



Take Action by Submitting Public Comments on ATF Proposed Rules Open Comment Period Ends on August 4th, 2026

In Spring 2026, the Department of Justice (DOJ) Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) released a regulatory package of 34 rules designed to make it easier for gun buyers to acquire firearms and protect Federal Firearms Licensees (ie. gun dealers) from consequences for regulatory violations while ignoring the impact of these rules on public safety and gun trafficking.

Quixote Center, with our partners, identified proposed changes that would make it easier for criminals to traffic firearms withing and outside the USA. We invite everyone to submit comments on each of these proposed rule changes and [sign the petition](#) that we will submit to ATF as part of their public comment process.

Revising the "Engaged in the Business" Firearms Dealer Definition Rule:

The "Engaged in the Business" rule claims to bring the definition of who must obtain a federal firearms dealer license in line with the statutory language of the Gun Control Act (GCA). But in practice, the rule removes enforcement tools that help identify unlicensed dealers, making it easier for prohibited individuals to obtain firearms from sellers who are not required to run background checks. This proposed rule exacerbates the existing loophole enabling unlicensed firearms sellers to operate outside the background check system.

- **Removal of Presumptions:** The proposal removes specific behavioral criteria from 2024, including reselling a firearm within 30 days of purchase, that had helped establish when a seller must be licensed.
- **Broadened Personal Collection Exception:** The proposal expands the definition of a personal firearms collection, giving repeat sellers more room to claim their activity falls outside licensing requirements.
- **Former Licensee Inventory:** Rules that relax restrictions over how former licensees, including those whose licenses were revoked, sell off remaining inventory, reducing oversight in the secondary firearms market.

The open comment period for this proposed rule closes on August 4th, 2026, and we invite everyone to submit comments by clicking [HERE](#). You may utilize one of the comment templates we prepared, edit it or create your own.

Just make sure you include the rule number – RIN 1140-AB01 – in your comment.

Suggested comments:

Comment 1:

I am writing to OPPOSE the “Engaged in the Business” rule (RIN 1140-AB01) proposed by the ATF. I am concerned that this proposed rule could unintentionally weaken safeguards designed to keep firearms out of the wrong hands. While ATF frames this as a simplification of existing law, removing clear criteria for when a seller must be licensed creates gaps that bad actors can exploit. Unlicensed sellers are not required to conduct background checks, meaning people legally prohibited from owning firearms, including those with felony convictions or domestic violence records, may find it easier to obtain them. Criminal organizations continually adapt to find new ways around existing safeguards, and policies that reduce clarity around who must be licensed hand them an advantage. Public safety should take priority over regulatory convenience. ATF should maintain strong, enforceable standards that ensure firearms sales are subject to proper oversight and that unlicensed dealing does not go unchecked.

Comment 2:

I OPPOSE the proposed rule (RIN 1140-AB01) because it risks creating new gaps that criminal networks can exploit. Unlicensed sellers are not required to run background checks, keep transaction records, or meet the other requirements that licensed dealers must follow. Today's criminal organizations are increasingly sophisticated and actively look for ways to work around safeguards at the point of sale. The United States is already a major source of illegally trafficked firearms both domestically and throughout the Americas, and any rule that makes it harder to identify who must be licensed only makes that problem worse. ATF should maintain implementable standards for determining when a firearms seller must be licensed rather than utilizing vague language that is difficult to apply consistently and easy to work around.

Comment 3:

I am writing to oppose the proposed rule (RIN 1140-AB01) for the following reasons:

- Removing clear criteria for when a seller must be licensed makes it harder for law enforcement to identify unlicensed dealers operating outside the background check system.
- Unlicensed sellers are not required to conduct background checks or maintain transaction records, creating pathways for prohibited individuals, including those with felony convictions or domestic violence records, to obtain firearms.
- Criminal organizations continually adapt their methods, and reducing clarity around licensing requirements gives bad actors more room to exploit gaps in the system.

- A solid definition of who must be licensed is fundamental to the integrity of the background check system, and rolling it back puts communities across the United States at greater risk.