

- Firearm handler check only
- Private party transfer only

Firearms Transaction Record

This form is used to determine if federal or state law prohibits you from receiving a firearm or prohibits the sale or disposition of a firearm to you. Certain violations of the Gun Control Act, 18 U.S.C. § 921 et. seq., are punishable by up to 15 years imprisonment and/or up to a \$250,000 fine.

Transferor's/seller's
transaction
number (if any)

Read the notices, instructions, and definitions section on this form. Prepare original only at the licensed premises or authorized gun show location unless the transaction qualifies under 18 U.S.C. § 922(c). All entries must be handwritten unless completed under ATF Rul. 2016-2. Please print.

1. Transferee's information (if your legal first or middle name is an initial only, write the initial and check "Initial only". If no middle name, check "No middle name")

Last name (including suffix, e.g., Jr, Sr, II, III) _____ First name _____ Initial only Middle name Initial only No middle name
 Current residential address (cannot be a post office box.) _____ City _____ State _____ ZIP code _____
 Birthplace (U.S. city and state) OR (foreign country) _____ Birthdate (mm/dd/yy) _____ Height _____ ft. _____ in. Weight: _____ lbs. Sex Male Female
 Race/Ethnicity: American Indian or Alaska Native Black or African American Middle Eastern/North African White
 (select one or more Asian Hispanic or Latino Native Hawaiian or Other Pacific Islander as applicable)
 Social security number (optional) _____ Unique personal identification number(s) (UPINs) (includes VPIN, RPIN, or AMD ID) (if applicable) _____

2. Transferee eligibility (initial each true statement. WARNING: Do not certify with initials unless ALL parts of each statement are true.)

I attest that the following is true:

- a. I have **not** been convicted of a "crime punishable by more than one year." This includes any crime for which the judge could have imprisoned me for more than one year, even if I received a shorter sentence or probation. The term "court" includes a military court. See instructions for the legal definition of "crime punishable by more than one year." a. _____
- b. I am **not** under indictment or information in any court (including a military court) for any "crime punishable by more than one year." b. _____
- c. I have **not** been convicted in any court of a misdemeanor crime of domestic violence. The term "court" includes a military court. See instructions for the legal definition of "misdemeanor crime of domestic violence," including which family members count as qualifying victims. c. _____
- d. I further attest that **ALL** the following statements are true. (WARNING: Do not certify with initials to the right unless ALL statements are true.)
 - I am **not** an unlawful user of, or addicted to, marijuana or any depressant, stimulant, narcotic drug, or any other controlled substance. (Warning: You can be an unlawful user under federal law, even if your possession is legal under state law. Federal law does not permit the use or possession of marijuana for recreational purposes.) d. _____
 - I am **not** a fugitive from justice.
 - I have **not** been adjudicated as a mental defective OR committed to a mental institution.
 - I have **not** been discharged from the Armed Forces under dishonorable conditions.
 - I am **not** currently subject to a court order restraining me from harassing, stalking, or threatening my child or an intimate partner or child of such partner. The term "court" includes a military court.
 - I have **not** renounced my United States citizenship.
 - I am **not** engaging in a "straw purchase" as that term is defined in the instructions.

3. Transferee citizenship

a. Are you a U.S. citizen? Yes No → What is your country of citizenship? _____
 (skip to (complete (Are you a U.S.-issued alien or admission number (AR#, USCIS#, or I94#)? _____
 transferee (skip to (Are you an alien illegally or unlawfully in the United States? Yes No
 signature) (complete questions to right and below)
 b. Are you an alien who has been admitted to the United States under a nonimmigrant visa? Yes No
 If yes, are you subject to an exception? Valid hunting license or permit Other (specify) _____
 (if checked, FFLs must attach and maintain a legible copy/scan of the exception document or record its information on page 4.)

4. Transferee certification part I (if using form for a firearm handler check, do not complete this; instead complete FHC certification, item 14 on page 4)

- I am attempting to purchase and/or receive the firearms listed on page three. In connection with that, I attest:
- To the best of my information and belief, I am not prohibited from receiving or possessing a firearm under federal, state, or applicable local or tribal law.
 - My answers are true, correct, and complete.
 - I have read and understood the notices, instructions, and definitions for completing this form.
 - I acknowledge that it is unlawful to make false oral or written statements or to exhibit any false misrepresentation of identification with this transfer.

