

**Congress of the United States**  
**Washington, DC 20515**

April 21, 2022

The Honorable Merrick Garland  
Attorney General  
Department of Justice  
950 Pennsylvania Avenue NW  
Washington, D.C. 20530

The Honorable Marvin Richardson  
Acting Director  
Bureau of Alcohol, Tobacco, Firearms, & Explosives  
99 New York Avenue NE  
Washington, D.C. 20226

Dear Attorney General Garland and Acting Director Richardson,

We write to request the immediate rescission of the Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) final rule entitled, "Definition of 'Frame or Receiver' and Identification of Firearms." This rule unconstitutionally expands the ATF's regulatory authority by usurping Congress's legislative power and violating longstanding federal law enacted to protect Second Amendment rights.

On April 11, 2022, the ATF announced its final rule to redefine "frame or receiver," amend the definitions of "firearm" and "gunsmith," and provide new definitions of "complete weapon," "complete muffler or silencer device," "privately made firearm," and "readily." For example, the ATF's rule redefines "frame or receiver" to include firearm configurations not explicitly captured in law, including those which are "partially complete, disassembled, inoperable, or destroyed." This unlawfully expands both the ATF's regulatory authority and the overarching definition of "firearm," placing new and burdensome restrictions on manufacturers of firearms, weapons parts kits, 80% receivers, and privately made firearms.

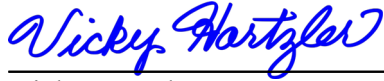
Additionally, the rule requires federal firearms licensees, including gun retailers, to retain firearm transaction records until they go out of business—indeinitely expanding the ATF's records retention beyond the current 20-year requirement. Not only will these businesses be required to permanently keep records on the transaction of firearms as currently defined under law, but they must also begin collecting and keeping transaction records for items included in the ATF's expanded definition of a firearm, including privately made firearms and gun parts or kits. This change effectively expands the ATF's already illegal billion-record gun registry housed in the National Tracing Center in West Virginia, further violating federal law.<sup>1</sup>

While the ATF may apply and enforce relevant laws passed by Congress, the ATF may not reinterpret laws in such a way that rewrites, undermines, or undoes what Congress has expressly legislated, especially if the sole intention is to broaden its regulatory authority for the purpose of eroding our Constitutional rights. If instituted, this final rule would create overly burdensome regulations, change the legal status of products sold by hundreds of American companies, restrict the activities of thousands of law-abiding gun owners who wish to exercise the right to keep and bear arms, and violate longstanding federal law.

1. <https://www.law.cornell.edu/uscode/text/18/926>

We look forward to the immediate rescission of this unconstitutional rule and end to the ATF's continued assault on our Second Amendment rights.

Sincerely,



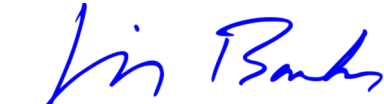
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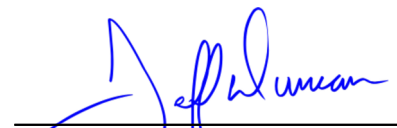
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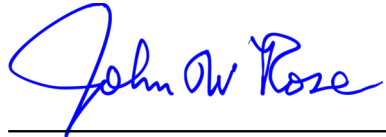
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Stephanie Bice  
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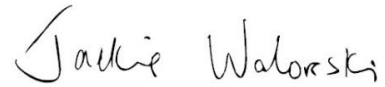
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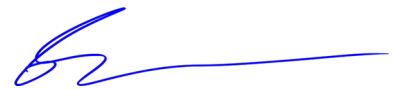
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Ken Buck  
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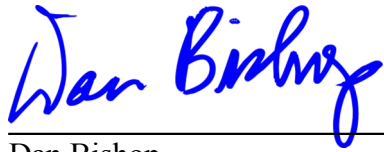
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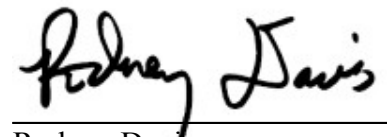
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