



Written by [Bob Adelman](#) on November 26, 2024

Freedom Caucus Member to Reintroduce Gaetz's Abolish the ATF Act

Following his reelection to a second term in the upcoming Congress, Representative Eric Burlison (R-Mo.) announced last week his plans to revive and reintroduce former Representative Matt Gaetz's "Abolish the ATF Act." Said Burlison, "In January I will be filing the bill that Matt Gaetz sponsored to abolish the ATF.... The ATF has been a disaster for the American people and our God-given Second Amendment rights. It should absolutely be abolished."



Abolish the NFA

Within days of his inauguration as a member of the House in January 2023, Burlison revealed his real intentions: His first act was to introduce a bill to abolish the National Firearms Act of 1934 (NFA), the law that has enabled the ATF to consistently and deliberately violate Americans' rights guaranteed by the Second Amendment to the U.S. Constitution.

AP Images
Eric Burlison

At the time, Burlison said:

The federal government has used the National Firearms Act for almost a century to violate law-abiding citizens' Second Amendment rights. The recent ATF pistol brace rule is just another example of these blatant attacks on the constitutional rights of Americans. The ATF-NFA sham needs to end.

The Repeal the NFA Act will strip the ATF of its authority to criminalize lawful gun owners and will undo nearly 90 years of assault on fundamental freedoms. I'm proud to stand with and support Americans nationwide as we take this issue head-on.

Burlison received support from Representative Andy Biggs (R-AZ):

For too long, anti-gun zealots have enacted policies that infringe on Americans' Second Amendment rights. The NFA has only led to increased government bureaucracy and has done nothing to reduce gun violence.

I applaud Congressman Burlison's legislation that would prevent the federal government from continuing to impose these draconian registration mandates on law-abiding gun owners.



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New gun owners — 22 million of them since the reign of the anti-gun Biden administration — will no doubt remember the ATF's overreach on pistol braces that courts struck down as unconstitutional. They will remember the ATF's efforts to expand the definition of what it means to be a "gun owner" in order to bring all of them under the aegis of the ATF and subject them to the agency's ever-changing rules (including the violation of their Fourth Amendment rights to be free of unreasonable searches and seizures).

Some History

They might not remember, or have any reason to remember, the egregious and outrageous violent past instigated by the ATF in its attacks on Americans' gun rights.

So outrageous were the efforts to subjugate those rights that in 1982 a Senate Judiciary Committee investigation resulted in a report that said, "Based upon these hearings it is apparent that ATF enforcement tactics made possible by current federal firearms laws [i.e., the NFA] are constitutionally, legally, and practically reprehensible."

The Senate followed through by passing the Firearm Owners Protection Act of 1986, which ameliorated some of the ATF's more outrageous moves.

Readers interested in a brief review of the ATF's violent attacks on Randy Weaver's Ruby Ridge mountain cabin in 1992 — which led to the murder of his wife by an ATF sniper, and the multi-million dollar settlement that followed without the ATF admitting guilt — may view "The Siege at Ruby Ridge: the Forgotten History of the ATF Shootout that Started the Militia Movement" [here](#).

For those wishing to know more about the ATF's attack on the Branch Davidians in Waco, Texas, a year later, they may view "Waco, the Big Lie" [here](#).

Out-of-control Bureau

When Amy Swearer, a senior legal fellow at the Heritage Foundation, addressed a House subcommittee in 2023, she reminded the committee members that

[The] ATF has a habit of turning into its worst self when left unsupervised by Congress.

ATF tends to use its vast and often unchecked regulatory powers to accomplish through agency rulemaking the very types of unreasonable and unconstitutional gun control measures that elected officials couldn't accomplish through the democratic process....

In just the last year, ATF, at the prompting of the President [Biden], implemented a zero-tolerance policy for violations by Federal firearms licensees that has dramatically increased the number of licenses the Agency revokes.

Where the Agency used to see itself as partners, working with FFLs [holders of federal firearms licenses], to ensure compliance with the vast array of Federal gun laws, almost overnight it *turned itself into an antagonist* (emphasis added).

The new policy presumes that many violations merit revoking a license absent extraordinary circumstances, even for first-time violations. The zero tolerance policy often applies to situations that are basically clerical errors or paperwork mistakes that don't result in any actual harm.

And this is particularly ironic given ATF's propensity for sloppiness with its own firearms



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and records which has sometimes resulted in actual harm....

ATF also told potentially millions of American gun owners that despite a decade of ATF assurances to the contrary, their pistol-braced firearms were actually heavily regulated short-barrel rifles, and if these gun owners want to keep their pistol-braced firearms without immediately being branded as felons, they would have to register each gun with the government and pay a \$200 per gun tax.

Otherwise, yes, the ATF is coming for their guns!...

You have asked us today when is enough, enough. How long, oh Lord, will ATF continue being its worst self at the expense of peaceable Americans?

Respectfully, the Constitution provides a clear answer. It is enough when you say it is enough, and it will continue until you do something to stop it.

The revival, reintroduction, and passage of Gaetz's "Abolish the ATF Act" would be a good start.



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