#) _____		
21. Have you ever been a responsible person on a federal firearms license? (if so, please include FFL#) _____		
22. Have you ever been an officer in a corporation holding a federal firearms license? (if so, please include FFL#) _____		
23. Have you ever been an employee of a federal firearms licensee?		
24. Have you ever been denied a federal firearms license?		
25. Have you ever had a federal firearms license revoked?		
26. Are you under indictment or information in any court for a felony, or any other crime, for which the judge could imprison you for more than one year, or are you a current member of the military who has been charged with violation(s) of the Uniform Code of Military Justice and whose charge(s) have been referred to a general court-martial? (see definition #10)		
27. Have you ever been convicted in any court, including a military court, for 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 definition #10)		
28. Are you a fugitive from justice? (see definition #11)		
29. Are you under 21 years of age?		
30. Are you an unlawful user of, or addicted to, marijuana or any depressant, stimulant, narcotic drug, or any other controlled substance? Warning: using or possessing marijuana remains unlawful under federal law regardless of whether it has been legalized or decriminalized for medicinal or recreational purposes in the state where you reside.		

	Yes	No
31. Have you ever been adjudicated as a mental defective OR have you ever been committed to a mental institution? (see definitions #12 and #13)		
32. Have you been discharged from the Armed Forces under dishonorable conditions?		
33. 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 definitions #5 and #6)		
34. Have you ever been convicted in any court of a misdemeanor crime of domestic violence ? (see definitions #6 and #7)		
35. Citizenship country (check/list more than one, if applicable. Nationals of the United States may check U.S.A.)		

☐ United States of America ☐ Other country/countries (specify): _____

	Yes	No
36. Have you ever renounced your United States citizenship?		
37. Are you an alien illegally or unlawfully in the United States?		
38. a. Are you an alien who has been admitted to the United States under a non-immigrant visa? (see definition #8)		
b. If you are such an alien, do you fall within any of the exceptions stated in definition #9? Attach supporting documentation to the application. (U.S. citizens/nationals leave 38b blank)		

39. If you are an alien, record your U.S.-Issued Alien or Admission number (AR#, USCIS#, or I94#): _____

40. Under the penalties imposed by 18 U.S.C. §§ 924 and 1001, I declare that I have examined any related documents submitted in regard to this questionnaire/ATF Form 5310.12B, and to the best of my knowledge and belief, they are true, correct and complete. This signature, when presented by a duly authorized representative of the U.S. Department of Justice, will constitute consent and authority for the appropriate U.S. Department of Justice representative to examine and obtain copies and abstracts of records and to receive statements and information regarding my background. Specifically, I hereby authorize release of the following data or records to ATF: Military information/records, medical information/records, police and criminal records.

Applicant's printed name

Applicant's signature

Date

EACH RESPONSIBLE PERSON MUST COMPLETE AND SIGN A SEPARATE RESPONSIBLE PERSON QUESTIONNAIRE (ATF FORM 5310.12B)

Attach a 2" X 2" photograph here

If you are ONLY applying for a Type 03, a photograph is not required.

1. Photo must have been taken within the last six months.
2. Photo must have been taken in full face view without a hat or head covering that obscures the hair or hairline.
3. On back of photograph, print full name, last 4 of SSN, and business address.

Full printed name

If only adding a responsible person to an existing FFL:

Each responsible person being added must complete separate Supplemental FFL Responsible Person Questionnaire and send it, along with their fingerprint card and photograph, to:

FFLapplications@atf.gov

(if emailing, ensure ALL attachments are in PDF format)

OR

ATF - FFLC

244 Needy Road

Martinsburg, WV 25405

The questionnaire(s) must be accompanied by a signed written request from a current/ existing RP on the license giving permission to add the responsible person(s).

Type 03 Applicants:

A photograph and fingerprint card are not required if you are applying ONLY for a type 03 collector of curios and relics license.

Questions:

If you have any questions relating to this form, please contact the ATF Federal Firearms Licensing Center at 1-866-662-2750, or your local ATF Industry Operations Office.

Instructions/Definitions for ATF Form 5310.12B (Form 7B)
(Do not return this sheet when submitting your application)

Instructions

Please obtain your downloadable forms from atf.gov to ensure you are using the most current version.

