



Written by [Bob Adelman](#) on July 26, 2023

## “Zero Tolerance” Rule Putting Gun Dealers Out of Business

Gun Owners of America (GOA), [in its lawsuit](#) filed against the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), revealed what Biden’s “zero tolerance” policy is all about: putting gun dealers out of business.

Following Biden’s [announcement](#) in June 2021 that he wanted to “keep guns out of the wrong hands,” many assumed he was talking about criminals. It turns out what he really meant was any law-abiding citizen who owned, or wanted to own, a firearm. He would, with the help of the ATF, put every gun *dealer* out of business.

He talked about a “whole-of-government approach” to the problem of gun violence, a “comprehensive strategy” to combat it, a policy that “attacks the root causes” of that violence.

In America, the framers of the Constitution crafted a republic built on the premise that individuals would control their own actions in such a way as to not harm their neighbors. The moral compass, in other words, was internal, and thus a national government would have very little need to maintain order.

As the American society disintegrates, more government not only is called for, but is invited in order to quell the increasing rates of crime and violence. And Biden and his handlers are only too happy to answer the call for more government.

Following the twisted logic that more guns equal more gun violence (despite overwhelming evidence to the contrary), the present administration has the answer: “zero tolerance,” whereby the most picayune or minor errors made by a gun dealer trying to follow the myriad local, state, and federal laws makes him subject to termination of his federal firearms license (FFL).

As Biden announced, it’s a “new policy to underscore zero tolerance for willful violations of the law.... ATF will seek to revoke the licenses of dealers *the first time* (emphasis added) that they violate federal law.”

The word “willful” is not defined by Biden, and so the ATF has chosen to define it as “any” violation — and is acting accordingly.



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Now the scheme makes sense. On March 27, without warning, 16 heavily armed ATF agents stormed into Adventure Outdoor, one of the largest gun dealers in the southeast, demanding all records pertaining to gun purchases, specifically Form 4473. That form, when initially cast by the ATF, included 30 items the prospective gun purchaser was required to complete. It now has expanded to more than 100 “data points,” thus exponentially increasing the chances for error.

As John Harris, an attorney representing many dealers in appeals to the ATF over the agency’s overreach, [explained](#):

When you’re writing down a serial number, you may transpose two digits, or you may leave one out, or a 6 may look like a G.

[There are] all kinds of errors that can happen that are completely innocent and have nothing to do with willfulness, but the ATF has developed this theory, and courts have allowed it, that says repeated errors are evidence of willfulness and therefore they’re a basis for revocations.

That explains the ATF invasion on June 14 of Highwood Creek Outfitters in Great Falls, Montana. Agents from both the IRS (!) and the ATF descended on owner Tom Van Hoose’s store and for 10 hours rummaged through his store’s records. When they left, they took with them more than 20 boxes of records containing more than 12,000 Form 4473s, which, one may safely assume, are now being carefully combed through by agents to find a single error — just one being enough to shut down his store.

Van Hoose warned, “They will try to bankrupt me if they can’t find a legal or regulatory reason to put me out of business.”

When Van Hoose’s congressional representative, Matthew Rosendale, learned of the outrage committed by the ATF and IRS, he fired off [a letter](#) to both agencies demanding answers to a number of questions. The most important question Rosendale asked was, “Why did the IRS [and ATF] take Highwood Creek Outfitters 4473’s and what do [they] intend to do with them?”

Now we know.

As the lawsuit by GOA noted:

The 2022 AAP [the ATF’s internal Administrative Action Policy manual], then, represents a one-way ratchet in favor of license revocation — designed and intended from the ground up to put as many firearm dealers as possible out of business, not only ruining livelihoods but also impeding Americans’ ready access to constitutionally protected firearms in the process.

The 2022 AAP represents a clear redirection of ATF’s mission — from *regulating* the firearms industry to seeking to *eliminate* it. [Emphasis in the lawsuit.]

So intent is the ATF in following its marching orders from Biden that they are reopening old cases and revoking licenses in which previous errors were acknowledged but, by discretion previously granted to ATF field agents, forgiven as minor and unintentional.

Those days are gone. A computer now determines errors and alerts the ATF to gun dealers whose record-keeping was less than absolutely perfect.



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The lawsuit notes that the ATF is pushing the policy because it works:

As ATF itself reports, the Biden Administration’s “zero tolerance” policy, as implemented in ATF’s revised 2022 AAP, has achieved the desired results — a massive increase in the number of FFLs who are having their licenses revoked or otherwise are terminating their licenses.

Where is Congress in all this? What happens when the separation of powers — under which the interests of one branch of the government are intended to restrain the illegal actions of another — are not exercised?

More than 2,000 former gun dealers know the answer, and more active dealers are certain to join them as the ATF marches on in its attempt to remove the licenses of all of them in the country.

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