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Divider Title: _____

PUBLIC LAW 103-159—NOV. 30, 1993

**HANDGUN CONTROL, MULTIPLE FIREARM
PURCHASES, AND FEDERAL FIREARMS
LICENSE REFORM**

Public Law 103-159
103d Congress

An Act

To provide for a waiting period before the purchase of a handgun, and for the establishment of a national instant criminal background check system to be contacted by firearms dealers before the transfer of any firearm.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—BRADY HANDGUN CONTROL

SEC. 101. SHORT TITLE.

This title may be cited as the "Brady Handgun Violence Prevention Act".

SEC. 102. FEDERAL FIREARMS LICENSEE REQUIRED TO CONDUCT CRIMINAL BACKGROUND CHECK BEFORE TRANSFER OF FIREARM TO NON-LICENSEE.

(a) INTERIM PROVISION.—

(1) IN GENERAL.—Section 922 of title 18, United States Code, is amended by adding at the end the following:

"(s)(1) Beginning on the date that is 90 days after the date of enactment of this subsection and ending on the day before the date that is 60 months after such date of enactment, it shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell, deliver, or transfer a handgun to an individual who is not licensed under section 923, unless—

"(A) after the most recent proposal of such transfer by the transferee—

"(i) the transferor has—

"(I) received from the transferee a statement of the transferee containing the information described in paragraph (3);

"(II) verified the identity of the transferee by examining the identification document presented;

"(III) within 1 day after the transferee furnishes the statement, provided notice of the contents of the statement to the chief law enforcement officer of the place of residence of the transferee; and

"(IV) within 1 day after the transferee furnishes the statement, transmitted a copy of the statement

to the chief law enforcement officer of the place of residence of the transferee; and

"(ii)(I) 5 business days (meaning days on which State offices are open) have elapsed from the date the transferor furnished notice of the contents of the statement to the chief law enforcement officer, during which period the transferor has not received information from the chief law enforcement officer that receipt or possession of the handgun by the transferee would be in violation of Federal, State, or local law; or

"(II) the transferor has received notice from the chief law enforcement officer that the officer has no information indicating that receipt or possession of the handgun by the transferee would violate Federal, State, or local law;

"(B) the transferee has presented to the transferor a written statement, issued by the chief law enforcement officer of the place of residence of the transferee during the 10-day period ending on the date of the most recent proposal of such transfer by the transferee, stating that the transferee requires access to a handgun because of a threat to the life of the transferee or of any member of the household of the transferee;

"(C)(i) the transferee has presented to the transferor a permit that—

"(I) allows the transferee to possess or acquire a handgun; and

"(II) was issued not more than 5 years earlier by the State in which the transfer is to take place; and

"(ii) the law of the State provides that such a permit is to be issued only after an authorized government official has verified that the information available to such official does not indicate that possession of a handgun by the transferee would be in violation of the law;

"(D) the law of the State requires that, before any licensed importer, licensed manufacturer, or licensed dealer completes the transfer of a handgun to an individual who is not licensed under section 923, an authorized government official verify that the information available to such official does not indicate that possession of a handgun by the transferee would be in violation of law;

"(E) the Secretary has approved the transfer under section 5812 of the Internal Revenue Code of 1986; or

"(F) on application of the transferor, the Secretary has certified that compliance with subparagraph (A)(i)(III) is impracticable because—

"(i) the ratio of the number of law enforcement officers of the State in which the transfer is to occur to the number of square miles of land area of the State does not exceed 0.0025;

"(ii) the business premises of the transferor at which the transfer is to occur are extremely remote in relation to the chief law enforcement officer; and

"(iii) there is an absence of telecommunications facilities in the geographical area in which the business premises are located.

"(2) A chief law enforcement officer to whom a transferor has provided notice pursuant to paragraph (1)(A)(i)(III) shall make a reasonable effort to obtain within 5 business days w er

receipt or possession would be in violation of the law, including research in whatever State and local recordkeeping systems are available and in a national system designated by the Attorney General.

"(3) The statement referred to in paragraph (1)(A)(i)(I) shall contain only—

"(A) the name, address, and date of birth appearing on a valid identification document (as defined in section 1028(d)(1)) of the transferee containing a photograph of the transferee and a description of the identification used;

"(B) a statement that the transferee—

"(i) is not under indictment for, and has not been convicted in any court of, a crime punishable by imprisonment for a term exceeding 1 year;

"(ii) is not a fugitive from justice;

"(iii) is not an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act);

"(iv) has not been adjudicated as a mental defective or been committed to a mental institution;

"(v) is not an alien who is illegally or unlawfully in the United States;

"(vi) has not been discharged from the Armed Forces under dishonorable conditions; and

"(vii) is not a person who, having been a citizen of the United States, has renounced such citizenship;

"(C) the date the statement is made; and

"(D) notice that the transferee intends to obtain a handgun from the transferor.

"(4) Any transferor of a handgun who, after such transfer, receives a report from a chief law enforcement officer containing information that receipt or possession of the handgun by the transferee violates Federal, State, or local law shall, within 1 business day after receipt of such request, communicate any information related to the transfer that the transferor has about the transfer and the transferee to—

"(A) the chief law enforcement officer of the place of business of the transferor; and

"(B) the chief law enforcement officer of the place of residence of the transferee.

"(5) Any transferor who receives information, not otherwise available to the public, in a report under this subsection shall not disclose such information except to the transferee, to law enforcement authorities, or pursuant to the direction of a court of law.

"(6)(A) Any transferor who sells, delivers, or otherwise transfers a handgun to a transferee shall retain the copy of the statement of the transferee with respect to the handgun transaction, and shall retain evidence that the transferor has complied with subclauses (III) and (IV) of paragraph (1)(A)(i) with respect to the statement.

"(B) Unless the chief law enforcement officer to whom a statement is transmitted under paragraph (1)(A)(i)(IV) determines that a transaction would violate Federal, State, or local law—

"(i) the officer shall, within 20 business days after the date the transferee made the statement on the basis of which the notice was provided, destroy the statement, any record

containing information derived from the statement, and any record created as a result of the notice required by paragraph (1)(A)(i)(III);

"(ii) the information contained in the statement shall not be conveyed to any person except a person who has a need to know in order to carry out this subsection; and

"(iii) the information contained in the statement shall not be used for any purpose other than to carry out this subsection.

"(C) If a chief law enforcement officer determines that an individual is ineligible to receive a handgun and the individual requests the officer to provide the reason for such determination, the officer shall provide such reasons to the individual in writing within 20 business days after receipt of the request.

"(7) A chief law enforcement officer or other person responsible for providing criminal history background information pursuant to this subsection shall not be liable in an action at law for damages—

"(A) for failure to prevent the sale or transfer of a handgun to a person whose receipt or possession of the handgun is unlawful under this section; or

"(B) for preventing such a sale or transfer to a person who may lawfully receive or possess a handgun.

"(8) For purposes of this subsection, the term 'chief law enforcement officer' means the chief of police, the sheriff, or an equivalent officer or the designee of any such individual.