Printed name _____ Signature _____ Certification date (mm/d/yy) _____

NOTICES, INSTRUCTIONS, AND DEFINITIONS

Generally, this form must be completed at the transferor/seller's licensed business premises when a firearm is transferred over the counter. Federal law, 18 U.S.C. § 922(c), allows a firearm to be sold to a non-licensee who does not appear in person at the licensee's business premises if the buyer meets certain requirements in 18 U.S.C. § 922(c) and 27 CFR 478.96(b). In these instructions, the licensee will generally be referred to as the "seller," and the transferee as the "buyer."

The seller will use information on this form to determine whether the transaction is lawful and to maintain a record of the transaction. The seller must be familiar with the provisions of 18 U.S.C. § 921-933, regulations in 27 CFR part 478, and their state laws. When selling or delivering a rifle or shotgun to a resident of another state, the seller is presumed to know the applicable state laws and published ordinances in both the seller's and the buyer's states. (See *State Laws and Published Ordinances - Firearms* (ATF Electronic Publication 5300.5) on <https://www.atf.gov/>.)

If, after transferring a firearm, the seller or the buyer discovers that this form is incomplete or improperly completed, either person may make additions or revisions on a photocopy of this form and attach the photocopy to the form. The buyer's information can be revised only by the buyer, and the seller's only by the seller.

Transferee Responses

The buyer must personally complete page 1 of this form and certify (sign and date) that the answers are true, correct, and complete. If the buyer is unable to read or write on the form, another person (not the seller) may read the form to the buyer and write the buyer's responses (not the signature) on the form. The buyer must also personally attest to the Transferee certification on page 3. Two persons (not the seller) must then sign as witnesses on page 4.

Buyer as an entity: When the buyer is a corporation, company, association, partnership, or other such legal entity, an individual authorized to act on behalf of the entity must –

- Complete page 1 with the individual's personal information;
- Certify the statements on page 1, and page 2 (at the time of transfer), and
- Attach a written statement, executed under penalties of perjury, stating: (A) the firearm is being acquired for the use of and will be the property of the legal entity; and (B) the name and address of the legal entity.

Current residential address:

- A post office box is not a residence address.
- A rural route (RR) may be provided if the buyer lives in a state or locality where a RR is considered a legal residence address.
- If the buyer has more than one residence state, the buyer should list the address where they currently reside (e.g., if purchasing while residing at the buyer's weekend home in state X, list state X).
- If the buyer's photo identification does not list the address provided in response to question 1, the buyer must submit additional proof of residency at that current residential address.

Race and ethnicity: NICS federal regulations (28 CFR 25.7(a)(3)) require licensees to obtain the race of the buyer for FBI/state POC background checks.

Straw purchase: A person may not purchase a firearm for, on behalf of, or at the request or demand of any other person, knowing or having reasonable cause to believe that such other person is prohibited from receiving a firearm under § 922(d), intends to possess or use the firearm in furtherance of a felony, a federal crime of terrorism, or a drug trafficking crime, or intends to sell/dispose of a firearm to another person who intends to commit one of those crimes.

Crime punishable by imprisonment for a term exceeding one year: Any federal or state offense for which the maximum potential penalty is capital punishment or imprisonment more than 1 year. An offense qualifies based on its maximum potential punishment under the law, even if the judge imposed a shorter term or probation. In most cases, a member of the Armed Forces is prohibited if convicted of, or presently charged with, an offense referred to a general court-martial. What constitutes a "conviction" of such a crime is determined by the law of the jurisdiction where the proceedings were held.

Exceptions:

- The term does not include any state offense classified by the laws of the state as a misdemeanor and punishable by a term of imprisonment of 2 years or less.
- It also does not include any federal or state offenses pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices.

In general, you are not considered "convicted" for purposes of question 2.a. if your conviction has been expunged or set aside, or if you have been pardoned or had civil rights restored. But you are considered "convicted" if your pardon, expunction, or

restoration expressly provides that you may not ship, transport, possess, or receive firearms, or the convicting jurisdiction's law prohibits you from receiving or possessing firearms.

Misdemeanor crime of domestic violence: Federal (including military), state, local, or tribal offense that is a misdemeanor under that law and has, as an element, use or attempted use of physical force (e.g. assault and battery), or threatened use of a deadly weapon, when committed by: a current or former spouse of the victim, a parent or guardian of the victim, a person with whom the victim shares a child in common, a person currently or formerly living with the victim as the victim's spouse, parent, or guardian, a person similarly situated to a spouse, parent, or guardian or a person who has a current or recent former dating relationship with the victim.

Fugitive from justice: You are a fugitive from justice if you have fled from any state to avoid prosecution for a felony or a misdemeanor; left the state to avoid giving testimony in any criminal proceeding; or left the state of prosecution knowing that misdemeanor or felony charges are pending against you.

Adjudicated as a mental defective: You have been adjudicated as a mental defective if a court, board, commission, or other lawful authority has determined that, as a result of marked subnormal intelligence, or mental illness, incompetency, condition, or disease, you: (1) are a danger to yourself or others; or (2) you lack mental capacity to contract or manage your own affairs. Includes a finding by a criminal court you were insane, or you were found incompetent to stand trial, or not guilty by reason of lack of mental responsibility.

Committed to a mental institution: You have been committed to a mental institution if you were formally and involuntarily committed to a mental institution by a court, board, commission, or other lawful authority for mental defectiveness, mental illness, or other reasons, such as drug use. Does not include being in a mental institution for observation or voluntary admission. A state or agency may issue relief to persons adjudicated as mental defective or committed to a mental institution.

Discharge under dishonorable conditions: Separation from the Armed Forces because of dishonorable discharge or dismissal by a general court-martial. Other discharges or separations (e.g., bad conduct) are not included.

Qualifying restraining orders: A court order that: was issued after a hearing for which you received actual notice and had an opportunity to participate; restrains you from harassing, stalking, or threatening an intimate partner or child of that intimate partner, or engaging in other conduct that would place that intimate partner in reasonable fear that they, or their child, will suffer bodily injury; and finds you represent a credible threat to the physical safety of that intimate partner or their child, or by its terms explicitly prohibits you from using, attempting to use, or threatening to use physical force against that intimate partner or their child that would reasonably be expected to cause bodily injury. An "intimate partner" of a person is: spouse or former spouse of the person, parent of a child of the person, or an individual who cohabitates or has cohabitated with the person.

Citizenship: A firearm may not be transferred to an alien illegally or unlawfully in the United States. Follow instructions for the buyer's category to complete Question 3: *U.S. citizen or national:* Answer "Yes" to question 3.a.

Non-U.S. Citizen: Answer "No" to question 3.a., identify your country of citizenship, and include your U.S.-issued alien or admission number. If you are a permanent resident alien or an alien legally admitted to the U.S. pursuant to either the Visa Waiver Program or regulations otherwise exempting you from visa requirements, answer "No" to question 3.b. Do not submit additional documents. *Nonimmigrant Visa Holders (e.g. temporarily in U.S. for business, pleasure, study, or temporary foreign worker):* Answer "Yes" to question 3.b, and elect or list the exception claimed under 18 U.S.C. § 922 (y)(2)(A) to receive a firearm. Those admitted to the U.S. for lawful hunting or sporting purposes, or who possess a valid hunting license/permit lawfully issued in the U.S., should check the "valid hunting license or permit" box. Other recognized exceptions include "waiver," "foreign government representative," "foreign government official," "distinguished foreign visitor," or "foreign law enforcement officer." If the "other" box is selected, sellers must confirm that the buyer lists a legally recognized exception and provides documentation.

For additional information on these prohibitions, see ATF Form 4473 Buyer pamphlet on www.atf.gov.

Transferor Instructions

Additional instructions for the transferor's section are in ATF Form 4473 manual on www.atf.gov.

Privacy Act Statement

This information is provided pursuant to sections 3 and 7(b) of the Privacy Act of 1974 (5 U.S.C. § 552a(e)(3)):

Authority: The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is authorized to solicit this information under 18 U.S.C. §§ 922 and 923. ATF is authorized to collect this information as part of its regulatory and law enforcement responsibilities concerning firearms transfers.

