



THE UNITED STATES CONFERENCE OF MAYORS

1620 EYE STREET, NORTHWEST
WASHINGTON, D.C. 20006
TELEPHONE (202) 293-7330
FAX (202) 293-2352
TDD (202) 293-9445
URL: www.usmayors.org/uscm

December 6, 2023

The Honorable Merrick B. Garland
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

The Honorable Steven M. Dettelbach
Director
Bureau of Alcohol, Tobacco, Firearms and Explosives
U.S. Department of Justice
99 New York Avenue, NE
Washington, DC 20226

Dear General Garland and Director Dettelbach,

We are mayors from across the country coming together through the United States Conference of Mayors to register our strong support for the proposed rule on "Definition of 'Engaged in the Business' as a Dealer in Firearms," that the Bureau of Alcohol, Tobacco, Firearms and Explosives published in the *Federal Register* on September 8, 2023.

As mayors we do everything we can within our authorities to reduce gun violence in our cities, but our authorities are limited. Through the proposed regulation, ATF is using the authority provided to it by the Bipartisan Safer Communities Act to set a standard to make it clear that when a person intends to sell guns for profit, especially at commercial marketplaces like gun shows or online, they need to obtain a federal firearms license and run background checks before transferring firearms to unlicensed individuals.

The proposed rule would ensure that individuals who are "engaged in the business" of selling firearms are licensed, thus requiring them to complete background checks for all firearm sales and maintain records of those transactions, and that dealers who have lost their licenses may no longer sell firearms to the public. A recent study found that more than one of every five gun sales in the U.S. are conducted without a background check, amounting to millions of off-the-books gun transfers annually; many of these transactions are facilitated by individuals who profit from the repetitive sale of firearms yet avoid the necessary oversight required of licensed dealers. This means that at least 20 percent of the firearms sold in the United States can go to people legally prohibited from possessing a gun, and no one would ever know.

We urge the Department of Justice and the Bureau of Alcohol, Tobacco, Firearms and Explosives to finalize the rule in order to prevent firearm transfers to prohibited purchasers and ensure that individuals who are selling guns for profit are licensed, regulated, and engage in responsible business practices. It will help to tackle the problem of commercial marketplaces that funnel firearms to convicted felons, domestic abusers, and gun traffickers trying to evade background checks.

This regulation will make our cities and our nation safer. The Conference of Mayors looks forward to continuing to work with you on this and other efforts to reduce the scourge of gun violence.

Sincerely,

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