1. **Completing questionnaire** - TYPE or PRINT with ball-point pen. Any attached sheets should:
 - a. be identified at the top of each page with your name and Employer Identification number or Social Security number.
 - b. refer to the item/question(s) being answered.
2. **Releasing information** - This questionnaire package requires you to authorize the release of certain information to ATF such as medical information/records (*see Item #40*). This information is used to determine, for example, whether the applicant has ever been adjudicated as a mental defective or committed to any mental institution. This information is protected by the Privacy Act of 1974.
3. **Fingerprint cards and photographs** - The following items must accompany this questionnaire. Failing to submit these items will delay processing and may result in ATF denying the application. **NOTE:** A fingerprint card and photograph are NOT required if applying for only a type 03 license.
 - a. ATF Form 5310.12B, Responsible Person Questionnaire, must be completed and submitted for ALL responsible persons (*see definition #3*). If you need to add an additional responsible person to your existing FFL, the responsible person being added must complete this Supplemental FFL Responsible Person Questionnaire (ATF Form 5310.12B). (*see instruction #4*)
 - b. A properly prepared fingerprint card (form FD-258) must be submitted for ALL responsible persons, unless they have previously submitted one as an RP for another FFL. The fingerprints must be clear for accurate classification and taken by someone properly equipped to take them. To facilitate fingerprint processing, the FD-258 should list "WVATF1100, ATF-FFLC, MARTINSBURG, WV" in the ORI block.
 - c. A 2-inch by 2-inch photograph of EACH responsible person. The photograph should be attached to the back of their ATF Form 5310.12B, Responsible Person Questionnaire. Please ensure that each photograph is clearly identified on the reverse with the full name of the responsible person to whom the photograph applies.
4. **Adding additional responsible person(s)** - You can use this form to add a responsible person(s) to a new FFL or an existing FFL. Each responsible person being added must complete a separate Supplemental FFL Responsible Person Questionnaire.
 - a. For additional RPs being added to a **new** FFL, submit this form, along with the application (ATF Form 5310.12), fingerprint card(s), photograph(s), pay.gov payment confirmation page, to: FFLapplications@atf.gov (if emailing, ensure ALL attachments are in PDF format) OR mail to ATF-FFLC; 244 Needy Road; Martinsburg, WV 25405.
 - b. For RPs being added to an **existing** FFL, submit this form, along with fingerprint card(s) and photograph(s) to FFLapplications@atf.gov (if emailing, ensure ALL attachments are in PDF format) OR ATF-FFLC; 244 Needy Road; Martinsburg, WV 25405. The questionnaire(s) must be accompanied by a signed written request from a current/existing RP on the license giving permission to add the responsible person(s).
5. **Denying application** - If you do not qualify for a license or as an RP, ATF will advise you in writing of the reasons for denying the application.
6. **Contact us** - If you have any questions relating to this questionnaire, please contact the ATF Federal Firearms Licensing Center; 244 Needy Road; Martinsburg, WV 25405, Toll free 1-866-662-2750, or your local ATF Industry Operations Office. Contact information for your local office can be found at www.atf.gov.

Definitions

1. **Chief law enforcement officer** - The chief of police, sheriff, or an equivalent designee of such individual, of the locality in which the premises sought to be licensed, is located.
2. **Licensed collector** - A collector of curios and relics only and licensed under the provisions of 18 U.S.C. 923. You may not use the license to obtain firearms that are not classified as curios and relics. Collectors are not licensed to conduct any business.
3. **Responsible person (RP)** - Any individual possessing, directly or indirectly, the power to direct or cause the direction of the management and policies of a sole proprietorship, corporation, company, partnership, or association, insofar as they pertain to firearms.
4. **Secure gun storage or safety device** - (A) a device that, when installed on a firearm, is designed to prevent the firearm from being operated without first deactivating the device; (B) a device incorporated into the design of the firearm that is designed to prevent the operation of the firearm by anyone not having access to the device; or (C) a safe, gun safe, gun case, lock box, or other device that is designed to be or can be used to store a firearm and that is designed to be unlocked only by means of a key, a combination, or other similar means.
5. **Restraining order** - Under 18 U.S.C. § 922(g)(8), firearms may not be possessed or received by persons subject to a court order that: (A) was issued after a hearing of which the person received actual notice 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.
6. **Intimate partner** - With respect to a person, 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 cohabitated with the person.

