

HOLT TACTICAL SOLUTIONS LLC's FCI
FCI-28115

12/01/2022 02:40 PM

IO: (b)(6), Kansas City III (IO) Field Office

LICENSEE INFORMATION

Licensee Name HOLT TACTICAL SOLUTIONS LLC	RDS Key 5-48-04830	License/Permit Number 5-48-209-07-2K-04830	License Type 07 - Manufacturer of Firearms License
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Business Type
Limited Liability Company (LLC)

Premises Ownership Type Owned	Premises Address 3233 N 123rd Terr, Unit N/A, KANSAS CITY, Kansas 66109
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Premises Location Type Required
Single Family Dwelling

Address
3233 N 123rd Terr
Unit N/A
KANSAS CITY, Kansas 66109
WYANDOTTE
United States

Address
3233 N 123rd Terr
Unit N/A
KANSAS CITY, Kansas 66109
WYANDOTTE
United States

Phone Type	Phone Number	Remarks
Business	+1 816-651-7939	

Email Address	Email Remarks
(b)(6)	

Online Presence Type	Online Presence URL	Remarks
Website	www.htsguns.com	

RECOMMENDATIONS

Final Decision Date
Revocation 10/15/2022

Details
FCI-28115
Lead IO: (b)(6)
Inspection Date: 9-24/21

Summary: A compliance inspection was conducted for the above referenced licensee.

Recommendation: REVOCATION

Per the DOJ Comprehensive Strategy to Prevent and Respond to Gun Crime and Ensure Public Safety, the inspection meets revocation standards based upon the licensee's failure to conduct a required background check.

Violation #2 -27 CFR 478.102(a)(2)(ii)

Failure of the licensee to wait 3 business days after a "delayed" NICS initial response. (4 instances)

Violation #3 - 27 CFR 478.102(c)

Failure of the licensee to initiate a new NICS background check after 30 days. (1 instance)

Violation #6 - 27 CFR 478.102(b)

Failure of the licensee to record the NICS transaction record number on the ATF 4473 () instances)

In addition to the background check violations, the licensee's falsification of records also met revocation standards under the DOJ Comprehensive Strategy to Prevent and Respond to Gun Crime and Ensure Public Safety.

Violation #10 - 27 CFR 478.121(c)

Licensee made false entry, omitted entry, and failed to properly maintain required recordkeeping. () instances). These instances were where the licensee (a licensed manufacturer) transferred a completed firearm, the ATF 4473 was documented as a completed rifle or pistol, yet the licensee's records identified the firearm as a firearm receiver.

Notice of Revocation sent 2/28/22

Revocation Hearing held 6/16/22

Final Notice of Revocation sent 9/30/22, effective date of revocation 10/15/22

FFL withdrew renewal application 10/11/22.

FFL and required records received at OOBRC 11/3/22.

FFL did NOT request De Novo Review in District Court.

Out of Business Records and Inventory Management

Licensee Records

Licensee Inventory

✔ Submitted to the Federal Licensing Center

✔ No inventory on hand

Deputy Assistant Director - Industry Operations Hans Hummel's Recommendation
Revocation

Details

Concur with recommendation of field to proceed with revocation.

Special Agent in Charge Frederic Winston's Recommendation

Based upon the violations stated, I concur.

Division Counsel (b)(6) Review

Details

Counsel reviewed and believes there is legal justification to proceed with revocation in this matter. DC suggests focusing on the NICS/background violations, the unlawful conducting of business at multiple out-of-state gun shows, the false records citations and the manufacturing marking violations.

Industry Operations Investigator (b)(6) Recommendation
Revocation

Details

Per the DOJ Comprehensive Strategy to Prevent and Respond to Gun Crime and Ensure Public Safety, the inspection meets revocation standards based upon the licensee's failure to conduct NICS background, to wit: The licensee failed to wait 3 business days after a "delayed" NICS initial response (4 instances); the licensee failed to initiate a new NICS background check after 30 days (1 instance); and the licensee failed to record the NICS transaction record number on the ATF 4473 (instances).

Other violations include: failure to complete multiple sales forms, failure to execute Form 4473s, failure to properly mark manufactured firearms, and failure to timely record acquisition and disposition entries.

Area Supervisor (b)(6) Recommendation
Revocation

Details

FCI-28115
Lead IO: (b)(6)
Inspection Date: 9-24/21

Summary: A compliance inspection was conducted for the above referenced licensee.

Recommendation: REVOCATION

Per the DOJ Comprehensive Strategy to Prevent and Respond to Gun Crime and Ensure Public Safety, the inspection meets revocation standards based upon the licensee's failure to conduct a required background check.

Violation #2 -27 CFR 478.102(a)(2)(ii)

Failure of the licensee to wait 3 business days after a "delayed" NICS initial response. (4 instances)

Violation #3 - 27 CFR 478.102(c)

Failure of the licensee to initiate a new NICS background check after 30 days. (1 instance)

Violation #6 - 27 CFR 478.102(b)

Failure of the licensee to record the NICS transaction record number on the ATF 4473. (instances)

In addition to the background check violations, the licensee's falsification of records also met revocation standards under the DOJ Comprehensive Strategy to Prevent and Respond to Gun Crime and Ensure Public Safety.

Violation #10 - 27 CFR 478.121(c)

Licensee made false entry, omitted entry, and failed to properly maintain required recordkeeping (instances). These instances were where the licensee (a licensed manufacturer) transferred a completed firearm, the ATF 4473 was documented as a completed rifle or pistol, yet the licensee's records identified the firearm as a firearm receiver.

Industry Operations Investigator (b)(6) Recommendation
Revocation

Details

The inspection was conducted outside of normal business hours and therefore, the licensee signed a consent to inspection outside of business hours (see attachments).

Due to internet connectivity issues while conducting the inspection, Spartan was not utilized on site for this inspection.

Revocation is recommended based upon the 7/14/21 Memorandum to All Special Agents in Charge, All Directors of Industry Operations from the Acting Assistant Director (Field Operations). This memorandum describes under part 2 that "Absent extraordinary circumstances, an inspection that results in a finding that an FFL has willfully committed any of the following violations shall result in a revocation recommendation." More specifically, part 2b identifies "failing to conduct a required background check" as one of the five violations elevating inspections to revocation.

Holt Tactical Solutions LLC 4 NICS violations total.

-One was the transfer of a firearm without a NICS response within 3 NICS business days. Licensee transferred two firearms to (b)(6) before the stated NICS Missing Disposition Information (MDI) transfer date of 04/09/2020 (see violations (b)(6) 3/25/2020 478.102(a)(2)(ii): Failure to wait

3 business days (with no NICS/POC response) to transfer a firearm). The MDI date calculates the 3 business days and reflects when the firearm(s) can be transferred under federal law. Since directions were provided, it is considered willful.

-The second instance of a failure to conduct NICS was for a 4473 NTN that was past 30 days (see violation§ (b)(6) 3/10/2020, 27 CFR 478.102 (c): Failure to initiate a new NICS check after 30-day lapse of initial check). The licensee admitted that he was aware of the 30-day requirement, however, stated that he forgot about the requirement at the time of transfer. This again is considered willful as the licensee admitted he was aware of the requirement.

-The third was the transfer of a firearm without a NICS response within 3 NICS business days. Licensee transferred one firearm to (b)(6) before the stated NICS Missing Disposition Information (MDI) transfer date of 04/08/2020 (see violation§ (b)(6) 03/23/2020, 478.102(a)(2)(ii): Failure to wait 3 business days (with no NICS/POC response) to transfer a firearm). The MDI date calculates the 3 business days and reflects when the firearm (s) can be transferred under federal law. Since directions were provided, it is considered willful.

-The fourth was the transfer of a firearm without a NICS response within 3 NICS business days. Licensee transferred one firearm to (b)(6) before the stated NICS Missing Disposition Information (MDI) transfer date of 05/20/2020 (see violation§ (b)(6) 05/14/2020, 478.102(a)(2)(ii): Failure to wait 3 business days (with no NICS/POC response) to transfer a firearm). The MDI date calculates the 3 business days and reflects when the firearm(s) can be transferred under federal law. Since directions were provided, it is considered willful.

Part 2c also identifies "falsifications of records, such as a firearms transaction form" as one of the five violations elevating inspections to revocation. 27 CFR 478.121(c): Making false entry, omitting entry, or failing to properly maintain required recordkeeping.

IOI identified IOI identified instances of licensee completing a transfer of an assembled/manufactured/completed firearm per ATF Form 4473 while licensee's A&D records reflected (b)(3) (112 Public Law 55 125 Stat 552) was transferred and not an assembled/manufactured/completed firearm. IOI verified instances via a forward trace with purchasers that they purchased an assembled/manufactured/completed firearm from Holt Tactical Solutions. IOI verified via records review and interview of George Holt.

IOI identified and verified instances in which the licensee attended and transferred firearms at the Kansas City, MO KCI Gun Show, KCI Expo Center 11730 N Ambassador Dr, Kansas City, MO in violation of 27 CFR 478.100(a)(1): Unlawful conduct of business away from licensed premises.

As a result of these violations and based upon the 7/14/21 Memorandum, and due to Holt's previous disregard for federal law and regulations prior to becoming an FFL. Revocation is recommended.

Inspection Findings

Records and Forms

- 8. Failure to execute a Form 4473 for the transfer of a firearm out of business inventory to an FFL responsible person (other than a sole-proprietor), if the transferee is NOT prohibited.
- 13. Falsify records required under the GCA or making a false or fictitious written statement in the FFL's required records or in applying for a firearms license.

Transfer of Firearm

- 2. Transfer of a firearm prior to receiving a final NICS response (or applicable State POC background check) and 3 business days have not elapsed since the FFL contacted the system and the purchaser is NOT prohibited.

Firearms

- 2. Failure to mark imported or manufactured firearms appropriately.

License Type

- 2. Conducting business at locations not authorized as an extension of the licensed business premises.

NICS

- 3. Failure to conduct a National Instant Criminal Background Check System (NICS) check or obtain alternative permit for the transfer of a firearm out of business inventory to an FFL responsible person (other than a sole-proprietor), if the transferee is not prohibited.
- 4. Failure to conduct a NICS check or obtain an alternate permit.
- 6. Failure to initiate a new NICS check when a transaction is not completed within the 30-day period from the date NICS was initially contacted.
- 7. Failure to record NICS or Point of Contact background check information on (b)(7)(E) of Forms 4473 examined, with a (b)(7)(E) instances.

ELIGIBILITY VERIFICATION

Business Information Verification

Licensee Name	Business Type	Is the business valid?
HOLT TACTICAL SOLUTIONS LLC	Limited Liability Company (LLC)	Yes

Additional Findings

IOI verified that Holt Tactical Solutions is active and in good standing with the State of Kansas through an internet query of the Kansas Business Entity Search Station (BESS) for the Secretary of State's office. No issues of hidden control/ownership were identified.

Attachment(s):

HOLT TACTICAL SOLUTIONS KS 2020 Annual Report.pdf

HOLT TACTICAL SOLUTIONS Articles of INC.pdf

Property Ownership Verification

Premises Ownership Type	Premises Location Type	Has the property ownership been verified?
Owned	Single Family Dwelling	Yes

Address

3233 N 123rd Terr
Unit N/A
KANSAS CITY, Kansas 66109
WYANDOTTE
United States

Additional Findings

The business premises is suitable for the activities conducted. Holt Tactical Solutions current premise is a storefront in which the business is operated out of the back basement entrance to a small strip mall in an urban neighborhood in Kansas City, KS. Business will be conducted in the basement where inventory and records will be stored. According to the Wyandotte County Appraiser's Office, the business premises is owned by (b)(6) leases the basement of the building to Holt Tactical Solutions. During the inspection RP Holt informed IOIs that he had submitted ATF F 5300.38 Application for an Amended Federal Firearms License to change hours and change the premises of his business because his lease was not being renewed. Holt will now operate from (b)(6) Wyandotte County. Off-site storage is not utilized. IOI verified property ownership through an internet query of Wyandotte County, Kansas open records.