"(9) The Secretary shall take necessary actions to ensure that the provisions of this subsection are published and disseminated to licensed dealers, law enforcement officials, and the public."

(2) HANDGUN DEFINED.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

"(29) The term 'handgun' means—

"(A) a firearm which has a short stock and is designed to be held and fired by the use of a single hand; and

"(B) any combination of parts from which a firearm described in subparagraph (A) can be assembled."

(b) PERMANENT PROVISION.—Section 922 of title 18, United States Code, as amended by subsection (a)(1), is amended by adding at the end the following:

"(t)(1) Beginning on the date that is 30 days after the Attorney General notifies licensees under section 103(d) of the Brady Handgun Violence Prevention Act that the national instant criminal background check system is established, a licensed importer, licensed manufacturer, or licensed dealer shall not transfer a firearm to any other person who is not licensed under this chapter, unless—

"(A) before the completion of the transfer, the licensee contacts the national instant criminal background check system established under section 103 of that Act;

"(B)(i) the system provides the licensee with a unique identification number; or

"(ii) 3 business days (meaning a day on which State offices are open) have elapsed since the licensee contacted the system, and the system has not notified the licensee that the receipt of a firearm by such other person would violate subsection (g) or (n) of this section; and

"(C) the transferor verified the identity of the transferee by examining a valid identification document (as defined in

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section 1028(d)(1) of this title) of the transferee containing a photograph of the transferee.

"(2) If receipt of a firearm would not violate section 922 (g) or (n) or State law, the system shall—

"(A) assign a unique identification number to the transfer;

"(B) provide the licensee with the number; and

"(C) destroy all records of the system with respect to the call (other than the identifying number and the date the number was assigned) and all records of the system relating to the person or the transfer.

"(3) Paragraph (1) shall not apply to a firearm transfer between a licensee and another person if—

"(A)(i) such other person has presented to the licensee a permit that—

"(I) allows such other person to possess or acquire a firearm; and

"(II) was issued not more than 5 years earlier by the State in which the transfer is to take place; and

"(ii) the law of the State provides that such a permit is to be issued only after an authorized government official has verified that the information available to such official does not indicate that possession of a firearm by such other person would be in violation of law;

"(B) the Secretary has approved the transfer under section 5812 of the Internal Revenue Code of 1986; or

"(C) on application of the transferor, the Secretary has certified that compliance with paragraph (1)(A) is impracticable because—

"(i) the ratio of the number of law enforcement officers of the State in which the transfer is to occur to the number of square miles of land area of the State does not exceed 0.0025;

"(ii) the business premises of the licensee at which the transfer is to occur are extremely remote in relation to the chief law enforcement officer (as defined in subsection (s)(8)); and

"(iii) there is an absence of telecommunications facilities in the geographical area in which the business premises are located.

"(4) If the national instant criminal background check system notifies the licensee that the information available to the system does not demonstrate that the receipt of a firearm by such other person would violate subsection (g) or (n) or State law, and the licensee transfers a firearm to such other person, the licensee shall include in the record of the transfer the unique identification number provided by the system with respect to the transfer.

"(5) If the licensee knowingly transfers a firearm to such other person and knowingly fails to comply with paragraph (1) of this subsection with respect to the transfer and, at the time such other person most recently proposed the transfer, the national instant criminal background check system was operating and information was available to the system demonstrating that receipt of a firearm by such other person would violate subsection (g) or (n) of this section or State law, the Secretary may, after notice and opportunity for a hearing, suspend for not more than 6 months or revoke any license to the licensee under section 923, and may impose on the licensee a civil fine of not more than \$5,000.

"(6) Neither a local government nor an employee of the Federal Government or of any State or local government, responsible for providing information to the national instant criminal background check system shall be liable in an action at law for damages—

"(A) for failure to prevent the sale or transfer of a firearm to a person whose receipt or possession of the firearm is unlawful under this section; or

"(B) for preventing such a sale or transfer to a person who may lawfully receive or possess a firearm."

(c) PENALTY.—Section 924(a) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking "paragraph (2) or (3) or"; and

(2) by adding at the end the following:

"(5) Whoever knowingly violates subsection (s) or (t) of section 922 shall be fined not more than \$1,000, imprisoned for not more than 1 year, or both."

SEC. 103. NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

(a) DETERMINATION OF TIMETABLES.—Not later than 6 months after the date of enactment of this Act, the Attorney General shall—

(1) determine the type of computer hardware and software that will be used to operate the national instant criminal background check system and the means by which State criminal records systems and the telephone or electronic device of licensees will communicate with the national system;

(2) investigate the criminal records system of each State and determine for each State a timetable by which the State should be able to provide criminal records on an on-line capacity basis to the national system; and

(3) notify each State of the determinations made pursuant to paragraphs (1) and (2).

(b) ESTABLISHMENT OF SYSTEM.—Not later than 60 months after the date of the enactment of this Act, the Attorney General shall establish a national instant criminal background check system that any licensee may contact, by telephone or by other electronic means in addition to the telephone, for information, to be supplied immediately, on whether receipt of a firearm by a prospective transferee would violate section 922 of title 18, United States Code, or State law.

(c) EXPEDITED ACTION BY THE ATTORNEY GENERAL.—The Attorney General shall expedite—

(1) the upgrading and indexing of State criminal history records in the Federal criminal records system maintained by the Federal Bureau of Investigation;

(2) the development of hardware and software systems to link State criminal history check systems into the national instant criminal background check system established by the Attorney General pursuant to this section; and

(3) the current revitalization initiatives by the Federal Bureau of Investigation for technologically advanced fingerprint and criminal records identification.

(d) NOTIFICATION OF LICENSEES.—On establishment of the system under this section, the Attorney General shall notify each licensee and the chief law enforcement officer of each State of

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the existence and purpose of the system and the means to be used to contact the system.

(e) **ADMINISTRATIVE PROVISIONS.**—

(1) **AUTHORITY TO OBTAIN OFFICIAL INFORMATION.**—Notwithstanding any other law, the Attorney General may secure directly from any department or agency of the United States such information on persons for whom receipt of a firearm would violate subsection (g) or (n) of section 922 of title 18, United States Code or State law, as is necessary to enable the system to operate in accordance with this section. On request of the Attorney General, the head of such department or agency shall furnish such information to the system.

(2) **OTHER AUTHORITY.**—The Attorney General shall develop such computer software, design and obtain such telecommunications and computer hardware, and employ such personnel, as are necessary to establish and operate the system in accordance with this section.

(f) **WRITTEN REASONS PROVIDED ON REQUEST.**—If the national instant criminal background check system determines that an individual is ineligible to receive a firearm and the individual requests the system to provide the reasons for the determination, the system shall provide such reasons to the individual, in writing, within 5 business days after the date of the request.

(g) **CORRECTION OF ERRONEOUS SYSTEM INFORMATION.**—If the system established under this section informs an individual contacting the system that receipt of a firearm by a prospective transferee would violate subsection (g) or (n) of section 922 of title 18, United States Code or State law, the prospective transferee may request the Attorney General to provide the prospective transferee with the reasons therefor. Upon receipt of such a request, the Attorney General shall immediately comply with the request. The prospective transferee may submit to the Attorney General information to correct, clarify, or supplement records of the system with respect to the prospective transferee. After receipt of such information, the Attorney General shall immediately consider the information, investigate the matter further, and correct all erroneous Federal records relating to the prospective transferee and give notice of the error to any Federal department or agency or any State that was the source of such erroneous records.

