



October 24, 2023

Bureau of Alcohol, Tobacco, Firearms and Explosives  
US Department of Justice  
99 New York Avenue NE  
Washington, DC 20226

*Submitted electronically via regulations.gov*

**Re: Definition of “Engaged in the Business” as a Dealer in Firearms  
Docket Number: ATF 2022R—17**

Dear Attorney General Garland and Department of Justice,

On behalf of the League of Women Voters of the United States (the League), I write to offer comments on the Bureau of Alcohol, Tobacco, Firearms and Explosives’ (ATF’s) proposed rulemaking entitled *Definition of ‘Engaged in the Business’ as a Dealer in Firearms*. The League urges the Department of Justice and ATF to finalize this proposed rule.

The League is a 103-year-old, nonpartisan nonprofit that works to empower voters and defend democracy. It is a grassroots group comprised of more than 500,000 members and supporters across all 50 states and the District of Columbia, representing a wide array of perspectives and lived experiences, and unified by the common goal of ensuring that everyone is represented in our democracy. We know the devastating impact that gun violence has on our communities and nation, and we have worked for decades alongside state and federal officials, law enforcement, and the public to inform communities about the dangers of gun violence and recommend common-sense reforms. The League supports licensing procedures for gun ownership by private citizens, including a waiting period for background checks.

The League of Women Voters of the United States strongly supports the proposed rule to clarify what it means to be “engaged in the business” as a dealer in firearms in line with provisions of the *Bipartisan Safer Communities Act*. This rule would ensure that individuals who offer firearms for sale online or at gun shows are licensed to do so, complete background checks before transferring guns, and maintain records of those transactions. It also would ensure that dealers who have lost their licenses may no longer sell firearms to the public.

Under the 1993 *Brady Handgun Violence Prevention Act*, federally licensed firearms dealers are required to conduct background checks prior to transferring a gun. Since 1994, this law has prevented



approximately 4 million firearm sales to prohibited purchasers<sup>1</sup>. However, federal law does not require unlicensed private sellers to perform these checks. Today, nearly 1 in 5 firearms are sold in the US without a background check, posing an enormous threat to public safety<sup>2</sup>.

As federal legislation has been insufficient to protect the American people, ATF has an incredible opportunity and responsibility with these proposed regulatory changes to keep our communities and country safe. The League urges the Department of Justice and ATF to finalize its proposed rule to both ensure that individuals who are selling firearms for profit are licensed, regulated, and engaged in responsible firearm sale practices, and to prevent firearm transfers to prohibited purchasers.

Sincerely,

A handwritten signature in black ink, which reads "Virginia Kase Solomón". The signature is written in a cursive style.

Virginia Kase Solomón  
CEO

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<sup>1</sup> <https://www.bradyunited.org/history>

<sup>2</sup> <https://www.acpjournals.org/doi/10.7326/M16-1590>