Attachment(s):

Holt Tactical Solutions (FFL #5-48-04830) (new Premises) Ownership.pdf

Holt Tactical Solutions (FFL #5-48-04830) Ownership (b)(6).pdf

Zoning Information Verification

Is the proposed business activity in compliance with zoning?

Yes

Additional Findings

There are no zoning regulations prohibiting the licensee's business activities per KSA 12-16,124 which states, "No city or county shall adopt any ordinance, resolution or regulation, and no agent of any city or county shall take any administrative action, governing the purchase, transfer, ownership, storage or transporting of firearms or ammunition, or any component or combination thereof."

Attachment(s):

Zoning Limitations - KSA 12-16, 124 - Firearms and Ammo; Regulation by City or County (2015).pdf

APPOINTMENT DETAILS

Interview Date

09/24/2021

Address

3233 N 123rd Terr, Unit N/A, KANSAS CITY, Kansas 66109

Responsible Attendee(s)

GEORGE HARRISON HOLT IV

Non-Responsible Person(s)

No Items

RESPONSIBLE PERSON(S)

GEORGE HARRISON HOLT IV

Name	Gender	Race	Ethnicity
GEORGE HARRISON HOLT IV	Male	Black	Not Hispanic or Not Latino
Date of Birth	SSN	Job Title	
(b)(6)		OWNER	

Physical Identifiers

Height	Weight	Hair Color	Eye Color
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Place of Birth

Country	State	City
United States Of America	(b)(6)	

Home Address

(b)(6)

United States

Additional Names

Citizenship

United States

ID Type	Country	State	ID Number
Driver's License	United States	Kansas	(b)(6)
Phone Type	Phone Number		Remarks
Mobile	(b)(6)		
Email Address			Email Remarks
(b)(6)			

Criminal History Check

Date Criminal History Check Conducted
09/20/2021

Criminal History Check Comments

A NCIC & III inquiry was conducted with no prohibiting information identified. Queries of NForce disclosed no ATF investigations, open, involving George Holt. (b)(6)

INTERVIEW QUESTIONNAIRE

What is the proposed business activity?

Holt Tactical Solutions is a registered Limited Liability Corporation with the State of Kansas and maintains a Type 07 manufacture's license and has possessed this license since 9/11/2019. Responsible person George Holt's primary job is as (b)(6) FLS was updated to reflect his change of address and change of hours. No signs of hidden ownership were disclosed and is in compliance with local requirements, including zoning.

Holt Tactical Solutions is a manufacturer and dealer of all types of firearms. Specifically, Holt Tactical assembles pistols & rifles from manufactured receivers (e.g., AR-15, AR-10, 700, 300BLK), and sell, transfer and new long guns and handguns. HOLT also noted he owns and operated a tactical body armor business called Holt Tactical. Holt stated he does not perform gunsmithing but could do it on request if needed. Licensee also sells ammunition and firearm accessories from the premises. The licensee does not sell exploding targets, armor piercing ammunition or black powder. Licensee currently does not conduct business at flea markets or gun shows (Licensee has a history of attending and transferring firearms at the Kansas City, MO KCI Gun Show). The licensee advertises his firearms business online at https://www.htsguns.com/ and is also advertised by word of mouth along with utilizing business cards and Facebook.

The license has the necessary tools to perform manufacturing activities and a Type 07 license is appropriate for business activities.

Based on the ATF Forms 4473 activity in the last 12 months the licensee has acquired approximately (b)(4) firearms and disposed of approximately (b)(4) firearms. Holt's primary business has been manufacturing pistols & rifles from manufactured receivers (e.g., AR-15, AR-10, 700). Retail business of tactical body armor and firearms accessories is approximately (b)(4) of business activities and (b)(4) transfers. Licensee does not take firearms in on trade. Holt Tactical Solutions sells approximately (b)(4) new firearms and (b)(4) used. Approximately (b)(4) of their business is selling handguns and (b)(4) long guns.

The licensee main suppliers of firearms are (b)(4)

The licensee does not have variances on file, no variances were requested during the inspection.

Licensee manufactured approximately 130 firearms without applying the required manufacturer marks of identification in accordance with 27 CFR Part 478.92. Licensee was instructed on how to apply the required manufacturer marks of identification engraved or stamped on the frame/receiver of the firearms he would potentially manufacture, which included FFL name, city and state of premise, caliber of the firearm and serial number. Licensee was instructed to confirm that the markings met regulation standards with minimum height of 1/16 inch and a depth of .003 inch.

IOI also explained that all firearm manufacturers were to enroll with the U.S. Tax and Trade Bureau (TTB) and the yearly obligation of firearm manufacturers of reporting and paying excise to TTB regarding all firearms manufactured.

IOI verified the completion and submission of the AMFER to ATF at the end of each calendar year regardless of the number of firearms manufactured. Licensee has incorrectly filled out the AFMER and has not reported all firearms manufactured.

Licensee was also given instruction regarding International Arms Trafficking Regulations (ITAR) and registering with the U.S. Department of State upon initiating firearm manufacturing operations.

Do they need an additional license or permit?

No

Who are their primary suppliers?

The licensee main suppliers of firearms are (b)(4)

Business Activities

Selected Operational Security Measures

Controlled Access to ATF Recordkeeping

Internet Sales/Transfers

Retail

Gunsmith

Gun Show Participant

Internet Sales/Transfers Website

www.htsguns.com

SECURITY WALKTHROUGH

Inspection Area Description

The inspection was conducted at the licensed premise on 09/24/2021 by IOI (b)(6) and IOI (b)(6). The on-site inspection concluded on 11/2/2021. Responsible person George Holt was present during the inspection.

The business premises is suitable for the activities conducted. Holt Tactical Solutions current premise is a storefront in which the business is operated out of the back basement entrance to a small strip mall in an urban neighborhood in Kansas City, KS. Business will be conducted in the basement where inventory and records will be stored. According to the Wyandotte County Appraiser's Office, the business premises is owned by (b)(6) leases the basement of the building to Holt Tactical Solutions. During the inspection RP Holt informed IOIs that he had submitted ATF F 5300.38 Application for an Amended Federal Firearms License to change hours and change the premises of his business because his lease was not being renewed. Holt will now operate from his residence at 3233 N 123rd Terr Kansas City, Kansas 66109 in Wyandotte County. Off-site storage is not utilized. IOI verified property ownership through an internet query of Wyandotte County, Kansas open records.

Holt Tactical Solutions is a manufacturer and dealer of all types of firearms. Specifically, Holt Tactical assembles pistols & rifles from manufactured receivers (e.g., AR-15, AR-10, 700), and sell, transfer and new long guns and handguns. HOLT also noted he owns and operated a tactical body armor business called Holt Tactical. Holt Tactical Solutions stores their inventory in a military weapons cage located in the office area. License plans to keep a minimum inventory on hand between 20-50 firearms on-hand. All records are stored in a file box in the office area. The licensee does not have any off-site storage of records or firearms.

Holt Tactical Solutions utilizes multiple indoor/outdoor cameras in the building. System stores recordings on the DVR and has the capabilities to contact Holt via phone. There were no safety of health concerns identified during the inspection.

The licensee was notified of the right of entry and that records, inventory, and the premise are subject to inspection.

Due to internet connectivity issues while conducting the inspection, Spartan was not utilized on site for this inspection.

The inspection was conducted outside of normal business hours and therefore, the licensee signed a consent to inspection outside of business hours (see attachments).

Primary Activity
Manufacturing

Selected Physical Security Measures

Deadbolts
Security Cameras
Safe(s)/Vault(s)

GPS Coordinates

Latitude
39.12387

Longitude
-94.67303

ONSITE SUMMARY

Total Number of ATF Form 4473s for Inspection Review Period

Total Number of ATF F 4473 Reviewed

Total Number of Open Dispositions in A & D Record

Total Number of Firearms in Inventory
21

Actual Number of Firearms Verified

Number of Firearms Missing Before Reconciliation

Total Number of Firearms Missing After Reconciliation
0

Total Number of Acquisitions in the Last 12 Months

(b)(4)

Total Number of Dispositions in the Last 12 Months

(b)(4)

Onsite Start Date

Onsite End Date

Number of Reported Lost/Stolen Firearms During Inspection Period

Total Number of Traces During Inspection Review Period

Total Number of Those Traces That Were Unresolved

Inspection Period Start Date

Inspection Period End Date

Number Of Traces Resolved By IOI

[Click Here to See List of Perfected Traces](#)

AFMER Verified
Yes

Additional Comments

Acquisition & Disposition (A&D) Record – Inventory:

Holt Tactical Solutions maintains a hand-written A&D record which contained the information required by 27 CFR 478.125(e). Additionally, (b)(3) entries failed to maintain an accurate/complete/timely disposition record of firearms in accordance with 27 CFR 478.123(b) and (b)(3) entries failed to maintain an accurate/complete/timely acquisition record of firearms in accordance with 27 CFR 478.123(a). (b)(3) dispositions from the licensee's A&D record were selected to be verified with its corresponding ATF 4473 with multiple discrepancies identified. 27 CFR 478.121(c): Making false entry, omitting entry, or failing to properly maintain required record keeping.

IOI identified (b)(3) instances of licensee completing a transfer of an assembled/manufactured/completed firearm per ATF Form 4473 while licensee's A&D records reflect (b)(3)(28 USC § 6103) as transferred and not an assembled/manufactured/completed firearm. IOI verified (b)(3) instances via a forward trace with purchasers that they purchased an assembled/manufactured/completed firearm from Holt Tactical Solutions. IOI verified 1 record via records review and interview of George Holt. (b)(3) instances were verified of licensee making false entry, omitting entry, or failing to properly maintain required record keeping in accordance with 27 CFR 478.121(c).

A complete physical inventory of all firearms was conducted and compared to the A&D Record. There were 21 firearms in inventory and (b)(3) open entries in the A&D book. There were approximately (b)(4) firearms acquired and (b)(4) firearms disposed of. No theft or loss reports were submitted during the review period, or as a result of this inspection.

With regards to the licensee's standard operating procedures, George Holt and is the only persons who logs in/out firearms.

In addition, there were no trafficking issues found while reviewing the A&D Book.