(h) **REGULATIONS.**—After 90 days' notice to the public and an opportunity for hearing by interested parties, the Attorney General shall prescribe regulations to ensure the privacy and security of the information of the system established under this section.

(i) **PROHIBITION RELATING TO ESTABLISHMENT OF REGISTRATION SYSTEMS WITH RESPECT TO FIREARMS.**—No department, agency, officer, or employee of the United States may—

(1) require that any record or portion thereof generated by the system established under this section be recorded at or transferred to a facility owned, managed, or controlled by the United States or any State or political subdivision thereof; or

(2) use the system established under this section to establish any system for the registration of firearms, firearm owners, or firearm transactions or dispositions, except with respect to persons, prohibited by section 922 (g) or (n) of title 18, United States Code or State law, from receiving a firearm.

(j) **DEFINITIONS.**—As in this section:

(1) **LICENSEE.**—The term "licensee" means a licensed importer (as defined in section 921(a)(9) of title 18, United States Code), a licensed manufacturer (as defined in section 921(a)(10) of that title), or a licensed dealer (as defined in section 921(a)(11) of that title).

(2) **OTHER TERMS.**—The terms "firearm", "handgun", "licensed importer", "licensed manufacturer", and "licensed dealer" have the meanings stated in section 921(a) of title 18, United States Code, as amended by subsection (a)(2).

(k) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated, which may be appropriated from the Violent Crime Reduction Trust Fund established by section 1115 of title 31, United States Code, such sums as are necessary to enable the Attorney General to carry out this section.

SEC. 104. REMEDY FOR ERRONEOUS DENIAL OF FIREARM.

(a) **IN GENERAL.**—Chapter 44 of title 18, United States Code, is amended by inserting after section 925 the following new section:

"§ 925A. Remedy for erroneous denial of firearm

"Any person denied a firearm pursuant to subsection (a) or (t) of section 922—

"(1) due to the provision of erroneous information relating to the person by any State or political subdivision thereof, or by the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act; or

"(2) who was not prohibited from receipt of a firearm pursuant to subsection (g) or (n) of section 922,

may bring an action against the State or political subdivision responsible for providing the erroneous information, or responsible for denying the transfer, or against the United States, as the case may be, for an order directing that the erroneous information be corrected or that the transfer be approved, as the case may be. In any action under this section, the court, in its discretion, may allow the prevailing party a reasonable attorney's fee as part of the costs."

(b) **TECHNICAL AMENDMENT.**—The chapter analysis for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 925 the following new item:

"925A. Remedy for erroneous denial of firearm."

SEC. 105. RULE OF CONSTRUCTION.

This Act and the amendments made by this Act shall not be construed to alter or impair any right or remedy under section 552a of title 5, United States Code.

SEC. 106. FUNDING FOR IMPROVEMENT OF CRIMINAL RECORDS.

(a) **USE OF FORMULA GRANTS.**—Section 509(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3759(b)) is amended—

(1) in paragraph (2) by striking "and" after the semicolon;

(2) in paragraph (3) by striking the period and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(4) the improvement of State record systems and the sharing with the Attorney General of all of the records described in paragraphs (1), (2), and (3) of this subsection and the

required by the Attorney General under section 103 of the Brady Handgun Violence Prevention Act, for the purpose of implementing that Act.”.

(b) ADDITIONAL FUNDING.—

(1) GRANTS FOR THE IMPROVEMENT OF CRIMINAL RECORDS.—The Attorney General, through the Bureau of Justice Statistics, shall, subject to appropriations and with preference to States that as of the date of enactment of this Act have the lowest percent currency of case dispositions in computerized criminal history files, make a grant to each State to be used—

(A) for the creation of a computerized criminal history record system or improvement of an existing system;

(B) to improve accessibility to the national instant criminal background system; and

(C) upon establishment of the national system, to assist the State in the transmittal of criminal records to the national system.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for grants under paragraph (1), which may be appropriated from the Violent Crime Reduction Trust Fund established by section 1115 of title 31, United States Code, a total of \$200,000,000 for fiscal year 1994 and all fiscal years thereafter.

TITLE II—MULTIPLE FIREARM PURCHASES TO STATE AND LOCAL POLICE

SEC. 301. REPORTING REQUIREMENT.

Section 923(g)(3) of title 18, United States Code, is amended—

(1) in the second sentence by inserting after “thereon,” the following: “and to the department of State police or State law enforcement agency of the State or local law enforcement agency of the local jurisdiction in which the sale or other disposition took place.”;

(2) by inserting “(A)” after “(3)”; and

(3) by adding at the end thereof the following:

“(B) Except in the case of forms and contents thereof regarding a purchaser who is prohibited by subsection (g) or (n) of section 922 of this title from receipt of a firearm, the department of State police or State law enforcement agency or local law enforcement agency of the local jurisdiction shall not disclose any such form or the contents thereof to any person or entity, and shall destroy each such form and any record of the contents thereof no more than 20 days from the date such form is received. No later than the date that is 6 months after the effective date of this subparagraph, and at the end of each 6-month period thereafter, the department of State police or State law enforcement agency or local law enforcement agency of the local jurisdiction shall certify to the Attorney General of the United States that no disclosure contrary to this subparagraph has been made and that all forms and any record of the contents thereof have been destroyed as provided in this subparagraph.”.

TITLE III—FEDERAL FIREARMS LICENSE REFORM

Federal
Firearms
License Reform
Act of 1993.

18 USC 921 not

SEC. 301. SHORT TITLE.

This title may be cited as the “Federal Firearms License Reform Act of 1993”.

SEC. 302. PREVENTION OF THEFT OF FIREARMS.

(a) COMMON CARRIERS.—Section 922(e) of title 18, United States Code, is amended by adding at the end the following: “No common or contract carrier shall require or cause any label, tag, or other written notice to be placed on the outside of any package, luggage, or other container that such package, luggage, or other container contains a firearm.”.

(b) RECEIPT REQUIREMENT.—Section 922(f) of title 18, United States Code, is amended—

(1) by inserting “(1)” after “(f)”; and

(2) by adding at the end the following new paragraph:

“(2) It shall be unlawful for any common or contract carrier to deliver in interstate or foreign commerce any firearm without obtaining written acknowledgement of receipt from the recipient of the package or other container in which there is a firearm.”.

(c) UNLAWFUL ACTS.—Section 922 of title 18, United States Code, as amended by section 102, is amended by adding at the end the following new subsection:

“(u) It shall be unlawful for a person to steal or unlawfully take or carry away from the person or the premises of a person who is licensed to engage in the business of importing, manufacturing, or dealing in firearms, any firearm in the licensee’s business inventory that has been shipped or transported in interstate or foreign commerce.”.

