



H.R.7042 – The Reining In Federal Licensing Enforcement (RIFLE) Act of 2024

Protecting Small Businesses through Enhanced Oversight of the Bureau of Alcohol, Tobacco, Firearms and Explosives

In June 2021, President Biden established a zero-tolerance policy for gun store owners who commit "willful" violations. The Biden Administration's Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) now interprets "willful" to include minor paperwork errors, including missing a customer's middle initial or using a state's abbreviation. This zero-tolerance policy is a substantial deviation from the ATF's long history of partnering with Federal Firearm Licensees (FFLs) to keep guns out of the hands of criminals while working to bring FFLs into compliance.

President Biden's policy has created a 500% spike in FFL revocations and is targeting small and mid-sized gun stores, forcing owners to surrender their livelihoods and close their doors.

Congress must deliver comprehensive reform that holds the ATF accountable and stands up for mom-and-pop gun store owners and their due process rights.

The **RIFLE Act** builds upon strong bipartisan legislation that has been continually reintroduced in Congress, most recently in 2011, and which passed the House in 2006. Specifically, this bill:

- **Enhances oversight**, ensuring that the ATF works with FFLs, giving FFLs a chance to comply before ATF moves to revoke a license.
- **Supports small and mid-sized businesses**, allowing FFLs to review and appeal ATF determinations before an administrative law judge without having to pay exorbitant legal fees.
- **Restores trust**, clearly defining what constitutes a willful violation, imposing a presumption that there is no willful violation absent clear and convincing evidence, and allowing individuals whose licenses were revoked to reapply under the new definition of willfulness.

Groups Supporting: Gun Owners of America, National Shooting Sports Foundation, National Rifle Association

Cosponsors (18): Rep. Andrew Clyde, Rep. Warren Davidson, Rep. Mike Ezell, Rep. Jake Ellzey, Rep. Glenn Grothman, Rep. Nathaniel Moran, Rep. David Rouzer, Rep. Tom Tiffany, Rep. Tim Walberg, Rep. Ronny Jackson, Rep. Rich McCormick, Rep. Mark Alford, Rep. Jeff Duncan, Rep. Doug LaMalfa, Rep. Mary E. Miller, Rep. Tim Burchett, Rep. Mike Collins, Rep. John Rose

For [bill text](#), more information, or to cosponsor, please contact: tel.wittmer@mail.house.gov

RIFLE Act of 2024

Section-by-Section Summary

(Sec. 1) Short Title - The Reining in Federal Licensing Enforcement (RIFLE) Act of 2024

(Sec. 2) Amends the federal criminal code to revise the penalties for violations of firearms law and the procedures for assessing such penalties.

Imposes a presumption that a licensee's violation is not willful, absent clear and convincing evidence to the contrary.

Imposes a three-year limitation period for penalty enforcement actions.

Revises procedures for civil enforcement hearings before an administrative law judge.

(Sec. 3) Requires the Attorney General to make a preliminary determination on firearm license applications and to notify applicants in writing of a proposed denial.

Allows license applicants to obtain the reasons for the denial and to request a hearing on the application.

(Sec. 4) Defines the legal standard of "willfully" for purposes of determining violations of firearm requirements to require a showing that a person had actual knowledge of a clearly established legal duty, understood the obligation imposed by the legal duty, and engaged in conduct knowingly and in deliberate disregard of the duty.

Provides that receipt of certain evidence such as a document or communication containing information about firearm regulatory requirements from a federal official cannot be used to prove willfulness in court.

Provides that evidence that a person has substantial experience as a licensee, or has in other instances successfully complied, can not be used to prove actual knowledge and establish a willful violation.

Ensures the entire historical administrative record of the licensee shall be considered when determining whether a licensee's conduct was willful.

(Sec. 5) Allows for the reconsideration of applications under the bill's new definition of willfulness from former licensees whose licenses were revoked.

(Sec. 6) Directs the Attorney General to establish publicly available standards that include mitigating factors for Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) inspections, examinations, or investigations of possible violations.

(Sec. 7) Amends the federal criminal code to prohibit the ATF from disclosing information on firearms purchasers other than to a court or to law enforcement officials.

(Sec. 8) Permits a person whose firearms license is expired, surrendered, or revoked 90 days to liquidate firearms inventory, or for as long as an appeal of a revocation is pending in court.

Allows extensions of such 90-day period for reasonable cause.

(Sec. 9) Requires the Attorney General to notify the transferee of a firearms business that the former owner of such business was operating in violation of firearms requirements and to not presume that the transferee is committing the violation.

(Sec. 10) Amends federal criminal code provisions relating to firearms record-keeping requirements to prohibit a materially false entry or an omission of a materially significant entry in a required record.