There were [redacted] ATF Form 4473's on file for the inspection period of 11/2019 through 9/2021 that were maintained in alphabetical order, licensee stated that they will be filling 4473s in chronological order in the future. There were no record keeping errors found. All [redacted] forms were reviewed with discrepancies identified. Licensee had the following errors on ATF Form 4473:

- 4 instances of failure to report multiple sales or other dispositions of pistols and revolvers in accordance with 27 CFR 478.126a
- 4 instances of failure to wait 3 business days (with no NICS/POC response) to transfer a firearm in accordance with 27 CFR 478.102(a)(2)(ii)
- 1 instance of failure to initiate a new NICS check after 30-day lapse of initial check in accordance with 27 CFR 478.102(c).
- 1 instance of failure to execute an ATF F 4473 in accordance with 27 CFR 478.124(a).
- 1 instance of failure to record a NICS/POC transaction number on an ATF F 4473 in accordance with 27 CFR 478.102(b).
- 1 instance of failure to record NICS contact information on an ATF F 4473 in accordance with 27 CFR 478.124(c)(3)(iv).
- 1 instance of failure to complete forms as prescribed in accordance with 27 CFR 478.21(a).
- 1 instance of failure by transferor to sign and/or date an ATF F 4473 in accordance with 27 CFR 478.124(c)(5); [redacted] instances were recorded it should be noted that approximately 98% of all ATF Form 4473s reviewed did not have boxes 34, 35, 36 or 37 completed. All denials had a fully completed form.
- 1 instance of failure to obtain a completed ATF F 4473 in accordance with 27 CFR 478.124(c)(1)
- 1 instance of failure to verify or record Identification document on ATF F 4473 in accordance with 27 CFR 478.124(c)(3)(i)
- 1 instance of failure to properly document firearm transfers when conducted at alternate locations in accordance with 27 CFR 478.100(c)

The licensee made no transfers to law enforcement officers for official duty. There were 16 transferred NTN on the ATF FFL Audit Log and 16 accounted for on ATF F 4473s. There were no denials in the inspection period that was reviewed. There were no discrepancies. The licensee accepts the Kansas Concealed Carry permit in lieu of a NICS check. Approximately 30% of forms used the state permit in lieu of NICS.

Multiple Sales

Holt Tactical Solutions has [redacted] instances of failure to report multiple sales or other dispositions of pistols and revolvers in accordance with 27 CFR 478.126a

Suspicious/Prohibited Purchasers

It should be noted that Holt does a substantial number of transfers to [redacted] (b)(3) (112 Public Law 55 125 Stat 552), (b)(4) (b)(3) (112 Public Law 55 125 Stat 552), (b)(4)

Trace Activity

Holt Tactical Solutions has [redacted] faces within the last 12 months.

NFA/Importer/Collector/Manufacturer

AFMER was verified however discrepancies were identified [redacted] instances of licensee completing a transfer of an assembled/manufactured/completed firearm per ATF Form 4473 while licensee's A&D records reflected "Lower" "Multi" receiver was transferred and not an assembled/manufactured/completed firearm which were not reflected on the AFMER.

- 23 instances were cited for failure to properly mark firearm(s) with manufacturer city and state in accordance with 27 CFR 478.92(a)(1)(ii)(D)
- 23 instances were cited for failure to properly mark firearm(s) with licensee name in accordance with 27 CFR 478.92(a)(1)(ii)(C)

Additional Findings:

IOI identified and verified [redacted] instances in which the licensee attended and transferred firearms at the Kansas City, MO KCI Gun Show, KCI Expo Center 11730 N Ambassador Dr, Kansas City, MO in violation of 27 CFR 478.100(a)(1): Unlawful conduct of business away from licensed premises.

INSPECTION HISTORY:

ATF Warning Notice of Unlicensed Firearms Manufacturing: May 17, 2019

Summary:

ATF license was applied for as the result of contact which Holt had on 17 May 2019 with ATF SA [redacted] (b)(6) and IOI [redacted] (b)(6). In this interview, Holt discussed his violations of multiple federal firearms laws as he had been manufacturing and selling AR-15 rifles without a license.

For informational purposes, the following paragraphs are from the summary of events recorded by SA [redacted] (b)(6) under NFORCE case number 779030-2019-0022:

1. On May 17, 2019, SA [redacted] (b)(6) and Industry Operations Investigator (IOI) [redacted] (b)(6) met with George HOLT (B/M, DOB [redacted] (b)(6)) at HOLT's residence [redacted] (b)(6). The interview was consensual and conducted inside of HOLT's residence. The interview was audio recorded, with a copy of the recording later downloaded and entered into the system. This report serves to memorialize the fact this consensual interview was conducted. For more detail, please refer to the audio recording. In response to questioning, HOLT stated, in summary and not verbatim, as follows:

2. HOLT said he is currently employed as [redacted] (b)(6). HOLT also noted he owns and operated a tactical body armor business called Holt Tactical. HOLT mentioned he sells his tactical body armor at gun shows. HOLT said he has been doing this for several years, and recently began selling firearms at these gun shows. HOLT advised he observed other businesses selling firearms at gun shows from this 'personal collection.' HOLT saw there were no repercussions from ATF, so HOLT began to build and sell AR15s himself. HOLT agreed he has violated multiple federal firearm laws and was upset and apologetic about his poor decision-making regarding firearms. There was additional discussion about firearms HOLT has sold.

3. HOLT provided several ledgers containing the majority of his firearm sales in the past year. SA [redacted] (b)(6) made copies of these ledgers with HOLT's permission.

4. HOLT was served with the ATF Warning Notice of Unlicensed Firearms Manufacturing. HOLT said he understood and would stop manufacturing and selling firearms.

Prior to the meeting that Holt had with [redacted] (b)(6) and [redacted] (b)(6), firearms that Holt had been selling were turning up in traces. [redacted] (b)(3) (112 Public Law 55 125 Stat 552) traces were found when conducting research on this application which are listed as follows:

Date of Inspection: July 2019

Type of Inspection: Qualification

UI#: FAI-10104

Inspection Results: Approve Application

Explanations: It is recommended that Holt Tactical Solutions be inspected approximately 2 years from now to ensure compliance with federal laws and regulations. This is due to a litany of factors which include the applicant's location, history of traces, past history of knowingly manufacturing without a license (until being confronted by ATF), and the potential need for another license for the premise for the possible pawn activities that may occur in the future. Also, due to Holt's previous disregard for federal law and regulations prior to becoming an FFL, it is also recommended that Holt be inspected soon after a gun show at the KCI Expo Center in 2 years to confirm the proper conduct of business activities.

Attachment(s)

Report of Violations.pdf

Licensee Response to Violations Report.pdf

REPORT OF VIOLATIONS

Regulation	Corrective Actions	Instance Details
<p>27 CFR 478.126a: Failure to report multiple sales or other dispositions of pistols and revolvers</p> <p>ATF Forms 4473 Number of Instances: 1</p>	<p>Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) for all non-reported multiple sales identified as a result of this inspection. Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) by close of the same business day, for all applicable future multiple sales.</p>	<p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>
<p>27 CFR 478.102(a)(2)(ii): Failure to wait 3 business days (with no NICS/POC response) to transfer a firearm</p> <p>ATF Forms 4473: 4 Number of Instances: 4</p>	<p>Retrieve and accurately record (on an ATF Form 4473) a required final NICS/POC background check response prior to all future over-the-counter firearm transactions. Ensure that the minimum time period of three business days (meaning days on which State offices are open).</p>	<p>NICS Violation, NICS Violation, NICS Violation, NICS Violation, (b)(6)</p>
<p>27 CFR 478.102(c): Failure to initiate a new NICS check after 30-day lapse of initial check</p> <p>ATF Forms 4473: 1 Number of Instances: 1</p>	<p>Execute and accurately record (on an ATF Form 4473) a new NICS/POC background check, after any 30-day expiration of a previously conducted NICS/POC check, on all future over-the-counter firearm transactions.</p>	<p>NICS Violation, (b)(6)</p>
<p>27 CFR 478.124(a): Failure to execute an ATF F 4473</p> <p>ATF Forms 4473 Number of Instances: 4</p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>
<p>27 CFR 478.100(a)(1): Unlawful conduct of business away from licensed premises</p> <p>Number of Instances: 4</p>	<p>Cease and desist engaging in activities not authorized by current license type.</p>	<p>Licensee attended and transferred firearms at the Kansas City, MO KCI Gun Show October 24 & 25 2020. KCI Expo Center 11730 N Ambassador Dr, Kansas City, MO. IOIs interviewed Holt and Holt stated all firearms were sold at the KCI Gun Show. Holt stated that during the show St. Louis Tactical 5-43-14844, D&S Guns 5-43-12000, and Scott Shooting Sports 5-43-13092 asked him to transfer the pistols and receivers to Kansas residents since he was a KS dealer.</p> <p>Licensee attended and transferred firearms at the Kansas City, MO KCI Gun Show February 15th and 16th 2020. KCI Expo Center 11730 N Ambassador Dr, Kansas City, MO. IOIs interviewed Holt and Holt stated all firearms were sold at the KCI Gun Show</p> <p>Licensee attended and transferred firearms at the Kansas City, MO KCI Gun Show October 26 & 27 2019. KCI Expo Center 11730 N Ambassador Dr, Kansas City, MO. IOIs interviewed Holt and Holt stated all firearms were sold at the KCI Gun Show</p> <p>Licensee attended and transferred firearms at the Kansas City, MO KCI Gun Show December 21st and 22nd 2019. KCI Expo Center 11730 N Ambassador Dr, Kansas City, MO. IOIs interviewed Holt and Holt stated all firearms were sold at the KCI Gun Show</p>
<p>27 CFR 478.102(b): Failure to record a NICS/POC transaction number on an ATF F 4473</p> <p>ATF Forms 4473 Number of Instances: 6</p>	<p>Ensure that all required NICS/POC background check information is obtained, validated and accurately recorded on all future ATF Forms 4473, Section B. Retrieve and accurately record (on an ATF Form 4473) a required final NICS/POC background check response prior to all future over-the-counter firearm transactions.</p>	<p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>
<p>27 CFR 478.21(a): Failure to complete forms as prescribed</p> <p>ATF Forms 4473</p>	<p>Complete all forms as prescribed. Correct/Update photocopies of all specified ATF Form 4473 discrepancies, in accordance with form headings and instructions.</p>	<p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>

Ensure that all ATF Form 4473 items, as required by form headings and instructions, are accurately completed on all future transactions.

Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions.

Ensure that the transferee/buyer provides required signature and date, on ATF Form 4473 Section C, for all transactions taking place on a date different from when Section A was certified.

Ensure that the required transferor/seller printed name and title is obtained, validated and accurately recorded on all future ATF Forms 4473, Section D.

Ensure that the most up-to-date version of the ATF Form 4473 is used for all future over-the-counter transactions.

Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.

(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

7

27 CFR 478.92(a)(1)(ii)(C):
Failure to properly mark firearm (s) with licensee name

Number of Instances: 23

Cease and desist transacting firearms until required identification markings are properly engraved, casted, stamped or otherwise conspicuously placed on each firearm.

Complete and submit ATF Form 3311.4 - Application for Alternate Means of Identification of Firearms.

