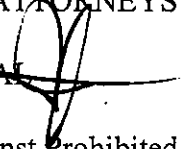




Office of the Attorney General
Washington, D. C. 20530

March 12, 2018

MEMORANDUM FOR ALL UNITED STATES ATTORNEYS

FROM: THE ATTORNEY GENERAL 

SUBJECT: Enforcing Federal Law Against Prohibited Persons Attempting to Purchase Firearms

It is the goal of our Department to reduce violent crime to ensure the safety of our communities. Your work in identifying and prioritizing prosecutorial resources to pursue the most violent criminals in your districts is key to this mission. Prosecutions of violent crimes, however, must also be paired with proactive prevention efforts. Existing federal laws provide valuable tools to keep guns out of the hands of criminals and other individuals Congress has prohibited from having firearms. One such law requires that federally licensed firearms dealers perform a background check before transferring a firearm. The background check begins with the prospective transferee filling out ATF Form 4473. Criminals and other prohibited persons who attempt to thwart the background check process by lying on the required forms threaten to undermine this important crime prevention tool. Such conduct cannot be tolerated. We must vigilantly protect the integrity of the background check system through appropriate prosecution of those who attempt to circumvent the law.

Therefore, I am directing all United States Attorneys to enhance prosecution of cases involving false statements on ATF Form 4473 (“lie-and-try” cases). In particular, every United States Attorney must coordinate with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Special Agent in Charge in the local district to review and revise, as necessary, local prosecution and referral guidelines to ensure vigorous and appropriate prosecution of “lie-and-try” cases. Guidelines should place particular emphasis on cases against violent persons, including—but not limited to—denials involving individuals convicted of violent felonies, misdemeanor crimes of domestic violence, or subject to protective orders, and denials involving fugitives where the underlying offense is a violent felony or misdemeanor crime of domestic violence.

This review and any resulting revisions should be consistent with prior directives to prioritize the identification and prosecution of the most violent offenders in each district, to develop a violence reduction strategy under the Project Safe Neighborhoods program, and to otherwise ensure that district-specific prosecution and referral guidelines reflect our renewed commitment to reducing violent crime. Within 45 days, all United States Attorneys must certify

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that this review has been completed and all necessary adjustments made. Certifications should be sent to James A. Crowell IV, Acting Director of the Executive Office for United States Attorneys, through an email to lakeesha.stewart@usdoj.gov.

Thank you for your strong focus on our fight against gun violence. Working together, we can help restore the rule of law and make America safer.

cc: Deputy Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives