

BATF rebuked for attacks on gun dealers

Agency tried to revoke licenses for paperwork mistakes

The federal Bureau of Alcohol, Tobacco, Firearms and Explosives has been given a rebuke by Congress for its aggressive attacks on firearms dealers who may have paperwork errors in their record-keeping.

The citation in the 2008 Appropriations Bill was pointed out by Ryan Horsley, who manages the historic Red's Trading Post in Twin Falls, Idaho, and blogs about 2nd Amendment issues.

As WND has reported, his company is in a court fight now with the federal agency over paperwork errors that largely involved insignificant issues, such as a missing poster or a purchaser failing to provide a county of residence to accompany and street and city address. Inspectors for the BATFE have been visiting his business regularly in search of records mistakes, he said.

WND also reported earlier how the store appears to be caught up in a new campaign for gun control, focusing on the elimination of retail outlets through technical rules infractions.

"We have documented our experiences in hopes of showing what the **ATF** is doing to legitimate businesses and how they disregard our senators and congressman," Horsley said. "I try not to take it personal and have found solace in my faith but it is still difficult when **this agency has made every attempt to destroy what your family worked so hard to build, what is even more concerning is how the ATF is single handedly destroying our 2nd Amendment.**"

The 2008 appropriations bill is for the Commerce and Justice departments and related agencies, and contains a recommended "discretionary budget" of \$53.5 billion for the fiscal year ending Sept. 30, 2008. While discussing the billion dollars that the ATF is recommended to get, lawmakers noted more than \$6 million is to go to the Firearms Trafficking/Gun Runner Program. Then it delivers an admonishment:

"The committee has heard reports that AFT has pursued license revocations and denials against firearms dealers based on violations that consist largely of recordkeeping errors of various types that are unlikely to impede tracing investigations or prosecution of individuals who use firearms in crime," the members of Congress said. "The Committee encourages AFT to consider lesser gradation of sanctions for recordkeeping errors."

Horsley said the advisory "sounds great." But he also noted that the agency had been told to correct its activities in 2004, and the attacks are continuing.

"If you have not already contacted your senators, then I encourage you to do so," he wrote on his blog. "Their agenda to shut down our 2nd Amendment [rights] to justify their own existence has to stop."

A 25-year law enforcement officer, who wished to remain anonymous, **told Horsley** that the 2nd Amendment, "is a guarantee secured by the blood of our ancestors and Founding Fathers. We cannot, we must not ignore the United States Constitution which is the very handbook for freedom which has set the standard of liberty across the world. **"Anyone who deprives the people of these liberties, regardless of the motive, has assailed the very principles upon which this great nation was forged,"** he said.

Horsley's own battle centers around records mistakes, and now is pending in federal court. He installed a complex computerized records system at the behest of the federal agency, which most recently has said it still is dissatisfied with those results. **But if records are the bar by which gun dealers are measured, at least one expert says the ATF itself may have difficulty.**

A gun manufacturer who specializes in legal reproductions of historic weaponry told WND a recent audit of the business found no discrepancies in his records, but it did reveal mistakes in the ATF records.

"What was of particular interest to me was that the NFRTR [BATFE's bound book of machineguns, etc] was off by four machineguns," Len Savage, of Historic Arms LLC, said.

"It is so bad [the BATFE own record keeping] that the inspectors have a form for correcting it using dealers records," he said. He submitted a Freedom of Information Act request and discovered that the federal agency "is very quietly trying to fix their own inept record keeping by using our [store and business] records to fill in the gaps."

An AFT inspector, **Herbert Blount**, told Savage that when the agency moved to a new building, officials **"lost/misplaced" records for more than 500 businesses and replacements were being sought.**

"As we are all human and errors do occur, I was more than happy to help him out. **What really bothered me was that seven days later he called and explain he 'misplaced' the records I had just sent him a week previous,**" Savage said.

Larry Pratt of Gun Owners of America told WND that **as recently as 15 or 20 years ago, there were 250,000 licensed gun dealers in the United States. The federal government confirms there are only about 108,000 now.**

The saga with Red's began when the ATF inspection in 2000 discovered various paperwork violations, Horsley said, just shortly after he arrived to take over the store, mistakes such as a customer failing to write down the county in which he lived.

In 2001, "they couldn't find any violations," he told WND. A few other minor problems were found later, including a failure to put up a poster. "I wasn't alarmed because this agent ... **had told us we were one of the best small gun shops he'd ever seen,**" Horsley told WND.

Then early in 2006, "We get a letter that 'We're [ATF] revoking your license,'" Horsley said. "I just came unglued. I couldn't believe it."

After an expensive appeal process within ATF, he ended up with the same result, and sought out a lawyer for the federal court challenge, a challenge which now is pending.