- Holt Tactical Solutions, (b)(6) RIFLE, .308
- Holt Tactical Solutions, AM-15, (b)(6) PISTOL, 5.56
- Holt Tactical Solutions, X15, (b)(6) PISTOL, 5.56
- Holt Tactical Solutions, AM15, (b)(6) RIFLE, 5.56
- Holt Tactical Solutions, AM-15, (b)(6) PISTOL, Multi
- Holt Tactical Solutions, AM-15, (b)(6) RIFLE, Multi
- Holt Tactical Solutions, X15, (b)(6) RIFLE, 6.88
- Holt Tactical Solutions, AM15, (b)(6) RIFLE, Multi
- Holt Tactical Solutions, MilSport, (b)(6) RIFLE, .458
- Holt Tactical Solutions, AM15, (b)(6) RIFLE, .300BLK
- Holt Tactical Solutions, AM15, (b)(6) RIFLE, Multi
- Holt Tactical Solutions, AM15, (b)(6) RIFLE, 5.56
- Holt Tactical Solutions, AM-15, (b)(6) PISTOL, Multi
- Holt Tactical Solutions, ST15, (b)(6) PISTOL, 5.56
- Holt Tactical Solutions, PA-15, (b)(6) RIFLE, Multi
- Holt Tactical Solutions, MilSport, (b)(6) RIFLE, 5.56
- Holt Tactical Solutions, AM15, (b)(6) RIFLE, 5.56
- Holt Tactical Solutions, MilSport, (b)(6) RIFLE, 5.56
- Holt Tactical Solutions, AM-15, (b)(6) RIFLE, 223/5.56
- Holt Tactical Solutions, MilSport, (b)(6) RIFLE, 5.56
- Holt Tactical Solutions, AM-15, (b)(6) RIFLE, .223/5.56
- Holt Tactical Solutions, AM-15, (b)(6) RIFLE, .223/5.56
- Holt Tactical Solutions, AM-15, (b)(6) RIFLE, 5.56

8

27 CFR 478.92(a)(1)(ii)(D):
Failure to properly mark firearm
(s) with manufacturer city and
state

Number of Instances: 23

Cease and desist transacting firearms until
required identification markings are properly
engraved, casted, stamped or otherwise
conspicuously placed on each firearm.
Complete and submit ATF Form 3311.4 -
Application for Alternate Means of
Identification of Firearms.

Holt Tactical Solutions, (b)(6) RIFLE, .308
Holt Tactical Solutions, AM-15, (b)(6) PISTOL, 5.56
Holt Tactical Solutions, X15, (b)(6) PISTOL, 5.56
Holt Tactical Solutions, AM15, (b)(6) RIFLE, 5.56
Holt Tactical Solutions, AM-15, (b)(6) PISTOL, Multi
Holt Tactical Solutions, AM-15, (b)(6) RIFLE, Multi
Holt Tactical Solutions, X15, (b)(6) RIFLE, 6.88
Holt Tactical Solutions, AM15, (b)(6) RIFLE, Multi
Holt Tactical Solutions, Milspori, (b)(6) RIFLE, .458
Holt Tactical Solutions, AM15, (b)(6) RIFLE, .300BLK
Holt Tactical Solutions, AM15, (b)(6) RIFLE, Multi
Holt Tactical Solutions, AM15, (b)(6) RIFLE, 5.56
Holt Tactical Solutions, AM-15, (b)(6) PISTOL, Multi
Holt Tactical Solutions, ST15, (b)(6) PISTOL, 5.56
Holt Tactical Solutions, PA-15, (b)(6) RIFLE, Multi
Holt Tactical Solutions, Milspori, (b)(6) RIFLE, 5.56
Holt Tactical Solutions, AM15, (b)(6) RIFLE, 5.56
Holt Tactical Solutions, Milspori, (b)(6) RIFLE, 5.56
Holt Tactical Solutions, AM-15, (b)(6) RIFLE, 223/5.56
Holt Tactical Solutions, Milspori, (b)(6) RIFLE, 5.56
Holt Tactical Solutions, AM-15, (b)(6) RIFLE, .223/5.56
Holt Tactical Solutions, AM-15, (b)(6) RIFLE, .223/5.56
Holt Tactical Solutions, AM-15, (b)(6) RIFLE, 5.56

9

27 CFR 478.121(c): Making false
entry, omitting entry, or failing to
properly maintain required
recordkeeping

Number of Instance:

Cease and desist from engaging in deceptive
practices.

(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

10

(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

		(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)	
11	<p>27 CFR 478.123(b): Failure to maintain an accurate/complete/timely licensee disposition record</p> <p>Number of Instances: <input type="text"/></p>	<p>Accurately, completely & timely record all required future firearm disposition information. Amend/Update A&D Record to accurately record all required firearm disposition information.</p> <p>Resume proper maintenance of required acquisition and disposition record.</p>	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)
12	<p>27 CFR 478.123(a): Failure to maintain an accurate/complete/timely manufacture or acquisition record</p> <p>Number of Instances: <input type="text"/></p>	<p>Accurately, completely & timely record all required future firearm acquisition information. Amend/Update A&D Record to accurately record all required firearm acquisition information.</p> <p>Resume proper maintenance of required acquisition and disposition record.</p>	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)
13	<p>27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473</p> <p>ATF Forms 4473: <input type="text"/></p> <p>Number of Instances: <input type="text"/></p>	<p>Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions.</p> <p>Ensure that the transferee/buyer provides required signature and date, on ATF Form 4473 Section C, for all transactions taking place on a date different from when Section A was certified.</p> <p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)
14	<p>27 CFR 478.100(c): Failure to properly document firearm transfers when conducted at alternate locations</p> <p>ATF Forms 4473: <input type="text"/></p> <p>Number of Instances: <input type="text"/></p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)
15	<p>27 CFR 478.124(c)(3)(i): Failure to verify or record Identification document on ATF F 4473</p> <p>ATF Forms 4473: <input type="text"/></p> <p>Number of Instances: <input type="text"/></p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p> <p>Ensure that all required transferee/buyer identification information is obtained and accurately recorded on all future ATF Forms 4473, Section B.</p> <p>Execute a required NICS/POC background check for all future over-the-counter firearm transactions.</p> <p>Ensure that all required NICS/POC background check information is obtained and accurately recorded on all future ATF Forms 4473, Section B.</p>	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)
	<p>27 CFR 478.124(c)(3)(iv): Failure to record NICS contact information on an ATF F 4473</p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p> <p>Ensure that all required transferee/buyer</p>	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

<p>16</p> <p>ATF Forms 4473 Number of Instances</p>	<p>identification information is obtained and accurately recorded on all future ATF Forms 4473, Section B.</p> <p>Execute a required NICS/POC background check for all future over-the-counter firearm transactions.</p> <p>Ensure that all required NICS/POC background check information is obtained and accurately recorded on all future ATF Forms 4473, Section B.</p>	<p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>
<p>17</p> <p>27 CFR 478.124(c)(5): Failure by transferor to sign and/or date an ATF F 4473</p> <p>ATF Forms 4473 Number of Instance</p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p> <p>Ensure that the required transferor/seller signature and date of transfer is obtained, validated and accurately recorded on all future ATF Forms 4473, Section D.</p>	<p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>

LICENSEE RESPONSE REPORT

Regulation	Corrective Actions	Licensee Response	Status Details
<p>27 CFR 478.126a: Failure to report multiple sales or other dispositions of pistols and revolvers</p> <p>ATF Forms 4473 Number of Instances</p> <p>1</p>	<p>Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) for all non-reported multiple sales identified as a result of this inspection. Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) by close of the same business day, for all applicable future multiple sales.</p>	<p>"I went ahead and sent them in (b)(6) was from the gun show and I forgot. Thought it was 3 firearms or more but it was 2 that is why I didn't do it"</p>	<p>Status Correction Verified</p> <p>Verified Method In Person</p> <p>Date Correction Verified 12/02/2021</p>

2	<p>27 CFR 478.102(a)(2)(ii): Failure to wait 3 business days (with no NICS/POC response) to transfer a firearm</p> <p>ATF Forms 4473: 4 Number of Instances: 4</p>	<p>Retrieve and accurately record (on an ATF Form 4473) a required final NICS/POC background check response prior to all future over-the-counter firearm transactions.</p> <p>Ensure that the minimum time period of three business days (meaning days on which State offices are open).</p>	<p>"I didn't realize it was 3 NICS days and thought it was just 3 days and didn't realize I had to follow the NICS provided transfer date as long as I waited just 3 days. (b)(6) was delayed but then he brought in a CCW and I thought I could just take that then he was denied a day or so later.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 12/02/2021</p>
3	<p>27 CFR 478.102(c): Failure to initiate a new NICS check after 30-day lapse of initial check</p> <p>ATF Forms 4473: 1 Number of Instances: 1</p>	<p>Execute and accurately record (on an ATF Form 4473) a new NICS/POC background check, after any 30-day expiration of a previously conducted NICS/POC check, on all future over-the-counter firearm transactions.</p>	<p>"I knew but didn't know a lot of this stuff but I have learned it. Thought it was something like 30 or 40 days."</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 12/02/2021</p>
4	<p>27 CFR 478.124(a): Failure to execute an ATF F 4473</p> <p>ATF Forms 4473: [redacted] Number of Instances: [redacted]</p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p>"I thought because I was a FFL, I didn't need to do a background check and a ATF 4473 on myself."</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 12/02/2021</p>
5	<p>27 CFR 478.100(a)(1): Unlawful conduct of business away from licensed premises</p> <p>Number of Instances: [redacted]</p>	<p>Cease and desist engaging in activities not authorized by current license type.</p>	<p>"I thought I could sell at MO gun shows and accept transfers from other MO dealers to be able to transfer pistols and receivers to KS residents at the gun show since I am a KS dealer. I thought (b)(6) said during the application process I couldn't sell at the MO gunshow anymore as a private individual. I realized and stopped when I got an email from ATF that said no more out of state gun shows, so I stopped."</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 12/02/2021</p>
6	<p>27 CFR 478.102(b): Failure to record a NICS/POC transaction number on an ATF F 4473</p> <p>ATF Forms 4473: [redacted] Number of Instances: [redacted]</p>	<p>Ensure that all required NICS/POC background check information is obtained, validated and accurately recorded on all future ATF Forms 4473, Section B.</p> <p>Retrieve and accurately record (on an ATF Form 4473) a required final NICS/POC background check response prior to all future over-the-counter firearm transactions.</p>	<p>"I know I needed to complete all the information. I got busy and don't have any other excuse."</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 12/02/2021</p>
7	<p>27 CFR 478.21(a): Failure to complete forms as prescribed</p> <p>ATF Forms 4473: [redacted] Number of Instances: [redacted]</p>	<p>Complete all forms as prescribed.</p> <p>Correct/Update photocopies of all specified ATF Form 4473 discrepancies, in accordance with form headings and instructions.</p> <p>Ensure that all ATF Form 4473 items, as required by form headings and instructions, are accurately completed on all future transactions.</p> <p>Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions.</p> <p>Ensure that the transferee/buyer provides required signature and date, on ATF Form 4473 Section C, for all transactions taking place on a date different from when Section A was certified.</p> <p>Ensure that the required transferor/seller printed name and title is obtained, validated and accurately recorded on all future ATF Forms 4473, Section D.</p> <p>Ensure that the most up-to-date version of the ATF Form 4473 is used for all future over-the-counter transactions.</p> <p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p>"I didn't think I had to complete the last part of the form since it was approved. I thought they were good to go I filled it out on the denied forms because I wanted to make everything was correct since they didn't get approved for the firearm and then it was good to go."</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 12/02/2021</p>