Purpose: ATF uses the information collected on this form to determine eligibility of the transferee/buyer to receive and possess firearms under federal law. The statutes require federal firearms licensees (FFLs) to verify the transferee/buyer's identity and conduct a National Instant Criminal Background Check System (NICS) background check before transferring a firearm. This information helps ensure compliance with federal laws and regulations governing firearms transactions and public safety.

Routine uses: ATF may disclose the collected information as permitted by the Privacy Act of 1974 (5 U.S.C. § 552a) and in accordance with System of Records Notice (SORN) Justice/ATF-008, Regulatory Enforcement Record System. ATF may share it with federal, state, local, and foreign law enforcement agencies, regulatory bodies, and other entities as required for law enforcement investigations, regulatory oversight litigation, or national security purposes.

Disclosure: Providing this information is mandatory under 27 CFR 478.124 for persons to lawfully transfer a firearm. However, it is optional to disclose your social security number (SSN). The government may use the SSN to verify identity and prevent misidentification during the NICS background check but does not require it. Failing to provide required information or providing false information on the Form 4473 may result in enforcement actions, including denying the firearms transfer, revoking a license, and potential civil or criminal penalties under federal law).

5. **Firearm information:** Record the number of firearms being transferred during this transaction: _____ (optional).

Manufacturer and importer (if any), or privately made firearm (PMF) (if the manufacturer and importer are different, include both.)	Model (if designated)	Serial number	Type	Caliber or gauge
1. _____	_____	_____	_____	_____
2. _____	_____	_____	_____	_____
3. _____	_____	_____	_____	_____

(list additional firearms on the ATF Form 4473 continuation page)

Check if any part of this transaction is: Pawn redemption Private party transfer

Record the line number(s): _____

Trade/corporate name and address of transferor/seller and federal firearm license number (must contain at least first three and last five digits X-XX-XXXXX; may use hand stamp)

If sale or transfer is at a qualifying gun show or event:

Name of function: _____

Address: _____

City, state, ZIP code: _____

6. **NICS** (obtain photo ID and any applicable residence documents for all applicants, whether 'yes' or 'no' response to this question)

Does this transaction require a NICS check? Yes (complete NICS check and document below) No (also select NICS exemption)
 NICS permit alternative → (FFLs must maintain a legible copy/scan or document the permit on page 4. See qualifying requirements on page 4)
 NFA transaction only

Transmittal date (mm/dd/yy) _____ Response initially provided by NICS/state POC _____ Transaction number _____

If initial response was "delayed," or equivalent, provide the follow-up NICS response
No resolution was provided within three business days (or ten business days if transferee is under 21 years old) Response date (mm/dd/yy) _____

Record any responses provided by NICS/state POC after the firearm has been transferred _____ Date of follow-up response _____

7. **Attachments:** FFLs must attach as part of the permanent record, legible scans/copies, the following documents that are relevant to this transaction. Where the FFL does not obtain copies or the copies/scans are illegible, the FFL must document the information on page 4.

- a. Primary photo identification (required)
- b. Proof of residency or legal name change (if applicable)
- c. Official military orders (i.e., PCS) if used as proof of residency
- d. Exception to the nonimmigrant alien prohibition (if applicable)
- e. NICS alternative qualifying permit (if applicable)
- f. NICS e-Check document (showing date of contact, transaction number and response (if applicable))

8. **Transferee certification part II** (complete at the time the firearm transfer occurs, or, for an 18 U.S.C. § 922(c) transfer, complete immediately)
I attest that:

- I understand that it is unlawful for me to transfer a firearm to any person prohibited by law from receiving or possessing a firearm.
- I understand that the purchase of firearms for the purpose of resale without a federal firearms license is unlawful.
- I understand that it is unlawful for me to export firearms to another country without Department of State or Commerce approval.
- If picking up on a different date from the date on page one, all responses previously provided are still true, correct, and complete, and I am not prohibited from receiving or possessing a firearm under federal, state, or applicable local or tribal law.

- I am the transferee of the firearm(s) listed on this transaction, and I have purchased it with my own money (or other exchange of value).
- I am purchasing the firearm(s) as a bona fide gift for an individual who is not prohibited. The ultimate transferee did not offer me money/service/value for the firearm.
- I am not purchasing the firearm(s), but picking up for myself, a bona fide gift or award, or redeeming my firearm from pawn, consignment, or storage.
- I am picking up a repaired firearm for another person who I have no reason to believe is prohibited.