7. **Misdemeanor crime of domestic violence** - A Federal, including a general court-martial, 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 cohabitating with, or has cohabitated with the victim as a spouse, parent, or guardian, or by a person who has a current or recent former dating relationship with the victim (as defined in 18 U.S.C. § 921(a)(37)). 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 in the definition of "Prohibited Person"). 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 mark "no" in the applicable box.
8. **An alien admitted to the United States under a non-immigrant visa** - Includes, among others, persons visiting the United States temporarily for business or pleasure, persons studying in the United States who maintain a residence abroad, and certain temporary foreign workers. The definition does NOT include permanent resident aliens, nor does it apply to non-immigrant aliens admitted to the United States pursuant to either the Visa Waiver Program or to regulations otherwise exempting them from visa requirements.
9. **Exceptions to prohibition on aliens admitted under a non-immigrant visa** - An alien admitted to the United States under a non-immigrant visa 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 by the federal government, a state, or local government, or an Indian tribe federally recognized by the Bureau of Indian Affairs, which is valid and unexpired; (2) was admitted to the United States for lawful hunting or sporting purposes; (3) has received a waiver from the prohibition from the Attorney General of the United States; (4) is an official representative of a foreign government who is accredited to the United States Government or the Government's mission to an international organization having its headquarters in the United States; (5) is an official representative of a foreign government who is en route to or from another country to which that alien is accredited; (6) is an official of a foreign government or a distinguished foreign visitor who has been so designated by the Department of State; or (7) is a foreign law enforcement officer of a friendly foreign government entering the United States on official law enforcement business.
10. **Prohibited person** - Generally, 18 U.S.C. 922(g) prohibits the shipment, transportation, receipt, or possession in or affecting interstate commerce of a firearm by one who: has been convicted of a felony in any federal, including a general court-martial, state or local court, or any other crime, punishable by imprisonment for a term exceeding one year; 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 as a mental defective or has been committed to a mental institution; has been discharged from the Armed Forces under dishonorable conditions; is subject to certain restraining orders; convicted of a misdemeanor crime of domestic violence under federal, including a general court-martial, state or tribal law; has renounced his/her U.S. citizenship; is an alien illegally in the United States or an alien admitted to the United States under a non-immigrant visa. Furthermore, section 922(n) 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 in any federal, including a general court-martial, State or local court, or any other crime, punishable by imprisonment for a term exceeding one year. An information is a formal accusation of a crime verified by a prosecutor.

A member of the Armed Forces must answer "yes" to question 26 if charged with an offense that is referred to a general court-martial. A current or former member of the Armed Forces must answer "yes" to question 27 if convicted under a general court-martial.

Discharged "under dishonorable conditions" means separation from the Armed Forces resulting from a dishonorable discharge or dismissal adjudged by a general court-martial. That term does not include any other discharge or separation.

EXCEPTION - A person is not prohibited from receiving or possessing a firearm if that person: (1) has been convicted of any federal or state offense pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices; (2) has been convicted of a State misdemeanor punishable by imprisonment of two years or less; or (3) following conviction of a felony or other crime for which the judge could have imprisoned the person for more than one year, or a misdemeanor crime of domestic violence, has received a pardon, an expungement or set aside of the conviction, or has lost and regained civil rights (the right to vote, sit on a jury, and hold public office) in the jurisdiction in which the conviction occurred, **AND** the law of the convicting jurisdiction does not prohibit the person from receiving or possessing firearms. A person subject to any of these exceptions, or who received relief from disabilities under 18 U.S.C. 925(c), should answer "no" to the applicable question.

11. **Fugitive from justice** - Any person who has fled from any state to avoid prosecution for a felony or a misdemeanor, or any person who leaves the State to avoid giving testimony in any criminal proceeding. The term also includes any person who knows that misdemeanor or felony charges are pending against such person and who leaves the state of prosecution.
12. **Adjudicated as a mental defective** - A determination by a court, board, commission, or other lawful authority that a person, as a result of marked subnormal intelligence, or mental illness, incompetency, condition, or disease: (1) is a danger to himself or to others; or (2) lacks the mental capacity to contract or manage his own affairs. This term shall include: (1) a finding of insanity by a court in a criminal case; and (2) those persons found incompetent to stand trial or found not guilty by reason of lack of mental responsibility.