8	<p>27 CFR 478.92(a)(1)(ii)(C): Failure to properly mark firearm(s) with licensee name</p> <p>Number of Instances: 23</p>	<p>Cease and desist transacting firearms until required identification markings are properly engraved, casted, stamped or otherwise conspicuously placed on each firearm.</p> <p>Complete and submit ATF Form 3311.4 - Application for Alternate Means of Identification of Firearms.</p>	<p>"I didn't know I had to mark them as long as I wasn't the producer. I thought I could buy an Anderson receiver and it was fine since it had their markings. I have 8 receivers at an engraver right now."</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 12/02/2021</p>
9	<p>27 CFR 478.92(a)(1)(ii)(D): Failure to properly mark firearm(s) with manufacturer city and state</p> <p>Number of Instances: 23</p>	<p>Cease and desist transacting firearms until required identification markings are properly engraved, casted, stamped or otherwise conspicuously placed on each firearm.</p> <p>Complete and submit ATF Form 3311.4 - Application for Alternate Means of Identification of Firearms.</p>	<p>"I didn't know I had to mark them as long as I wasn't the producer. I thought I could buy an Anderson receiver and it was fine since it had their markings. I have 8 receivers at an engraver right now."</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 12/02/2021</p>
10	<p>27 CFR 478.121(c): Making false entry, omitting entry, or failing to properly maintain required recordkeeping</p> <p>Number of Instances: <input type="text"/></p>	<p>Cease and desist from engaging in deceptive practices.</p>	<p>"I talked to different FFLs at gun shows and realized I was doing it wrong then talked to ther dealers that have been doing it for years and they said I only need to put down receiver so I went back to that. I had the ATF phone numbers but didn't call since they had been dealers and doing it for years. I learned I shouldn't do that"</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 12/02/2021</p>
11	<p>27 CFR 478.123(b): Failure to maintain an accurate/complete/timely licensee disposition record</p> <p>Number of Instances: <input type="text"/></p>	<p>Accurately, completely & timely record all required future firearm disposition information.</p> <p>Amend/Update A&D Record to accurately record all required firearm disposition information.</p> <p>Resume proper maintenance of required acquisition and disposition record.</p>	<p>"I got the information filled out now. Some were last minute trasfers or a guy came in right before I had to leave to work. I thought I would fill them out later but got busy and never did. I hjad too many things going on at one time."</p>	<p>Status Correction Verified</p> <p>Verified Method In Person</p> <p>Date Correction Verified 12/02/2021</p>
12	<p>27 CFR 478.123(a): Failure to maintain an accurate/complete/timely manufacture or acquisition record</p> <p>Number of Instances: <input type="text"/></p>	<p>Accurately, completely & timely record all required future firearm acquisition information.</p> <p>Amend/Update A&D Record to accurately record all required firearm acquisition information.</p> <p>Resume proper maintenance of required acquisition and disposition record.</p>	<p>"I got the information filled out now. Some were last minute trasfers or a guy came in right before I had to leave to work. I thought I would fill them out later but got busy and never did. I hjad too many things going on at one time."</p>	<p>Status Correction Verified</p> <p>Verified Method In Person</p> <p>Date Correction Verified 12/02/2021</p>
13	<p>27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473</p> <p>ATF Forms 4473: <input type="text"/></p> <p>Number of Instances: <input type="text"/></p>	<p>Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions.</p> <p>Ensure that the transferee/buyer provides required signature and date, on ATF Form 4473 Section C, for all transactions taking place on a date different from when Section A was certified.</p> <p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p>"I asked the guy who answered yes and he said he wasn't prohibited so I called it in and didn't have him change it."</p> <p>"Did I transfer to the guy who left the questions blank? I usually look over the form real quick to make sure it is complete."</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 12/02/2021</p>
	<p>27 CFR 478.100(c): Failure to properly document firearm transfers when conducted at alternate locations</p> <p>ATF Forms 4473: <input type="text"/></p> <p>Number of Instances: <input type="text"/></p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p>"Just rushed through the forms it is just me at the gun shows and I got busy and put it in a file and forgot about it and forgot to complete it. I never completed the gun show box, I knew about it just didn't think I had to complete it, it</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified</p>

14			wasn't to deceive."	12/02/2021
15	<p>27 CFR 478.124(c)(3)(i): Failure to verify or record Identification document on ATF F 4473</p> <p>ATF Forms 4473: [] Number of Instances: []</p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p> <p>Ensure that all required transferee/buyer identification information is obtained and accurately recorded on all future ATF Forms 4473, Section B.</p> <p>Execute a required NICS/POC background check for all future over-the-counter firearm transactions.</p> <p>Ensure that all required NICS/POC background check information is obtained and accurately recorded on all future ATF Forms 4473, Section B.</p>	<p>"I was just rushing through them. I knew the guys so it was just like lets get this done fast. I looked at the ID and ran the NICS check but didn't right down the ID information. Sometimes I get the ID and start filling out echeck while they fill the 4473 out so then I just forgot to put it down."</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 12/02/2021</p>
16	<p>27 CFR 478.124(c)(3)(iv): Failure to record NICS contact information on an ATF F 4473</p> <p>ATF Forms 4473: [] Number of Instances: []</p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p> <p>Ensure that all required transferee/buyer identification information is obtained and accurately recorded on all future ATF Forms 4473, Section B.</p> <p>Execute a required NICS/POC background check for all future over-the-counter firearm transactions.</p> <p>Ensure that all required NICS/POC background check information is obtained and accurately recorded on all future ATF Forms 4473, Section B.</p>	<p>"I was just rushing through them and didn't make sure all the information was checked and written down."</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 12/02/2021</p>
17	<p>27 CFR 478.124(c)(5): Failure by transferor to sign and/or date an ATF F 4473</p> <p>ATF Forms 4473: [] Number of Instances: []</p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p> <p>Ensure that the required transferor/seller signature and date of transfer is obtained, validated and accurately recorded on all future ATF Forms 4473, Section D.</p>	<p>"I didn't think I had to complete the last part of the form since it was approved. I thought they were good to go I filled it out on the denied forms because I wanted to make everything was correct since they didn't get approved for the firearm and then it was good to go."</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 12/02/2021</p>

RECORD(S) OF CONVERSATION

Name	When Contacted	Method of Contact	Location Contacted	Narrative
	10/28/2021	Phone		
Phone				
(b)(6)				
Investigative Participant(s)				
No items				IO (b)(6) contacted (b)(6) as part of a forward trace to determine if the Holt Tactical transferred completed pistols or rifles. (b)(6) stated he has purchased 3 completed rifles from him in total from Holt Tactical. (2) 10/9/2020 and (1) 07/07/2020.
Name	When Contacted	Method of Contact	Location Contacted	Narrative
	10/28/2021	Phone		
Phone				
(b)(6)				
Investigative Participant(s)				
No items				IO (b)(6) contacted (b)(6) as part of a forward trace to determine if the Holt Tactical transferred completed pistols or rifles. (b)(6) stated he has purchased 1 completed firearm from Holt Tactical at the KCI gun show. (1) rifle 10/27/2019
Name	When Contacted	Method of Contact	Location Contacted	Narrative
	10/28/2021	Phone		
Phone				
(b)(6)				
Investigative Participant(s)				
No items				IO (b)(6) contacted (b)(6) as part of a forward trace to determine if the Holt Tactical transferred completed pistols or rifles. (b)(6) stated he has purchased 1 completed firearm from Holt Tactical at the KCI gun show. (1) rifle 12/21/2019
Name	When Contacted	Method of Contact	Location Contacted	Narrative
	10/28/2021	Phone		
Phone				
(b)(6)				

Investigative Participant(s) No items		Narrative IOI (b)(6) contacted (b)(6) as part of a forward trace to determine if the Holt Tactical transferred completed pistols or rifles. (b)(6) stated he has purchased 1 completed firearm from Holt Tactical at the KCI gun show. (1) rifle 02/16/2020
Name	When Contacted 10/28/2021	Method of Contact Phone
Phone	(b)(6)	Location Contacted
Investigative Participant(s) No items		Narrative IOI (b)(6) contacted (b)(6) as part of a forward trace to determine if the Holt Tactical transferred completed pistols or rifles. (b)(6) stated he has purchased 1 completed firearm from Holt Tactical. (1) rifle 4/17/20
Name	When Contacted 10/28/2021	Method of Contact Phone
Phone	(b)(6)	Location Contacted
Investigative Participant(s) No items		Narrative IOI (b)(6) contacted (b)(6) as part of a forward trace to determine if the Holt Tactical transferred completed pistols or rifles. (b)(6) stated she has purchased 2 completed firearms from Holt Tactical. (1) rifle 2/29/2020 and (1) pistol 2/22/2020.
Name	When Contacted 10/28/2021	Method of Contact Phone
Phone	(b)(6)	Location Contacted
Investigative Participant(s) No items		Narrative IOI (b)(6) contacted (b)(6) as part of a forward trace to determine if the Holt Tactical transferred completed pistols or rifles. (b)(6) stated he has purchased 1 completed firearm from Holt Tactical. (1) pistol 8/8/2020
Name	When Contacted 10/28/2021	Method of Contact Phone
Phone	(b)(6)	Location Contacted
Investigative Participant(s) No items		Narrative IOI (b)(6) contacted (b)(6) as part of a forward trace to determine if the Holt Tactical transferred completed pistols or rifles. (b)(6) stated he has purchased 2 completed firearms from Holt Tactical. (1) rifle 12/10/2020 and (1) pistol 05/12/2020.
Name	When Contacted 10/28/2021	Method of Contact Phone
Phone	(b)(6)	Location Contacted
Investigative Participant(s) No items		Narrative IOI (b)(6) contacted (b)(6) as part of a forward trace to determine if the Holt Tactical transferred completed pistols or rifles. (b)(6) stated he has purchased 1 completed firearm from Holt Tactical. (1) rifle 4/12/2020
Name	When Contacted 10/28/2021	Method of Contact Phone
Phone	(b)(6)	Location Contacted
Investigative Participant(s) No items		Narrative IOI (b)(6) contacted (b)(6) as part of a forward trace to determine if the Holt Tactical transferred completed pistols or rifles. (b)(6) stated he has purchased 1 completed firearm from Holt Tactical. (1) pistol 2/8/2021
Name	When Contacted 10/28/2021	Method of Contact Phone
Phone	(b)(6)	Location Contacted
Investigative Participant(s) No items		Narrative IOI (b)(6) contacted (b)(6) as part of a forward trace to determine if the Holt Tactical transferred completed pistols or rifles. (b)(6) stated he has purchased 4 completed firearms from Holt Tactical. (2) rifle 4/30/2020 (1) rifle 1/11/2020 (1) rifle 3/17/2020
Name	When Contacted 10/28/2021	Method of Contact Phone
Phone	(b)(6)	Location Contacted

Investigative Participant(s)
No items

Narrative
IO (b)(6) contacted (b)(6) as part of a forward trace to determine if the Holt Tactical transferred completed pistols or rifles. (b)(6) stated he has purchased 2 completed firearms from Holt Tactical. (1) rifle 06/12/2020 and (1) pistol 04/04/2020.