(d) PENALTIES.—Section 924 of title 18, United States Code, is amended by adding at the end the following new subsection:

“(i)(1) A person who knowingly violates section 922(u) shall be fined not more than \$10,000, imprisoned not more than 10 years, or both.

“(2) Nothing contained in this subsection shall be construed as indicating an intent on the part of Congress to occupy the field in which provisions of this subsection operate to the exclusion of State laws on the same subject matter, nor shall any provision of this subsection be construed as invalidating any provision of State law unless such provision is inconsistent with any of the purposes of this subsection.”.

SEC. 303. LICENSE APPLICATION FEES FOR DEALERS IN FIREARMS.

Section 923(a)(3) of title 18, United States Code, is amended—

(1) in subparagraph (A), by adding “or” at the end;

(2) in subparagraph (B) by striking “a pawnbroker dealing in firearms other than” and inserting “not a dealer in”;

(3) in subparagraph (B) by striking "\$25 per year; or" and inserting "\$200 for 3 years, except that the fee for renewal of a valid license shall be \$90 for 3 years."; and
(4) by striking subparagraph (C).

Approved November 30, 1993.

LEGISLATIVE HISTORY—H.R. 1025 (S. 414):

HOUSE REPORTS: Nos. 103-344 (Comm. on the Judiciary) and 103-412 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 139 (1993):

Nov. 10, considered and passed House.

Nov. 19, 20, considered and passed Senate, amended, in lieu of S. 414.

Nov. 23, House agreed to conference report.

Nov. 24, s agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 29 (1993):

Nov. 30, Pres remarks.

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Divider Title: _____



DIRECTOR

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

BRADY HANDGUN VIOLENCE PROTECTION ACT
QUESTIONS AND ANSWERS
January 21, 1994

1. Q. Who must comply with the 5-day waiting period requirement imposed by the Brady Act?
 - A. Federally licensed firearms importers, manufacturers, and dealers must comply with the requirement prior to the sale, transfer, or delivery of a handgun to a nonlicensed individual.
2. Q. How does the Brady Act affect a Federal firearms licensee?
 - A. The waiting period provisions of the law make it unlawful for any Federal firearms licensee to sell a handgun to a nonlicensee unless the licensee:
 - (1) obtains a statement from the purchaser (Brady form) containing the purchaser's name, address, and date of birth appearing on a valid photo identification, and a statement that the purchaser is not a felon, under indictment, or otherwise prohibited from receiving or possessing the firearm under the law;
 - (2) verifies the identity of the transferee by examining an identification document presented;
 - (3) within 1 day after the purchaser furnishes the statement, contacts (by telephone or otherwise) the chief law enforcement officer (CLEO) of the place of the residence of the purchaser and advises such officer of the contents of the statement;
 - (4) within 1 day after the purchaser furnishes the statement, provides to the chief law enforcement officer of the place of residence of the purchaser a copy of the statement and the officer makes a reasonable effort to determine whether the purchaser is prohibited from possessing the particular handgun(s) sought to be purchased; and
 - (5) the licensee waits 5 business days from the date the licensee furnished notice of the contents of the statement before transferring the handgun to the purchaser (during which period the licensee has not received information from the chief Law enforcement officer that possession of the handgun by the purchaser

would be in violation of the law) OR the licensee receives notice from the chief law enforcement officer of the place of the residence of the purchaser that possession of the handgun by the purchaser does not violate the law.

3. Q. Does the 5-day waiting period requirement apply to sales of handguns to Law Enforcement?

A. No. These sales are exempt. However, the dealer should obtain from the purchaser a certification from the purchaser's commanding officer stating that the handgun is being acquired for official use.

4. Q. What is the effective date of the Brady Act?

A. The waiting period provisions of the law are effective on February 28, 1994 and cease on November 30, 1998. However, the provisions dealing with the increase in license fees, multiple sales reports, transport of firearms by common carriers, and thefts of firearms from a Federal firearms licensee are permanent and were effective on November 30, 1993.

5. Q. Are there any exceptions to the 5-day waiting period requirement?

A. Licensees need not comply with the waiting period requirements in 4 situations. These include handgun transfers (a) pursuant to an official's written statement of the buyer's need for a handgun based upon a threat to life; (b) to buyers having a State permit or whose records have been checked and in either case an official has verified eligibility to possess firearms; (c) of National Firearms Act weapons approved by ATF; and (d) certified by ATF as exempt because compliance with the waiting period is impractical.

6. Q. Must a dealer wait 5 days before transferring the handgun to the buyer?

A. No, if the dealer has received notice from the chief law enforcement officer within the 5 business days that the officer has no information indicating that the buyer's receipt or possession of the handgun would violate the law.

7. Q. When does the 5-day waiting period begin to run?

A. At the time the licensee provides notice to the CLEO.

8. Q. Does the Brady Act apply to licensed collectors?

A. No, except if they purchase other than a curio or relic handgun. In that event they would have to provide the licensed dealer with a Brady form.

9. Q. Why can't the Brady form contain additional identifying information such as P.O.B., gender, SS#, etc.?

A. Because it is restricted to only 5 areas that are specifically referenced under the new law. ATF is offering the buyer the option to place other information on the Brady form.

10. Q. How much checking does the CLEO have to do?

A. The CLEO must conduct a check that involves a reasonable effort to determine whether Federal, State, or local law would prohibit receipt by the transferee. For example, checking NCIC, wanted persons, and triple III.

11. Q. Does the CLEO have to respond to the licensee?

A. No, the law does not specifically require a response either way. However, if the CLEO fails to respond on prohibited buyers, the officer would not be preventing the sale from occurring.

12. Q. What is a "handgun" for purposes of the Brady Act?

A. The term "handgun" means (a) a firearm which has a short stock and is designed to be held and fired by the use of a single hand and (b) any combination of parts from which a firearm described by (a) can be assembled.

13. Q. Is the dealer required by the Brady Act to obtain and retain a copy of the Brady form?

A. Yes.

14. Q. Does the CLEO have to maintain any records?

A. No. Within 20 days after the date the Brady form was signed and dated by the purchaser, the CLEO must destroy all records except those that involved prohibited buyers.

15. Q. Does a licensed collector selling a curio or relic handgun have to obtain a Brady form?
- A. No. Collectors' sales of handguns are not subject to the waiting period requirement. However, a licensed collector would be subject to the requirements of the Brady law if purchasing other than a curio or relic handgun from a licensed dealer.
16. Q. What is the penalty for a buyer's falsification of the Brady form?
- A. A felony offense under 18 U.S.C. 922(a)(6), 924(a)(1)(A).
17. Q. What is the penalty for the failure of a FFL to obtain the Brady form?
- A. Whoever knowingly violates these provisions shall be subject to a fine of not more than \$100,000, imprisonment for not more than one year, or both.
18. Q. Were there any provisions under the Brady Act other than the 5-day waiting period?
- A. Yes. The Act contains provisions dealing with multiple sales reports, transport of firearms by common carriers, thefts of firearms from Federal firearms licensees, and an increase in the license fee for dealers in firearms.
19. Q. What is the change regarding the multiple sales report?
- A. In addition to furnishing multiple sales reports to ATF, licensees are required to submit such reports to the "department of State police or State law enforcement agency of the State or local law enforcement agency of the jurisdiction in which the sale or other disposition took place."
20. Q. Can the CLEO or other law enforcement official maintain a file of Reports of Multiple Sales received from a licensee?
- A. No. The law prohibits keeping records more than 20 days after the date the form is received by the CLEO. Exceptions would be for those forms involving prohibited persons.