13. **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.
- EXCEPTION:** Under the NICS Improvement Amendments Act of 2007, a person who has been adjudicated as a mental defective or committed to a mental institution in a state proceeding is not prohibited by the adjudication or commitment if the person has been granted relief by the adjudicating/committing state pursuant to a qualifying mental health relief from disabilities program. Also, a person who has been adjudicated as a mental defective or committed to a mental institution by a department or agency of the federal government is not prohibited by the adjudication or commitment if either: (a) the person's adjudication or commitment 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; (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/commitment; (d) the adjudication or commitment, respectively, is based solely on a medical finding of disability, without an opportunity for a hearing by a court, board, commission, or other lawful authority, and the person has not been adjudicated as a mental defective consistent with section 922(g)(4) of title 18, United States Code; or (e) the person was granted relief from the adjudicating/committing agency pursuant to a qualified mental health relief from disabilities program. Persons who fall within one of the above exceptions should mark "no" in the applicable box. This exception to an adjudication or commitment by a federal department or agency does **not** apply to any person who was adjudicated to be not guilty by reason of insanity, or based on a lack of mental responsibility, or found incompetent to stand trial, in any criminal case or under the Uniform Code of Military Justice.
14. **Gun Control Act (GCA)** - Title 18, United States Code, Chapter 44. The implementing regulations are found in Title 27, Code of Federal Regulations, Part 478.
15. **Firearm** - The term "firearm" means: (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.
16. **Federal Firearms License (FFL)** - A license issued under the provisions of the GCA to manufacture, import, or deal in firearms.
17. **Employer Identification Number (EIN)** - An EIN is also known as a Federal Tax Identification Number and is used to identify a business entity. Generally, businesses need an EIN. For more information on who needs an EIN and how to apply for one, go to www.IRS.gov or refer to 27 CFR § 179.35.
18. **Special Occupational Tax (SOT)** - Required by the National Firearms Act to be paid by a federal firearms licensee engaged in the business of importing, manufacturing, or dealing in NFA firearms. Questions regarding SOT should be directed to the ATF NFA Branch at (304) 616-4500.

Privacy Act Information

This information is provided pursuant to Section 3 and 7(b) of the Privacy Act of 1974 (5 U.S.C. § 522a(e)(3)):

1. **Authority:** The Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) is authorized to solicit this information under 18 U.S.C. § 923(a) of the Gun Control Act (GCA) of 1968. ATF is authorized to collect this information to determine eligibility of applicants to obtain a federal firearms license (FFL). The implementing regulations are in 27 CFR part 478.
2. **Purpose:** ATF uses the information collected on ATF forms to determine an applicant's eligibility to engage in the business of importing, manufacturing, or dealing in firearms or ammunition, or to maintain a collector's license. The information identifies responsible person(s), verifies compliance with applicable federal, state, and local laws, and supports ATF's regulatory and public safety responsibilities.
3. **Routine uses:** ATF may disclose the information as permitted by the Privacy Act of 1974 (5 U.S.C. § 552a) and in accordance with the System of Records Notice (SORN) JUSTICE/ATF-008 – Regulatory Enforcement Record System. ATF may share the information with federal, state, local, tribal, and foreign law enforcement or regulatory agencies to verify eligibility, support lawful enforcement and compliance activities, and in administrative and judicial proceedings. The information may also be disclosed to the Department of Justice when it appears that furnishing false information may constitute a violation of federal law, or to the public as permitted by law to confirm license validity.
4. **Disclosure:** Providing this information is mandatory under 18 U.S.C. § 923 to obtain an FFL. Failing to provide complete and accurate information will delay application processing and may result in ATF denying a license.

Paperwork Reduction Act Notice

This information collection request is in accordance with the Paperwork Reduction Act of 1995. ATF uses the collected information to determine location and extent of operations, and to determine whether the operations will conform with federal laws and regulations. The information requested is required to retain a benefit and is mandatory by statute (18 U.S.C. § 923). The average burden associated with this collection is 60 minutes per respondent or record keeper, depending on individual circumstances. Direct comments concerning the accuracy of this burden estimate and suggestions for reducing this burden to Reports Management Officer, Information Technology Coordination Staff, Bureau of Alcohol, Tobacco, Firearms, and Explosives, 99 New York Ave, NE, Washington, DC 20226. An agency may not conduct or sponsor, and a person is not required to respond to a collection unless it displays a currently valid OMB control number.