CLOSING CONFERENCE

Review Regulations conducted offline

(10/20/2021)

10/20/2021

Attachment(s)

Attendee(s)

GEORGE HARRISON HOLT IV

EXHIBITS

Inspection

Category	Attachment Name
PostInspection	FW_ Spartan Notification RE_ 5-48-04830 Inspection Results.msg
Correspondence	Spartan Notification RE: 5-48-04830 Inspection Results
Correspondence	Spartan Notification RE: 5-48-04830 Monitored Case
Correspondence	Spartan Notification RE: 5-48-04830 Monitored Case
Correspondence	Spartan Notification RE: 5-48-04830 Monitored Case
Correspondence	Spartan Notification RE: 5-48-04830 Monitored Case
Correspondence	Spartan Notification RE: 5-48-04830 Monitored Case
Correspondence	Spartan Notification RE: 5-48-04830 Monitored Case
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Correspondence	Spartan Notification RE: 5-48-04830 Monitored Case
Correspondence	Spartan Notification RE: 5-48-04830 Monitored Case
Correspondence	Spartan Notification RE: 5-48-04830 Monitored Case
UpdateLicensingCenter	8c Final Holt Tactical.pdf
Correspondence	Spartan Notification RE: 5-48-04830 Monitored Case
Correspondence	Spartan Notification RE: 5-48-04830 Monitored Case
Correspondence	Spartan Notification RE: 5-48-04830 Monitored Case
UpdateLicensingCenter	HOLT TACTICAL 8C.docx
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
ViolationsPDF	Report of Violations.pdf
OnSiteSummaryInformation	Holt Tactical Solutions (FFL #5-48-04830)work note.pdf
PropertyOwnershipVerification	Holt Tactical Solutions (FFL #5-48-04830) (new Premises) Ownership.pdf
ZoningVerification	Zoning Limitations - KSA 12-16, 124 - Firearms and Ammo; Regulation by City or County (2015).pdf
PropertyOwnershipVerification	Holt Tactical Solutions (FFL #5-48-04830) Ownership: (b)(6)
BusinessVerification	HOLT TACTICAL SOLUTIONS KS 2020 Annual Report.pdf
BusinessVerification	HOLT TACTICAL SOLUTIONS Articles of INC.pdf
ApplicationPDF	HOLT TACTICAL SOLUTIONS LLC Intel Email.pdf
ApplicationPDF	(b)(3) (112 Public Law 55 125 Stat 552)

Notice to Revoke or Suspend License and/or Impose a Civil Fine

In the matter of License Number 5-48-209-07-2K-04830, as a/an A Manufacturer of Firearms Other Than Destructive Devices

issued to:

Name and Address of Licensee (*Show number, street, city, State and ZIP Code*)

Holt Tactical Solutions LLC
3233 N 123rd Terrace
Kansas City, Missouri 66109

Notice Is Hereby Given That:

Pursuant to the statutory provisions and reasons stated in the attached page(s), the Director or his/her designee, Bureau of Alcohol, Tobacco, Firearms and Explosives, intends to take action on the license described above.

- The above identified license may be revoked pursuant to 18 U.S.C. 923(e), 922(t)(5) or 924(p).
- The above identified license may be suspended pursuant to 18 U.S.C. 922(t)(5) or 924(p).
- The above identified licensee may be fined pursuant to 18 U.S.C. 922(t)(5) or 924(p).

Pursuant to U.S.C. 923(f)(2) and/or 922(t)(5), you may file a request with the Director of Industry Operations, Bureau of Alcohol, Tobacco, Firearms and Explosives, at 1251 NW Briarcliff Parkway, Suite 600 Kansas City MO 64116, in duplicate, for a hearing to review the revocation, suspension and/or fine of your license. The request must be received at the above address within 15 days of your receipt of this notice. Where a timely request for a hearing is made, the license shall remain in effect pending the outcome of the hearing; and if the license is due to expire, the license will remain in effect provided a timely application for renewal is also filed. The hearing will be held as provided in 27 CFR Part 478.

If you do not request a hearing, or your request for a hearing is not received by ATF on time, a final notice of revocation, suspension, and/or imposition of civil fine (ATF Form 5300.13) shall be issued.

- Please see included brochure

Date	Name and Title of Bureau of Alcohol, Tobacco, Firearms and Explosives Official	Signature
02/28/2022	William J. Miller Director, Industry Operations ATF Kansas City Field Division	(b)(6)

I certify that on the date shown below I served the above notice on the person identified below by:

- Certified mail to the address shown below.
Tracking Number: 7020 1810 0000 5121 7197 Or Delivering a copy of the notice to the address shown below.

Date Notice Served	Title of Person Serving Notice	Signature of Person Served
02/28/2022	Administrative Assistant	(b)(6)

Print Name and Title of Person Served

Holt Tactical Solution, LLC

Address Where Notice Served

3233 N 123rd Terrace, Kansas City, Missouri 66109

Under the provisions of 18 U.S.C. § 923(e) and 27 C.F.R. § 478.73, notice is hereby given that that the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) intends to revoke the Federal firearms license held by Holt Tactical Solutions LLC (“Licensee”), a Manufacturer of Firearms Other Than Destructive Devices.

Specifically, the Director, Industry Operations, United States Department of Justice, ATF, Kansas City Field Division, has reason to believe that Licensee willfully violated the provisions of the Gun Control Act of 1968, as amended, 18 U.S.C. Chapter 44, and the regulations issued thereunder, 27 C.F.R. Part 478 (collectively, “GCA”) as described herein.

Compliance History

ATF first issued a Federal firearms license to Licensee in 2019. At that time, ATF reviewed and explained the federal firearms laws and regulations with Licensee and provided resource and reference information.

Current Inspection

On September 24, 2021, ATF began a compliance inspection of Licensee’s premises that revealed the following:

Background Check Violations:

1. On five occasions, Licensee willfully transferred a firearm to an unlicensed person without first contacting the National Instant Criminal Background Check System (“NICS”) and/or waiting three days before allowing the transfer, in violation of 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102. See Appendix ¶ 1.
2. On [] occasions, Licensee willfully failed to record on the Firearms Transaction Record, ATF Form 4473, the unique transaction number received from NICS for the transfer, in violation of 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102(b). See Appendix ¶ 2.

Transfers in Violation of Law:

3. On [] occasions, Licensee willfully conducted business at an unauthorized location, the KCI Gun Show in Kansas City, Missouri, which was a location other than the licensed premises address located in Kansas City, Kansas, in violation of 18 U.S.C. § 922(a)(1)(A) and 27 C.F.R. § 478.41. See Appendix ¶ 3.

ATF Form 4473 Violations:

4. On [] occasions, Licensee willfully transferred a firearm to a nonlicensed person without recording the date Licensee contacted NICS and/or any response provided by the system on the Firearms Transaction Record, ATF Form 4473, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(3)(iv). See Appendix ¶ 4.

Acquisition and Disposition Record Violations:

5. On occasions, Licensee willfully failed to timely record the acquisition of firearms, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.123(a). See Appendix ¶ 5.
6. On occasions, Licensee willfully failed to timely record the disposition of firearms to nonlicensees, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.123(d). See Appendix ¶ 6.

APPENDIX

Notice Paragraph 1 [478.102 NICS Violations]:

	Transferee	Date	Violation
1.	(b)(6)	3/25/2020	Failure to wait 3 business days
2.		3/23/2020	Failure to wait 3 business days
3.		5/14/2020	Failure to wait 3 business days
4.		10/27/2019	Failure to wait 3 business days
5.		3/10/2020	Failure to conduct new NICS after 30 days

Notice Paragraph 2 [478.102(b) NICS Violations – No NTN recorded]:

Transferee	Date
(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)	

Notice Paragraph 3 [27 C.F.R. § 478.41 Transfers in Violation of Law]:

Transferee Date

(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

Notice Paragraph 4 [27 C.F.R. § 478.124(c)(3)(iv) Form 4473 Violations]:

Transferee	Date	Violation
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(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

Notice Paragraph 5 [27 C.F.R. § 478.123(a) Acquisition Violations]:

Firearm Manufacturer	Model	Serial Number	Type
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(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

Notice Paragraph 6 [27 C.F.R. § 478.123(d) Disposition Violations]:

Firearm Manufacturer	Model	Serial Number	Type
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(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

Final Notice of Denial of Application, Revocation, Suspension and/or Fine of Firearms License

In the matter of:

- The application for license as a/an _____, filed by:
or
 License Number 5-48-209-07-2K-04830 as a/an a manufacturer in firearms other than destructive devices
_____, issued to:

Name and Address of Applicant or Licensee (*Show number, street, city, state and ZIP Code*)

Holt Tactical Solutions LLC
3233 North 123rd Terrace
Kansas City, Kansas 66109

Notice Is Hereby Given That:

- A request for hearing pursuant to 18 U.S.C. § 923(f)(2) and/or 922(t)(5) was not timely filed. Based on the findings set forth in the attached document, your
- license described above is revoked pursuant to 18 U.S.C. 923(e), 922(t)(5) or 924(p), effective:
 - 15 calendar days after receipt of this notice, or _____,
 - license is suspended for _____ calendar days, effective _____, pursuant to 18 U.S.C. § 922(t)(5) or 924(p).
 - licensee is fined \$ _____, payment due: _____, pursuant to 18 U.S.C. § 922(t)(5) or 924(p).
- After due consideration following a hearing held pursuant to 18 U.S.C. § 923(f)(2) and/or 922(t)(5), and on the basis of findings set out in the attached copy of the findings and conclusions, the Director or his/her designee concludes that your
- application for license described above is denied, pursuant to 18 U.S.C. 923(d).
 - application for renewal of license described above is denied pursuant to 18 U.S.C. 923(d), effective:
 - 15 calendar days after receipt of this notice, or _____,
 - license described above is revoked pursuant to 18 U.S.C. 923(e), 922(t)(5) or 924(p), effective:
 - 15 calendar days after receipt of this notice, or 9/30/2022.
 - license is suspended for _____ calendar days, effective _____, pursuant to 18 U.S.C. § 922(t)(5) or 924(p).
 - licensee is fined \$ _____, payment due: _____, pursuant to 18 U.S.C. § 922(t)(5) or 924(p).

If, after the hearing and receipt of these findings, you are dissatisfied with this action you may, within 60 days after receipt of this notice, file a petition pursuant 18 U.S.C. § 923(f)(3), for judicial review with the U.S. District Court for the district in which you reside or have your principal place of business. If you intend to continue operations after the effective date of this action while you pursue filing for judicial review or otherwise, you must request a stay of the action from the Director of Industry Operations (DIO), Bureau of Alcohol, Tobacco, Firearms and Explosives, at 1251 NW Briarcliff Parkway Suite 600 Kansas City MO 64116, prior to the effective date of the action set forth above. You may not continue licensed operations unless and until a stay is granted by the DIO.

Records prescribed under 27 CFR Part 478 for the license described above shall either be delivered to ATF within 30 days of the date the business is required to be discontinued or shall be documented to reflect delivery to a successor. See 18 U.S.C. 923(g)(4) and 27 CFR § 478.127.

After the effective date of a license denial of renewal, revocation, or suspension, you may not lawfully engage in the business of dealing in firearms. Any disposition of your firearms business inventory must comply with all applicable laws and regulations. Your local ATF office is able to assist you in understanding and implementing the options available to lawfully dispose of your firearms business inventory.

Date 09/20/2022	Name and Title of Bureau of Alcohol, Tobacco, Firearms and Explosives Official William J. Miller Director, Industry Operations, ATF Kansas City Field Division	Signature (b)(6)
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I certify that, on the date below, I served the above notice on the person identified below by:

- Certified mail to the address shown below.
 Tracking Number: 7020 1810 0000544 7487 Or
 Delivering a copy of the notice to the address shown below.

Date Notice Served <u>9/20/22</u>	Title of Person Serving Notice Administrative Assistant	(b)(6)
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Print Name and Title of Person Served Holt Tactical Solutions LLC	Signature of Person Served
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Address Where Notice Served 3233 North 123rd Terrace, Kansas City, Kansas 66109
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Note: Previous Edition is Obsolete

UNITED STATES DEPARTMENT OF JUSTICE
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES
KANSAS CITY FIELD DIVISION

IN THE MATTER OF THE)
REVOCATION OF FEDERAL)
FIREARMS LICENSE)
5-48-209-07-2K-04830)
ISSUED TO:) FINAL NOTICE OF REVOCATION
) FINDINGS and CONCLUSIONS
Holt Tactical Solutions LLC)
3233 North 123rd Terrace)
Kansas City, Kansas 66109)

I. BACKGROUND

Holt Tactical Solutions LLC (“Licensee”) is the holder of Federal firearms license No. 5-48-209-07-2K-04830. Licensee is licensed to conduct the firearms business from the premises located at 3233 North 123rd Terrace, Kansas City, Kansas 66109. In 2019, the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) issued the license and authorized Licensee to engage in business as a manufacturer in firearms other than destructive devices, pursuant to Chapter 44, Title 18, United States Code, also known as the Gun Control Act (“GCA”).