21. Q. Will current Federal firearms dealers (including pawnbrokers) have to pay an additional fee to maintain their license?
- A. Upon the next renewal of their license they will be required to pay a \$90 fee for a 3-year period.
22. Q. Does the new law on common and contract carriers require that intrastate carriers obtain written acknowledgement of delivery of firearms?
- A. Yes, if the carrier delivers firearms which are being shipped interstate.
23. Q. What is the penalty for theft of a firearm from the person or premises of a licensed dealer?
- A. As provided by 18 U.S.C. 924(i)(1) - \$250,000 fine, 10 years imprisonment, or both.

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10

Divider Title: _____

BRADY LAW IMPLEMENTATION

Compendium of letters sent to Federal firearm licenses in states subject to the Federal five day waiting period procedures.



DIRECTOR

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

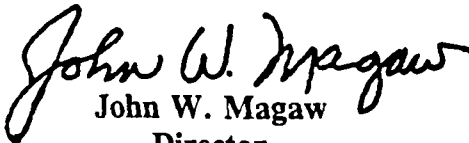
February 16, 1994

OPEN LETTER TO ALL ALABAMA FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in Alabama is the County Sheriff.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the County Sheriff where your business is located, the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to the County Sheriff, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



DIRECTOR

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BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

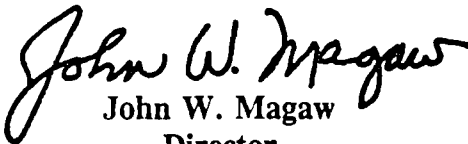
February 16, 1994

OPEN LETTER TO ALL ALASKA FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in Alaska is the Chief of Police in areas having a Police Department or the Alaska State Troopers in areas without a Chief of Police.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the State Police or local law enforcement agency where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the Chief of Police in areas having a Police Department or the Alaska State Troopers in areas without a Chief of Police. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



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WASHINGTON, D.C. 20226

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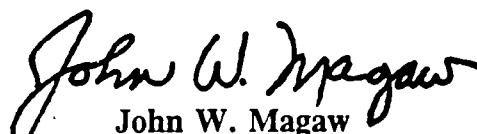
February 17, 1994

OPEN LETTER TO ALL ARIZONA FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in Arizona is the Chief of Police in incorporated areas and the County Sheriff in unincorporated areas. However, in Maricopa County, the Chief of Police, Phoenix Police Department, is the Chief Law Enforcement Officer for both the City of Phoenix and all other municipalities in the metropolitan Phoenix area, and the County Sheriff is the Chief Law Enforcement Officer for the unincorporated areas of the County.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to State or local authorities where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the Chief of Police in incorporated areas or the County Sheriff in unincorporated areas. However, in the City of Phoenix and all other municipalities in the metropolitan Phoenix area, the forms should be sent to the Chief of Police, Phoenix Police Department. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition. Reports to ATF should be sent to the Bureau of ATF, Phoenix Field Division, 3003 North Central Avenue, Suite 1010, Phoenix, Arizona 85012.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



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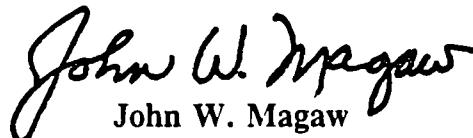
February 16, 1994

OPEN LETTER TO ALL ARKANSAS FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in Arkansas is the Arkansas State Police.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the Arkansas State Police the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to the State, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the Arkansas State Police. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



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WASHINGTON, D.C. 20226

DIRECTOR

February 16, 1994

OPEN LETTER TO ALL COLORADO FEDERAL FIREARMS LICENSEES:

I. Implementation of the Brady law: In a previous open letter, you were advised that Federal firearms licensees in Colorado would be subject to the Brady law which, effective on February 28, 1994, imposes a 5-day waiting period on licensees' sales of handguns to nonlicensees. Under the Brady law, the waiting period requirements are applicable unless State law imposes a requirement that handgun purchasers must undergo a background check.

We are informed that legislation is pending in the Colorado legislature entitled the "Instant Criminal Background Check Systems Act" which would establish a system subjecting handgun purchasers to a background check. Therefore, if this law is enacted and effective on February 28, 1994, handgun sales made in compliance with the State background check system will not be subject to the Federal 5-day waiting period. Regulations will, however, require licensees to maintain records showing that sales were made in compliance with the State system. If this legislation is not enacted and in effect on February 28, 1994, licensees' handgun sales to nonlicensees will be subject to the Federal 5-day waiting period.

Enclosed is material from the Colorado Department of Public Safety regarding the implementation of the Instant Criminal Background Check System Act.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the Colorado Bureau of Investigation ATT: Handguns, 690 Kipling Street, Suite 3000, Denver, Colorado 80215, the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to the State, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the Colorado Bureau of Investigation. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.

John W. Magaw
Director

Enclosure



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BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

February 16, 1994

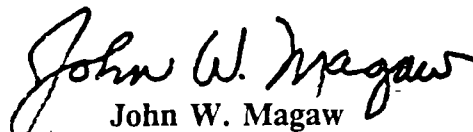
OPEN LETTER TO ALL GEORGIA FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. **For purposes of these requirements, the Chief Law Enforcement Officer in Georgia is the County Sheriff except as indicated on the back of this letter.**

You should note that the Federal waiting period requirements, including the requirement to complete Form 5300.35, do not apply to your transfers of handguns to persons having a Georgia license to carry any pistol or revolver issued within 5 years of the proposed purchase.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the State Police or local law enforcement agency where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. **In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the County Sheriff except as indicated on the back of this letter. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.**

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



DIRECTOR

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

February 18, 1994

OPEN LETTER TO ALL IDAHO FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in Idaho is the Idaho Department of Law Enforcement, Bureau of Criminal Identification, 6064 Corporal Lane, Boise, Idaho 83704-9300, telephone number 1-800-873-2534.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the State Police or local law enforcement agency where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the Chief of Police in incorporated areas or the County Sheriff in unincorporated areas. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



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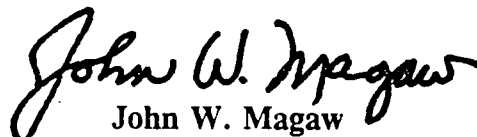
February 17, 1994

OPEN LETTER TO ALL KANSAS FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in Kansas is the County Sheriff, except for the incorporated cities and towns in Johnson County where the Chiefs of Police are the Chief Law Enforcement Officers.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the County Sheriff where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the Kansas Bureau of Investigation, 1620 SW Tyler, Topeka, Kansas 66612-1837 to the attention of Mike Boyer. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



DIRECTOR

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BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

February 18, 1994

OPEN LETTER TO ALL KENTUCKY FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. **For purposes of these requirements, contact the Chief of Police in incorporated areas and the County Sheriff in unincorporated areas to determine who will be the Chief Law Enforcement Officer.**

II. Reporting multiple sales of handguns.

The new law also requires you to report to ATF and to the State Police the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. **You should contact the Chief of Police in incorporated areas and the County Sheriff in unincorporated areas to determine who should receive the report of multiple handgun sales. In reporting to the appropriate authority, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.**

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.

