



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives
Seattle Field Division

Seattle, Washington 98174

www.atf.gov

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OPEN LETTER TO ALL ALASKA FEDERAL FIREARMS LICENSEES

The purpose of this Open Letter is to provide guidance to Federal firearms licensees (FFLs) in Alaska regarding firearms transferees whose government issued identification documents indicate a residence address that is neither a street address nor a rural route and box number address. This will occur most often in rural areas of Alaska. The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has received questions concerning unlicensed firearms purchasers who present a State issued driver's license or other government issued identification document that does not show a street address as their residence address.

In an August 29, 2011, Open Letter to All FFLs, ATF advised that a Rural Route address is considered the person's legal residence, and that their address is sufficient on "identification documents" issued by States recognizing rural routes. Accordingly, ATF has determined that FFLs may transfer firearms to customers who provide an identification document listing only a Rural Route address, provided that the purchaser resides in a State or locality where a Rural Route address is considered by the jurisdiction to be a legal residence address.

However, in rural areas of Alaska, the residence address is not always a street or rural route address. For example, the residence address may be a description of the location of the residence such as "300 yards North of the Post Office", "Mile 50 on Old Richardson Highway", "Corner of Main and Lakeview", and "Mile 180 5 Sterling Highway". Descriptions of the residence location are an acceptable address if the State or locality where the purchaser resides considers them the legal residence address.

Section 1028(d)(3), Title 18, U.S.C., defines the term "identification document," in relevant part, to mean a document made or issued by or under the authority of the government, which when completed with information concerning a particular individual, is of a type intended or commonly accepted for the purpose of identification of individuals. The term is further defined in 27 CFR 478.11 as a document that contains "the residence address" of the holder that is a "type intended or commonly accepted for the purpose of identification of individuals."

Federal law at 18 U.S.C. 923(g)(1)(A) also requires that FFLs maintain such records of importation, production, shipment, receipt, sale, or other disposition of firearms at their place of business for such period, and in such form, as the Attorney General may by regulations prescribe. Implementing regulations in 27 CFR 478.124 require FFLs to record firearms transactions with nonlicensed purchasers on a Firearms Transaction Record, ATF Form 4473. The regulations further require that the

Form 4473 include, among other things, the transferee's name, sex, date of birth, and residence address.

As stated above, the identification document must be of a type commonly accepted for the purpose of identification, meaning that the document must include a photograph of the individual and the individual's date of birth and residence address. Because nonlicensed purchasers are generally restricted to their States of residence when acquiring firearms, it is important that an FFL verify that the purchaser is a resident of the State where the FFL's premises are located. The residence address required on Form 4473 must be sufficient to identify the physical location of the purchaser's residence in the event the firearm is the subject of a trace request. For these reasons, Form 4473 states that a P.O. Box is not an acceptable residence address.

Unlike a P.O. Box, a description of the location of the residence may be considered the person's legal residence address, if the address is sufficient on "identification documents" issued by States recognizing the description of the residence as the legal residence address. Accordingly, ATF has determined that FFLs may transfer firearms to customers who provide an identification document listing a description of the residence location, provided that the purchaser resides in a State or locality where that is considered by the jurisdiction to be a legal residence address. In addition, the "identification document" presented must meet all of the requirements of 18 U.S.C. 1028(d) and 27 CFR 478.11.

To validate a purchaser's legal residence address, FFLs are encouraged to take the following steps:

1. Ask the purchaser if the address indicated on the identification document is the actual residence address, receive an affirmative response, and have no reason to believe the address on the identification document is not the actual, legal residence address of the purchaser;
2. Ask the purchaser to complete ATF Form 4473 with the actual physical location of his or her residence in Section 2, "Current Residence Address," including county/borough or similar political subdivision. If the space provided on the form in Section 2 is not sufficient, the purchaser should provide the information on a separate sheet of paper and attach it to the ATF Form 4473. If an attachment is necessary, the FFL should indicate in Section 30c ("For Use by FFL") that a physical address description is attached by writing "physical address attached" or "PA attached." This attachment may include a "metes and bounds" description such as that appearing on a property deed, or it may consist of directions from the nearest U.S. Post Office or other well-known landmark.

If you need additional information, please contact the ATF Anchorage Industry Operations Satellite office at (907) 271-5701.



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