On February 28, 2022, ATF issued Licensee a Notice to Revoke License (“Notice”), ATF Form 4500 (5300.4) [Gov. Ex. 10]. ATF based the revocation on Licensee’s willful violations of Chapter 44 of Title 18, United States Code, in accordance with Title 18, United States Code, section 923(e). Licensee timely requested a hearing to review the Notice in accordance with Title 18, United States Code, section 923(f)(2), and Title 27, Code of Federal Regulations, section 478.74. ATF issued a Notice of Hearing based on the request and scheduled the hearing.

The hearing was held on June 16, 2022, at the ATF Kansas City Field Division Office located in Kansas City, Missouri. The hearing was conducted by ATF Kansas City Field Division Director, Industry Operations (“DIO”) William I. Miller. The Government was represented by ATF Kansas City Field Division Counsel (b)(6) ATF Industry Operations Investigator (IOI) (b)(6) and IOI (b)(6) appeared as witnesses on behalf of the Government.

Licensee appeared by and through George Holt, the owner and sole responsible person for the licensed business.¹ The hearing was recorded and transcribed through a court reporting service. The testimony and exhibits provided by the parties at the hearing constitute the administrative record for this matter and are also fully incorporated herein.

¹ Although the licensed entity is a limited liability company, Mr. Holt is the only member for the LLC with exclusive control and authority over all the licensed activity. Therefore, Licensee and Mr. Holt are addressed interchangeably in this Final Notice.

II. FINDINGS OF FACT

After presiding over the hearing and reviewing the entire administrative record, I make the following findings:

1. Holt Tactical Solutions LLC, with a business premises located at 3233 N. 123rd Terrace, Kansas City, Kansas 66109, is a limited liability company holding a Federal firearms license to manufacture firearms other than destructive devices. George Holt is the only member and decisionmaker for the entity and sole responsible person for the licensed firearms business.
2. In 2019, ATF issued Licensee a Federal firearms license after conducting a qualification inspection. At that time, ATF reviewed and explained the Federal firearms laws and regulations with Licensee and provided resource and reference information. [Gov. Ex. 8].
3. On September 24, 2021, ATF initiated a compliance inspection of Licensee.
4. On October 20, 2021, ATF conducted a closing conference with Licensee and provided a Report of Violations (ROV)² to Licensee [Gov. Ex. 7].
5. The inspection disclosed factual grounds demonstrating Licensee willfully committed the violations as discussed more thoroughly herein.
6. I hereby make the following findings as to the violations listed in the Notice with Appendix which serve as the basis to revoke the license:

Notice Violation #1 - Background Checks

On five occasions, Licensee willfully transferred a firearm to an unlicensed person without first contacting the National Instant Criminal Background Check System (NICS)³ and waiting three days before allowing the transfer, in violation of 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102(a). [See transferees/Forms 4473 in the Notice, Appendix ¶ 1 and Gov. Ex. 1].

Upon review of the exhibits and testimony at the hearing, regarding the transfer to purchaser (b)(6) the Form 4473 establishes that the purchaser certification and NICS contact occurred on May 14, 2020, at which time NICS provided a delayed response not to transfer. The acquisition and disposition record (i.e., A&D book) shows that the transfer of the firearm to (b)(6) then occurred on May 14, 2020, which is the same date as the NICS delay and prior to the lawful date to transfer. [Gov. Ex. 1; Hearing Transcript (“HT”) pgs. 35-36]. Licensee explained that the purchaser failed to later recertify the Form 4473 and that the A&D book has the initial date the purchaser certified the Form 4473, and not the true date of the firearm transfer. [HT pg. 56]. However, there were no further records or documents offered to support this assertion or to

² Although several other violations were documented on the ROV issued to Licensee, the violations cited in the Notice are the basis for the license revocation action.

³ NICS is operated by the Federal Bureau of Investigation (FBI).

sufficiently contradict the May 14, 2020, date recorded for the transfer of the firearm in the A&D book. I thus find this violation occurred.

As for the transfers to purchaser (b)(6) each occurred prior to the lawful transfer date following a delay response by NICS. Specifically, Licensee failed to wait the required three business days before transferring firearms if no further response is received from NICS.⁵

Licensee expressed confusion regarding how the three business days on a NICS delay were calculated, specifically regarding the transfers to (b)(3) (112 Public Law 55 125 Stat 552), (b)(6) [HT pgs. 47-50]. However, the guidance and instructions for a NICS delay are in the Form 4473, which also explicitly directs a licensee to “see 27 CFR 478.102(a) for an example of how to calculate 3 business days”. [Gov. Ex. 9]. The record also establishes that the calculation of business days was explained to Licensee during the qualification inspection. [See HT pgs. 14-16, 48-49; Gov. Ex. 8]. Further, Licensee acknowledged he neglected to thoroughly read over the Form 4473 and failed to sufficiently review resources available to him [HT pgs. 52, 100].

Upon further review of the record, I do not consider the transfers to purchaser (b)(6) as violations for my findings.

Therefore, on three occasions I find Licensee committed willful violations of 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102(b).

Notice Violation #2 - Background Checks/No NICS Transaction Number (“NTN”) Recorded

On [] occasions, Licensee willfully failed to record on the Firearms Transaction Record, ATF Form 4473, the unique transaction number received from NICS for the transfer, in violation of 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102(b). [See transferees/Forms 4473 in the Notice, Appendix ¶ 2 and Gov. Ex. 2].

Upon review of the exhibits and testimony at the hearing, I find that on [] occasions⁶, Licensee failed to record the NTN⁷ for the respective transfers as required in Item 19.b of the Forms 4473. There were instances in which Licensee recorded the NTN on the front page of the Form 4473 in

⁴ It was determined that the transfer of two firearms to (b)(6) occurred on March 25, 2020, and the date listed in the disposition record for the (b)(3) (112 Public Law 55 125 Stat 552) was erroneous. This is also just one example of how Licensee’s own record keeping problems and failure to maintain compliant records added confusion to the circumstances and discussions of several transactions.

⁵ The record established that, due to the initial impact from the Covid-19 pandemic and NICS being short-staffed, licensees were provided with proceed dates that extended past the mandated three business day calculation period. I do not consider Licensee’s failure to wait until the extended date to transfer provided by NICS as a basis for the violation and only consider the failure to wait the required three business days.

⁶ The Notice cite [] occasions but Item 19.b on the Form 4473 for purchase (b)(3) (112 Public Law 55 125 Stat 552), (b)(6) was completed correctly and thus removed from consideration.

⁷ The NTN is a unique number generated by FBI for a specific date, transfer, and purchaser and essential to help verify that a NICS check was conducted.

the Seller's Transaction Serial Number section and other instances in which the NTN is not recorded anywhere on the forms. Licensee expressed some confusion about where to record the NTN although Mr. Holt displayed the ability to follow the explicit directives of the Form 4473 and record an NTN correctly on other occasions.

Therefore, on these [] occasions I find Licensee committed willful violations of 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102(b).

Notice Violation #3 – Transfers in Violation of Law

On [] occasions, Licensee willfully conducted business at an unauthorized location, the KCI Gun Show in Kansas City, Missouri, which was a location other than the licensed premises address located in Kansas City, Kansas, in violation of 18 U.S.C. § 922(a)(1)(A) and 27 C.F.R. § 478.41. [See transferees/Forms 4473 in the Notice, Appendix ¶ 3 and Gov. Exs. 3A-3D].

Upon review of the exhibits and testimony at the hearing, I find that Licensee conducted [] firearm transfers at four different nonqualifying gun shows in Missouri, which is a State other than where the licensed business premise is located.⁸ Licensee asserted he was not aware that he could not transfer firearms at a Missouri gun show although his licensed firearms business is located in Kansas.

However, this restriction from conducting transfers at out-of-state gun shows was explicitly explained to Licensee during the licensing qualification inspection and resources explaining these requirements, included the ATF gun show pamphlet, were provided to Licensee. [Gov. Ex. 8; HT pgs. 16-18, 79-81].⁹ Specific detail was given to gun show requirements during the qualification inspection upon considering Mr. Holt's previous history of being warned by ATF not to deal in the business of selling firearms at gun shows without a license. [HT pgs. 9-10].

Therefore, on these [] occasions I find Licensee committed willful violations of 18 U.S.C. § 922(a)(1)(A) and 27 C.F.R. § 478.41.¹⁰

Notice Violation #4 – ATF Form 4473/Failure to Record NICS Information

On [] occasions, Licensee willfully transferred a firearm to a nonlicensed person without recording the date Licensee contacted NICS and/or any response provided by the system on the

⁸ The record established the transfer to (b)(6) on October 27, 2019, occurred at the licensed premises and this instance is removed from consideration.

⁹ Although not considered as a violation for revocation, the record established that Licensee failed to document on the Forms 4473 and in the A&D book that these transactions occurred at gun shows as required, thus not allowing the issue to be readily apparent to ATF during the inspection. [HT pgs. 69-71, 75-76]. This is another example of the problems created by Licensee's failures to properly complete records and follow instructions on the Form 4473.

¹⁰ Licensee's gun show activities did not meet the exemption to conduct business away from the licensed premises since these were not shows or events located in the same State specified on the license, as explicitly addressed in 18 U.S.C. § 923(j) and 27 C.F.R. § 478.100.

Firearms Transaction Record, ATF Form 4473, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(3)(iv). [See transferences/Forms 4473 in the Notice, Appendix ¶ 4 and Gov. Ex. 4].

Upon review of the exhibits and testimony at the hearing, I find that Licensee failed to record the required NICS information in Item 19 of the Form 4473 (October 2016 version) for five separate transactions. Licensee exhibited the knowledge and ability to complete this section of the Form 4473 on other occasions and otherwise had no explanation for the failure to properly do so in these instances.

Therefore, I find on these [redacted] occasions Licensee committed willful violations of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(3)(iv).

Notice Violation #5 and Violation #6 – Acquisition and Disposition Records

On [redacted] occasions, Licensee willfully failed to timely record the acquisition of firearms, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.123(a). [See firearms in the Notice, Appendix ¶ 5 and Gov. Ex. 5].

As to Violation #5, upon review of the exhibits and testimony at the hearing, I find that Licensee failed to record the acquisition of [redacted] firearms in the acquisition and disposition records. Licensee noted that these violations were fixed after ATF addressed them at the inspection but otherwise did not refute them. Licensee also displayed the ability to timely record the acquisition of firearms in his records on multiple other occasions.

On [redacted] occasions, Licensee willfully failed to timely record the disposition of firearms to nonlicensees, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.123(d). [See firearms in the Notice, Appendix ¶ 6 and Gov. Ex. 6].

As to Violation #6, upon review of the exhibits and testimony at the hearing, I find that Licensee failed to record the disposition of [redacted] firearms in the acquisition and disposition records.¹¹ Licensee showed he was capable of timely recording dispositions in the A&D records on several other occasions.

Therefore, I find that Licensee failed to timely record the acquisition of [redacted] firearms and the disposition of [redacted] firearms in the A&D records and that each of these two violations were willful violations of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. §§ 478.123(a) and 123(d).

III. CONCLUSIONS

Application of the Legal Standard for Federal Firearms License Revocations

ATF may, after notice and opportunity for a hearing, revoke a Federal firearms license if it has reason to believe a licensee has willfully violated any provision of the GCA or the regulations issued thereunder. See 18 U.S.C. §§ 923(e) and 923(f)(3); 27 C.F.R. §§ 478.73 and 478.74.