John W. Magaw
Director



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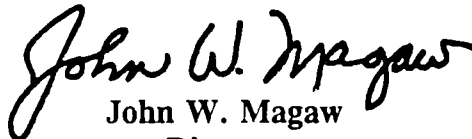
February 16, 1994

OPEN LETTER TO ALL LOUISIANA FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in Louisiana is the Sheriff, except in Orleans Parish where the Chief Law Enforcement Officer is the Superintendent of Police for New Orleans.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the State Police or local law enforcement agency where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the Sheriff except in Orleans Parish where the Chief Law Enforcement Officer is the Superintendent of Police for New Orleans. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



DIRECTOR

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BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
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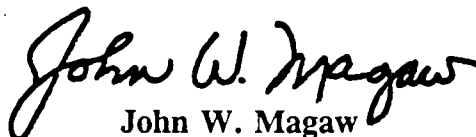
February 16, 1994

OPEN LETTER TO ALL MAINE FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in Maine is the Chief of Police in areas having a municipal police department and the State Police in all other areas.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the State Police or local law enforcement agency where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the Chief of Police in areas having a municipal police department and the State Police in all other areas. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



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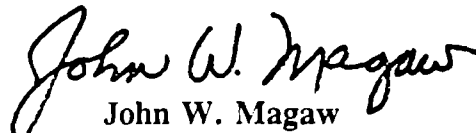
February 16, 1994

OPEN LETTER TO ALL MINNESOTA FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in Minnesota is the Municipal Police Chief. However, where there is no local police agency, the County Sheriff will be the Chief Law Enforcement Officer.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the State Police or local law enforcement agency where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the Municipal Police Chief. However, where there is no local police agency, the form should be sent to the County Sheriff. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



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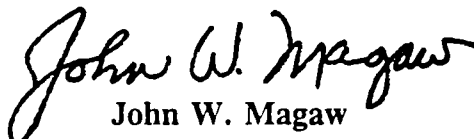
February 16, 1994

OPEN LETTER TO ALL MISSISSIPPI FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in Mississippi is the Chief of Police in incorporated areas and the County Sheriff in unincorporated areas.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the State Police or local law enforcement agency where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the Chief of Police in incorporated areas or the County Sheriff in unincorporated areas. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



DIRECTOR

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

February 16, 1994

OPEN LETTER TO ALL MONTANA FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, contact the Chief of Police in incorporated areas and the County Sheriff in unincorporated areas to determine who will be the Chief Law Enforcement Officer.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to State or local authorities where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. You should contact the Chief of Police in incorporated areas and the County Sheriff in unincorporated areas to determine who should receive the report of multiple handgun sales. In reporting to the appropriate authority, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



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WASHINGTON, D.C. 20226

DIRECTOR

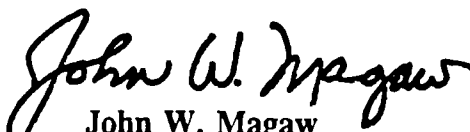
February 16, 1994

OPEN LETTER TO ALL NEVADA FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in Nevada is the Department of Motor Vehicles and Public Safety, Nevada Highway Patrol, Records and Identification Services, 555 Wright Way, Carson City, Nevada 89711, 1-800-474-7865. The local telephone number is 702-687-6200.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the State Police or local law enforcement agency where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the Nevada Highway Patrol at the above address. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

DIRECTOR

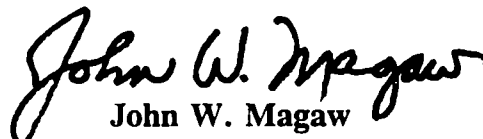
February 16, 1994

OPEN LETTER TO ALL NEW HAMPSHIRE FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in New Hampshire is the Chief of Police or the County Sheriff in areas not covered by a Chief of Police.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the State Police or local law enforcement agency where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the Chief of Police or the County Sheriff in areas not covered by a Chief of Police. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

DIRECTOR

February 16, 1994

OPEN LETTER TO ALL NEW MEXICO FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in New Mexico is the Chief of Police in incorporated areas and the County Sheriff in unincorporated areas.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the State Police or local law enforcement agency where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the Chief of Police in incorporated areas and the County Sheriff in unincorporated areas. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



DIRECTOR

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226
February 17, 1994

OPEN LETTER TO ALL NORTH CAROLINA FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in North Carolina is the County Sheriff.

However, we are informed that legislation is pending in the North Carolina legislature which would establish a permit system subjecting handgun purchasers to a prior background check. Therefore, if this law is enacted and effective on February 28, 1994, handgun sales made to permit holders under the new system will not be subject to the Federal 5-day waiting period. We emphasize that the permit must have been issued on or after the effective date of the legislation. If this legislation is not enacted and in effect on February 28, 1994, licensees' handgun sales to nonlicensees will be subject to the Federal 5-day waiting period.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the County Sheriff where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In meeting this reporting requirement, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the County Sheriff. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



DIRECTOR

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
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February 16, 1994

OPEN LETTER TO ALL NORTH DAKOTA FEDERAL FIREARMS LICENSEES:

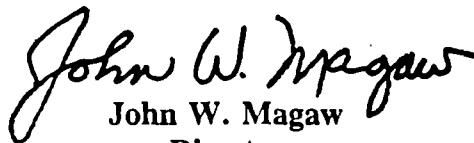
I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in North Dakota is the County Sheriff.

You should contact the County Sheriff of the proposed purchasers' place of residence for information regarding the form of notice required by the Sheriff and/or fees you may be charged for purchaser background checks.

You should note that the Federal waiting period requirements, including the requirement to complete Form 5300.35, do not apply to your transfers of handguns to persons having North Dakota permits to carry concealed handguns issued within 5 years of the proposed purchase.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the State Police or local law enforcement agency where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the County Sheriff. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



DIRECTOR

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

February 18, 1994

OPEN LETTER TO ALL OHIO FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in Ohio is the Attorney General whose designated representative is the Superintendent of the Bureau of Criminal Identification and Investigation.

Enclosed is material from the Ohio Bureau of Criminal Identification and Investigation regarding implementation of the purchaser background check.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the Superintendent of the Bureau of Criminal Identification and Investigation; the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the Superintendent of the Bureau of Criminal Identification and Investigation. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.

John W. Magaw
Director

Enclosure



Attorney General
Lee Fisher

February, 1994

Dear Federal Firearms Dealer:

In November of 1993, President Bill Clinton signed into law the Brady Handgun Violence Prevention Act, commonly known as the Brady Bill. This piece of legislation requires the transferrer, Federal Firearms Licensee (FFL) to initiate a criminal background check on a transferee (Customer) prior to the sale or transfer of any handgun. This criminal background check will be completed by the Bureau of Criminal Identification & Investigation (BCI&I), a section of the Ohio State Attorney General's Office.