Printed name _____ Signature _____ Certification date (mm/dd/yy) _____

9. **FFL certification** (complete at the time the firearm transfer occurs or when the transfer is declined, or for 18 U.S.C. § 922(c) transfer, just prior to shipping)

I attest that:

- I have read and understood the notices, instructions, and definitions on this form.
- The information recorded is true, correct, and complete.
- The transferee appeared at the licensed business premises (or at a qualifying gun show or event in the same state), where I witnessed the transferee sign page one, unless this transaction has met the requirements for a non-over-the-counter transaction under 18 U.S.C. § 922(c) (attach supplemental documents if § 922(c) transaction).
- It is my belief that it is not unlawful for me to sell, deliver, transport, or otherwise dispose of the firearm(s) listed on this form.

Printed name _____ Signature _____ Certification date (mm/dd/yy) _____

- Firearm not transferred.
- Non-over-the-counter transaction (attach supplemental sworn statement)

Supplemental Information Page

10. Identification boxes (to be completed if copies/scans are illegible or if no copies/scans are obtained)

a. Primary photo identification document

Issuing authority and type of identification

Identification number

Identification expiration date (if any) (mm/dd/yy)

b. Proof of residency or Legal name change document (if identification document does not show current residence address or legal name)

c. Official military orders establishing permanent change of station (PCS):

PCS base, city, and state

PCS effective date (mm/dd/yy)

PCS orders number (if any)

d. Exception to the nonimmigrant alien prohibition:

e. NICS alternative qualifying permit:

- a. Permit is **valid** and **unexpired**
- b. Permit is not issued more than **five years** ago (even if the permit remains valid under state law)
- c. Permit was issued by the state in which the FFL is located (regardless of the residency of the transferee)
- d. Permit was issued only after an adequate background check was conducted (scan the QR code to view current permit list)



Issuing state and permit type

Date issued (mm/dd/yy) (if any)

Expiration date (if any)

Permit number (if any)

FFLs are not required to accept a qualifying alternate permit in lieu of a NICS background check. If the FFL has reason to believe that the permit is invalid, improperly issued, or otherwise does not meet the requirements of state or federal law, the FFL should conduct a NICS check before transferring the firearm. Whether transferring a firearm pursuant to a NICS background check or upon presentation of a qualifying alternate permit, FFLs must comply with all state and federal laws applicable to the sale, transfer, or delivery of the firearm(s). An FFL should never transfer a firearm where the FFL has reasonable cause to believe the transfer would violate state or federal law.

11. Additional NICS/state POC information (optional)

When the transferee is 21 years old or over:

The firearms transfer may occur on: _____

Date (mm/dd/yy)

An additional delay received by NICS/state POC on: _____

Date

When the transferee is under 21 years old:

The firearms transfer may occur on: _____

Date (mm/dd/yy)

An additional delay received by NICS/state POC on: _____

Date (mm/dd/yy)

Transferee's political subdivision: (NICS may require this information to complete the background check process, particularly for under-21 sales)

City (if any): _____

Parish/borough/county (if any): _____

12. For private party transfers (document private party transferor information)

Name

Residence address

13. For use by licensee

14. Firearm handler check certification:

I have been informed that my employer intends to conduct a background check through the National Instant Criminal Background Check System to determine whether I am legally eligible to possess a firearm. By signing this form, I consent to the background check. I attest that my answers on this form are true, correct, and complete. I further attest that, to the best of my knowledge and belief, I am eligible to possess a firearm under federal law and the jurisdiction in which I intend to work.

Printed name

Signature

Certification date (mm/dd/yy)

Paperwork Reduction Act (PRA) Notice

The information required on this form is in accordance with the PRA of 1995. The purpose of the information is to determine the transferee's eligibility to receive and possess firearms under federal law. The information is subject to inspection by ATF officers and is required by 18 U.S.C. § 922 and 923. The estimated average burden associated with this collection is 30 minutes per respondent or record-keeper, depending on individual circumstances. Direct comments about this burden estimate and suggestions to Contacts and Forms Office, ATF; 99 New York Ave, N.E. Washington, DC 20226. An agency may not conduct or sponsor, and a person is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget control number. Confidentiality is not assured.