¹¹ The disposition of the [redacted (b)(3) (112 Public Law 55 125 Stat 552)] was removed from consideration at the hearing.

For the Government to prove a willful violation of the Federal firearms statutes, it need only establish that a licensee knew of the legal obligations and “purposefully disregarded or was plainly indifferent” to the legal requirements. *See Borchardt Rifle Corp. v. Cook*, 684 F.3d 1037, 1042-43 (10th Cir. 2012) (holding that plain indifference towards a known legal obligation meets the willfulness requirement and that this may be shown with circumstantial evidence); *see also Lewin v. Blumenthal*, 590 F.2d 268, 269 (8th Cir.1979); *On Target Sporting Goods, Inc. v. Attorney General of the United States*, 472 F.3d 572 (8th Cir. 2007) (violations by Federal firearms licensee were deemed willful and justified ATF’s licensing action when the licensee committed violations such as failure to keep proper acquisition and disposition records; ATF informed the licensee’s owner of the firearms record-keeping duties and the owner admitted falling behind in these responsibilities); *Trader Vic’s v. O’Neill*, 169 F.Supp.2d 957, 965 (N.D. Ind. 2001) (finding a licensee has a duty to be cognizant of the rules and regulations issued by ATF and has a duty to follow those mandates in the course of his regulated business activities).

Additionally, any single willful violation of the Federal statutes or regulations controlling the firearms industry can be a basis for revoking or denying a license. *CEW Properties, Inc. v. U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives*, 979 F.3d 1271, 1280 (10th Cir. 2020), *citing Fairmont Cash Mgmt., L.L.C. v. James*, 858 F.3d 356, 362 (5th Cir. 2017) (“A single willful violation authorizes the ATF to revoke the violator’s [license], regardless how severe, though the frequency and severity of the violations can be relevant to willfulness.”). *See Gun Shop, LLC. v. United States Dep’t of Justice*, No. 4:10-CV-1459 (MLM), 2011 WL 2214671, at *6 (E.D. Mo. June 3, 2011) (“By the statute’s plain language, even a single willing violation can trigger ATF’s power of revocation.”), *citing American Arms Int’l v. Herbert*, 563 F.3d 78, 86 (4th Cir. 2009); *see also General Store, Inc. v. Van Loan*, 560 F.3d 920, 924 (9th Cir. 2009); *Armalite, Inc. v. Lambert*, 544 F.3d 644, 647 (6th Cir. 2008); *Article II Gun Shop, Inc. v. Gonzales*, 441 F.3d 492, 498 (7th Cir. 2006).

Furthermore, “[i]mproper recordkeeping is a serious violation.” *Fin & Feather Sport Shop, Inc. v. U. S. Treasury Dept.*, 481 F.Supp. 800, 806 (Neb. 1979) *quoting Huddleston v. United States*, 415 U.S. 814, 824 (1974). “Thus, a firearms dealer, by failing to keep the required records, seriously undermines the effectiveness and purpose of the Act and ultimately endangers society.” *Fin & Feather*, 482 F.Supp at 806. ATF has the right to insist on total compliance with the GCA to retain the privilege of dealing in firearms. *Willingham Sports, Inc. v. ATF*, 348 F.Supp.2d 1299, 1309 n.14 (S.D. Ala. 2004) (“gravity of the policy objectives of the Gun Control Act, from both a law enforcement standpoint and a safety standpoint, strongly militates in favor of allowing the ATF to insist on total compliance as a condition of retaining the privilege of dealing in firearms.”); *Dick’s Sport Center, Inc. v. Alexander*, No. 2:04-CV-74482, 2006 WL 799178, at *5 (E.D. Mich. Mar. 29, 2006) (licensee’s “failure to comply with exacting book keeping regulations may hinder the ATF’s ability to perform its mandated function.”). Periodic compliance, such as a licensee’s occasional adherence to regulatory obligations, can also support a finding of willfulness. *CEW Properties*, 979 F.3d at 1280, *citing Simpson v. Att’y Gen.*, 913 F.3d 110, 115-16 (3d Cir. 2019) (noting that a licensee’s “full compliance with [Gun Control Act] requirements in some instances belies his assertion that he did not understand those requirements,” and his “inconsistent conduct suggests both that [he] knew of his obligations and was indifferent to complying with them.”).

Although this was Licensee's first compliance inspection, prior warnings are not necessary to establish a finding of willfulness. *See Borchardt*, 684 F.3d at 1043; *Nat'l Lending Grp., LLC v. Holder*, 365 F. App'x 747, 749 (9th Cir. 2010) (unpublished); *Nat'l Lending Group v. Mukasey*, No. CV 07-0024-PHX-PGRET, 2008 WL 5329888, at *8 n.13 (D. Az. Dec. 19, 2008) (no requirement to show there have been prior warnings in order to establish willfulness); *Francis v. ATF*, 2006 WL 1047026, at *4 (E.D. Okla. Apr. 20, 2006) (holding it does not logically follow that repeated violations following warnings are necessary to find willfulness); *Taylor v. Hughes*, 2013 WL 752838, at *3 (M.D.Pa.,2013); *Harrison v. United States ex rel. Department of the Treasury*, 2006 WL 3257401 *6 (E.D. Okla., Nov. 9, 2006) (Federal firearms dealers have an affirmative duty to know and understand the requirements for retaining their license).

The evidence and testimony presented at the hearing revealed that Licensee understood the legal requirements concerning the violations documented in the Notice. In this regard, ATF reviewed the applicable laws and regulations with Licensee during the 2019 qualification inspection. At that time, ATF provided Licensee with resource materials and informed Licensee of the opportunity to ask any questions or contact ATF as needed. Licensee acknowledged being familiar with, or having reviewed, the various written or online resources provided by ATF. [Gov. Ex. 8; HT pgs. 18-19, 78, 101]. Licensee also demonstrated on other occasions the ability to properly comply with these requirements.

Licensee nonetheless asserted that any violations committed were not intentional and he never intended to hide anything or do anything illegally. However, the GCA does not require an intentional criminal act to establish willfulness and the Government is not required to show that the violations occurred with any bad purpose. *Lewin*, 590 F.2d at 269; *On Target*, 472 F.3d at 575. Instead, a purposeful disregard or plain indifference to a known legal obligation is legally sufficient to show willfulness. Licensee also attributed many of the violations to becoming too busy or leaving information in the records blank and then either forgetting or going back later to attempt to complete the records [Gov. Ex. 7; HT pgs. 65, 81-82, 100-101]. However, this conduct alone shows, at a minimum, a plain indifference by Licensee and cannot be considered merely excusable mistakes.

Additionally, Licensee offered assurances that the business is now in compliance and offered examples of the current A&D book and provided photos of manufactured firearms as well as Forms 4473 done after the inspection. [Lic. Ex. 1]. However, these subsequent actions do not otherwise mitigate or change the fact that the willful violations occurred as documented during the inspection. *Post hoc* remedial efforts have little bearing on a licensee's willfulness at the time of the violations. *CEW Properties*, 979 F.3d at 1281 n.12 (disregarding a licensee's claim of no willfulness due to subsequent efforts to remedy noncompliance by compiling A&D records into a bound book); *see also Shawano Gun & Loan, LLC v. Hughes*, 650 F.3d 1070, 1079 (7th Cir. 2011) (noting that "workplace changes to ensure compliance with Federal firearms laws" following a revocation notice "come too late," and that the promise to "do better if given another chance is not an argument that reaches the merits of the case"); *Cucchiara v. Sec'y of Treasury*, 652 F.2d 28, 30 (9th Cir. 1981) (concluding that a licensee's attempt to "correct his faulty recordkeeping system, after the violations ... is immaterial to the question of willfulness at the time the violations occurred"); *Sturdy v. Bensten*, 129 F.3d 122 (8th Cir.1997) (a licensee's after-

the-fact efforts to correct the specific violations cited are irrelevant to the issue of willfulness at the time the errors occurred).

Furthermore, every section of the Form 4473 is important and must be completed correctly. The required information is on the form for specific reasons to ensure the traceability of firearms and promote public safety and therefore must be afforded care and attention. A critical responsibility of a licensee is to help ensure that the Gun Control Act requirements are met. *See A-TAC Gear Guns Uniforms LLC v. U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives*, 530 F.Supp.3d 1033, 1039 (D. Colo. 2021) (“ATF cannot monitor every single firearms dealer at every moment. The Act’s effectiveness thus rests largely on dealers’ taking its regulations seriously.”). Licensee’s systemic problems with recording and maintaining compliant records, and failures to properly conduct and record background checks, further undermined the essential public safety directive of the GCA.

Final Conclusions

After presiding over the hearing and giving a full review and consideration of all the testimony and exhibits provided in the administrative record, I find and conclude that Licensee willfully violated the provisions of the GCA, and the regulations issued thereunder. Even though Licensee understood the responsibilities under the GCA, the record establishes that Licensee was plainly indifferent to, or purposefully disregarded, the firearms laws and regulations as documented and thoroughly discussed and reviewed herein.

Based on the above findings and application of the legal standards, I conclude as follows:

1. Licensee was familiar with the requirements imposed upon a Federal firearms licensee;
2. Licensee acted with plain indifference to, or acted in purposeful disregard of, the requirements; and
3. Licensee committed the violations as set forth in the Findings of Fact and such violations were committed willfully.

Therefore, I find and conclude Licensee willfully committed Violations #1, #2, #3, #4, #5 and #6 and my findings and conclusions are the basis for my determination to revoke the license.

Accordingly, under the provisions as provided by 18 U.S.C. § 923(e) and 27 C.F.R. § 478.73, the Federal firearms license held by Licensee Holt Tactical Solutions LLC, under Federal firearms license number 5-48-209-07-2K-04830, is hereby **REVOKED**.



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Washington DC

www.atf.gov

IMPORTANT NOTICE

Selling Firearms AFTER Revocation, Expiration, or Surrender of an FFL

Former Federal Firearms licensees (FFLs) who continue to sell firearms after the revocation, expiration, or surrender of their license are subject to the same rules as persons who have never been licensed in determining whether they are "engaged in the business" of selling firearms without a license in violation of 18 U.S.C. § 922(a)(1)(A). Accordingly, former licensees who wish to dispose of any remaining business inventory must adhere to the following guidance:

Business inventory must be disposed of by the former FFL in a manner that, objectively, does not constitute being engaged in the business of dealing in firearms using the same facts and circumstances test that would apply to persons who have never been licensed.

The preferred manner of disposition is for the former licensee to:

- Arrange for another FFL to purchase the business inventory (and other assets) of the business; or
- Consign the inventory to another FFL to sell on consignment, or at auction.

Should a former FFL decide against those options, he/she should be aware that future sales - whether from his/her personal firearms collection or otherwise - will be evaluated for a potential violation of 18 U.S.C. § 922(a)(1)(A), just as would occur with a person who had never been licensed.

If a former FFL is disposing of business inventory, the fact that no purchases are made after the date of license revocation, expiration, or surrender does not immunize him/her from potential violations of 18 U.S.C. § 922(a)(1)(A). Instead, business inventory acquired through repetitive purchases while licensed are attributed to the former FFL when evaluating whether subsequent sales constitute engaging in the business of dealing in firearms without a license.

ATF remains committed to assisting former licensees in complying with Federal firearms laws. If you have questions, please contact your local ATF office.

**CURTIS
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Curtis Gilbert
Deputy Assistant Director (Industry Operations)
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