



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Assistant Director

MAR - 1 2007

Washington, DC 20226

Mr. Gary Marbut
President
Montana Shooting Sports Association
Post Office Box 16106
Missoula, Montana 59808

Dear Mr. Marbut:

This is in response to your inquiry to former Senator Conrad Burns which was forwarded to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) for response. Your inquiry concerns the purchase of a firearm where the purchaser does not have a residence address on the Government issued photographic identification document. We apologize for the delay in our response.

As you may know, ATF enforces the Federal firearms laws and regulates Federal firearms licensees (FFL). Your question concerns unlicensed firearms purchasers who present a State-issued driver's license or other Government issued identification document that shows a post office box or rural route number as their residence address. The Firearms Transaction Record, ATF Form 4473, provides that the form may not be completed to indicate a post office box number as the purchaser's residence address. You ask whether this means that purchasers who have a post office box or rural route number as their only legal address may not lawfully purchase a firearm from them.

Under the Brady Law, an FFL may not transfer a firearm to an unlicensed purchaser unless, among other things, the purchaser completes ATF Form 4473. This form requires the transferee to provide his or her residence address. Although the term "residence address" is not defined in the law or regulations, ATF has determined that the residence address must be sufficient to identify the physical location of the purchaser's residence in the event the firearm is the subject of a trace request. The Form 4473 includes language stating that a post office box is not an acceptable residence address.

ATF is aware that a number of States (including the State of Montana) issue driver's licenses with only a post office box or rural route number as the residence address of the holder. ATF is also aware that certain persons in rural and undeveloped areas may have only a post office box or rural route number as their only legal address. ATF is currently exploring procedures that would