The mechanism to accomplish this requirement is as follows: you, as the FFL, shall complete and have signed by the customer a ATF F 5300 "Statement of Intent to Obtain a Handgun(s)". Then the FFL will telephone call the BCI&I using 1-900-484-GUNS. There will be a \$15 charge per call with only one criminal background check being conducted per call for this service accessed to your telephone bill. This number will ring to the BCI&I in the Identification Division where a computerized criminal history check will be conducted on the customer.

1. The operator will receive from the FFL all necessary and available information on the customer. The BCI&I will conduct the background check.
2. If information is obtained which causes the BCI&I to have reasonable belief the sale or transfer of a firearm(s) would cause a violation of law, the BCI&I will communicate to the FFL that the customer is ineligible to receive a handgun within five (5) days.
3. If eligibility cannot be determined or the BCI&I does not communicate an ineligibility to the FFL in five (5) state business days from the time the FFL gives notice to the BCI&I, the FFL has the authority to transfer the firearm to the customer.

To better assure a smooth operation, we recommend that you have available all mandatory and optional information readily at hand to speed the process. The hours of operation will be 8:00 A.M. to 4:45 P.M. Monday through Friday (state and federal holidays exempted).

We are looking forward to providing this service to you with the least amount of disruption or impact on your business. If you have any questions please do not hesitate to call, at 1-614-466-8204.

Respectfully yours,

John R. Lenhart
Superintendent
Ohio Bureau of Criminal
Identification & Investigation

GCB:ch

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Ohio Bureau of Criminal Identification & Investigation
P.O. Box 365 / London, Ohio 43140

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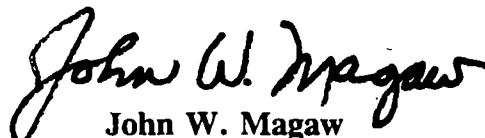
February 16, 1994

OPEN LETTER TO ALL OKLAHOMA FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in Oklahoma is the Chief of Police in incorporated cities and towns, except that the County Sheriff is the Chief Law Enforcement Officer in incorporated cities and towns having no police authority of their own. The Chief Law Enforcement Officer in unincorporated areas is the County Sheriff.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the State Police or local law enforcement agency where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the County Sheriff in unincorporated areas or to the Chief of Police in incorporated cities and towns. However, if the incorporated city or town has no police authority, the form should be sent to the County Sheriff covering the area. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



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BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

DIRECTOR

February 18, 1994

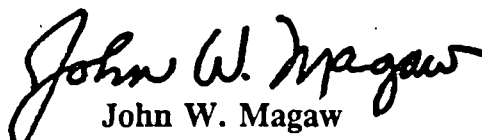
OPEN LETTER TO ALL PENNSYLVANIA FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in Pennsylvania is the County Sheriff except in Philadelphia County where the Chief Law Enforcement Officer shall be the Commissioner of the Philadelphia Police Department.

You should note that the Federal waiting period requirements, including the requirement to complete Form 5300.35, do not apply to your transfers of handguns to persons having a Pennsylvania license to carry a handgun issued within 5 years of the proposed purchase.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the State Police or local law enforcement agency where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the County Sheriff except in Philadelphia County where the report should be sent to the Commissioner of the Philadelphia Police Department. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



DIRECTOR

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

February 17, 1994

OPEN LETTER TO ALL PUERTO RICO FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in Puerto Rico is the Police Superintendent, c/o Jose Marrero, Firearms Bureau Chief, GPO Box 70166, San Juan, Puerto Rico 00936.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the local law enforcement agency where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to Puerto Rican authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the Superintendent at the above address. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.

John W. Magaw
Director



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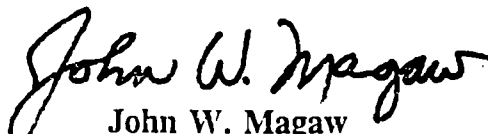
February 16, 1994

OPEN LETTER TO ALL RHODE ISLAND FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a licensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in Rhode Island is the Chief of Police.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to State officials the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistol and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the Rhode Island State Police Detective Division. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



DIRECTOR

DEPARTMENT OF THE TREASURY
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February 16, 1994

OPEN LETTER TO ALL SOUTH CAROLINA FEDERAL FIREARMS LICENSEES:

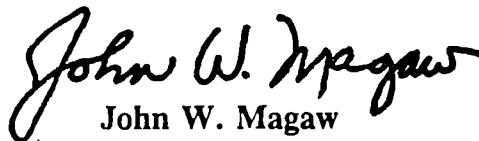
I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in South Carolina is the South Carolina Law Enforcement Division (SLED), telephone number 803-737-9000. South Carolina is implementing a system which will respond to the notice given by you under the Brady Law. The South Carolina Law Enforcement Division will mail the procedures regarding this system to all Federal firearm licensees who currently hold a South Carolina pistol dealers license.

Federally licensed dealers who sell handguns in South Carolina are required under South Carolina Law to obtain a pistol dealers license. For further information concerning this State license requirement, contact:

S.C. Law Enforcement Division, Regulatory Services
Post Office Box 21398
Columbia, South Carolina 29221-1398

II. Reporting multiple sales of handguns. The new law requires Federal firearms licensees to report to ATF and to State Law Enforcement Officials the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. However, South Carolina law prohibits the sale of more than 1 handgun during any 30-day period to a nonlicensee. Therefore, if you comply with this State law, you would have no need to file reports of multiple handgun sales.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



DIRECTOR

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
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February 17, 1994

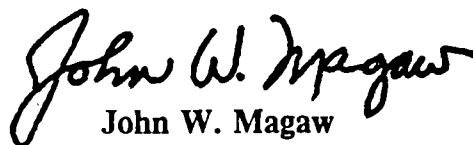
OPEN LETTER TO ALL SOUTH DAKOTA FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in South Dakota is the County Sheriff. You should contact the County Sheriff of the proposed purchasers' place of residence for information regarding any fees you may be charged for purchasers background checks.

You should note that the Federal waiting period requirements, including the requirement to complete Form 5300.35, do not apply to your transfers of handguns to persons having South Dakota permits to carry concealed handguns issued within 5 years of the proposed purchase.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the State Police or local law enforcement agency where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the County Sheriff. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



DIRECTOR

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

February 18, 1994

OPEN LETTER TO ALL TENNESSEE FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in Tennessee can be either the County Sheriff, or the Chief of Police in incorporated areas.

For information on Tennessee firearms laws (Tennessee Code Annotated Section 39-17-1316), see the back of this letter.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the State Police or local law enforcement agency where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the Chief of Police in municipalities or the County Sheriff in other areas. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.

John W. Magaw
Director

Information on Tennessee firearms laws (Tennessee Code Annotated Section 39-17-

1316). Under Tennessee law, the Chief Law Enforcement Officer (CLEO) is defined as the sheriff of the county where the sale is to be made or in some cases the Chief of Police if the sale is within a municipality and a 15-day waiting period is imposed. You must continue to comply with Tennessee law, as well as comply with the requirements of the new Federal law. This means that in those cases where a purchaser resides in another county, you would comply with Federal law by notifying the CLEO where the purchaser resides of the contents of form 5300.35 and sending that official a copy of the form, and you would continue to comply with State law by forwarding the required State information to the CLEO where the purchase is taking place.



DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

DIRECTOR

February 16, 1994

OPEN LETTER TO ALL TEXAS FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in Texas is the Chief of Police in incorporated cities and towns and the County Sheriff in unincorporated areas.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the State Police or local law enforcement agency where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the Chief of Police in incorporated cities and towns or the County Sheriff in unincorporated areas. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8000.


John W. Magaw
Director



DIRECTOR

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

February 16, 1994

OPEN LETTER TO ALL UTAH FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in Utah is the Utah Department of Public Safety, Bureau of Criminal Identification, 4501 South 2700 West, Salt Lake City, Utah 84119, 801-965-4867 (GUNS) or Fax - 801-965-4749.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the State Police or local law enforcement agency where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the Utah Department of Public Safety at the above address. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



DIRECTOR

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

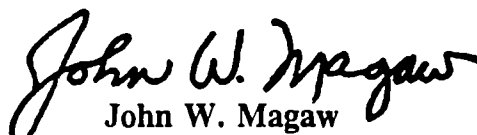
February 17, 1994

OPEN LETTER TO ALL VERMONT FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in Vermont is the Chief of Police, the County Sheriff, or the State Police as indicated on the back of this letter.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the State Police or local law enforcement agency where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the Chief of Police, the County Sheriff, or the State Police as indicated on the back of this letter. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director

In the following counties, the Sheriff will be the Chief Law Enforcement Officer:

Caledonia
Chittenden
Essex
Franklin
Grand Isle
Orange
Orleans
Windham

In Addison County, the Chief Law Enforcement Officer will be Troop C of the State Police except that the Chief Law Enforcement Officer will be the Chief of Police in the towns of Bristol, Middlebury, and Vergennes.

In Lamoille County the Chief Law Enforcement Officer will be the Sheriff except that the Chief Law Enforcement Officer will be the Chief of Police in the town of Morristown.

In Remington County, the Chief Law Enforcement Officer will be the State Police except that the Chief Law Enforcement Officer will be the Chief of Police in the towns of Bennington, Manchester and Winhall.

In Rutland County, the Chief Law Enforcement Officer will be the State Police except that the Chief Law Enforcement Officer will be the Chief of Police in the towns of Brandon and Rutland.

In Washington County, the Chief Law Enforcement Officer will be the County Sheriff except that the Chief Law Enforcement Officer will be the Chief of Police in the town of Montpelier.

In Windsor County, the Chief Law Enforcement Officer will be the State Police except that the Chief Law Enforcement Officer will be the Chief of Police in the towns of Hartford and Springfield.



DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

DIRECTOR

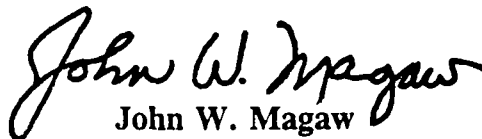
February 16, 1994

OPEN LETTER TO ALL WASHINGTON FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in Washington is the Chief of Police in incorporated areas or the County Sheriff in unincorporated areas.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the State Police or local law enforcement agency where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the Chief of Police in incorporated areas or the County Sheriff in unincorporated areas. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

DIRECTOR

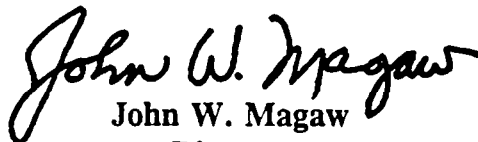
February 17, 1994

OPEN LETTER TO ALL WEST VIRGINIA FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in West Virginia is the West Virginia State Police.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the State Police or local law enforcement agency where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the State Police. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director



DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

DIRECTOR

February 16, 1994

OPEN LETTER TO ALL WYOMING FEDERAL FIREARMS LICENSEES:

I. Implementation of the Federal 5-day waiting period under Brady Law. As previously advised, effective February 28, 1994, the Brady Law requires that prior to your transfer of a handgun to a nonlicensee, you must notify the Chief Law Enforcement Officer where the prospective purchaser resides of the contents of ATF Form 5300.35, Statement Of Intent To Obtain A Handgun(s), and transmit a copy of the form to such officer. The notice must be given and a copy of the statement must be transmitted within 1 day after the purchaser completes the form. For purposes of these requirements, the Chief Law Enforcement Officer in Wyoming is the Chief of Police or the County Sheriff as indicated on the back of this letter.

II. Reporting multiple sales of handguns. The new law also requires you to report to ATF and to the State Police or local law enforcement agency where your business is located the disposition of 2 or more handguns within 5 consecutive business days to a nonlicensee. These reports are to be made on ATF Form 3310.4, Report of Multiple Sale or Disposition of Pistols and Revolvers, and sent no later than the close of business on the day the multiple sale or other disposition occurs. In reporting to State or local authorities, send copy 2 of the 11/92 edition of the form or copy 3 of the 1/94 edition to the Chief of Police or the County Sheriff as indicated on the back of this letter. The report to ATF must be sent on copy 1 of the 11/92 edition or copies 1 and 2 of the 1/94 edition.

For further information, contact your local ATF office or the Firearms and Explosives Division at (202) 927-8300.


John W. Magaw
Director

Albany County - County Records and Communications.

Big Horn County - Sheriff's Department.

Campbell County - (Except City of Gillette) Sheriff's Dept.

Gillette - Chief of Police of Gillette.

Carbon County - (Except Cities of Encampment, Saratoga and Rawlins) Sheriff's Dept.

Chief's of Police in Encampment, Saratoga and Rawlins.

Converse County - (Except City of Glenrock) Chief of Police of Douglas.

Glenrock - Chief of Police Glenrock.

Crook County - Sheriff's Dept.

Fremont County - (Except the City of Riverton) County Sheriff's Dept.

Riverton - Chief of Police Riverton.

Goshen County - Chief of Police of Torrington.

Hot Springs County - County Sheriff's Dept.

Johnson County - Sheriff's Dept.

Laramie County - (Except the City of Cheyenne) County Sheriff's Dept.

Cheyenne - Chief of Police Cheyenne.

Lincoln County - Sheriff's Dept.

Natrona County - Chief of Police of Casper.

Nicbrara County - Sheriff's Dept.

Park County - (Except the City of Powell) Cody Law Enforcement Center.

Powell - Chief of Police Powell

Platte County - Sheriff's Dept.

Sheridan County - Chief of Police - Sheridan.

Sublette County - Sheriff's Dept.

Sweetwater County - (Except the cities of Green River and Rock Springs) County Sheriff's Dept.

Green River - Chief of Police Green River.

Rock Springs - Chief of Police Rock Springs.

Teton County - Sheriff's Dept.

Uinta County - Sheriff's Dept.

Washakie County - Chief of Police of Worland.

Weston County - Chief of Police of Newcastle.

Yellowstone National Park - Law Enforcement Office.