Violence Policy Center



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Gun Dealer Plaintiff In NRA-Backed Lawsuit to Block Reporting of Multiple Assault Rifle Sales to ATF Offers Bulk Discounts On Rifles Targeted by the New Rule

J&G Sales, located in Prescott, Arizona, is one of two gun dealers suing the federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to block implementation of a new requirement for gun dealers in border states to report to ATF sales of more than two rifles with specific characteristics to the same buyer at one time or over a period of five business days. The measure is one small step to stem the flow of military-style firearms from the United States to Mexican Drug Trafficking Organizations (DTOs). The reporting requirement is specifically designed to help ATF identify suspicious transactions in which traffickers purchase multiple "weapons of choice," such as AK-47 and AR-15 variant assault rifles.

J&G Sales is one of the most prominent marketers of the "weapons of choice" of illegal traffickers. The company sells a wide variety of AK- and AR-type rifles as well as the newly popular AK Draco pistol and the just-introduced AK Draco Mini pistol.

In the August 1, 2011, issue of *Shotgun News*, J&G offers bulk discounts on the Romanian AK-47 rifles —currently the most popular rifle with Mexican traffickers. For example, one model of the Romanian AK-47 WASR10 is priced at \$439.95 for one, but for "two or more" the price drops to \$429.95 each, while the price for "five or more" is only \$419.95. These are the very guns—*being sold at discount by J&G for multiple sales*—that are the subject of the new multiple-sales reporting rule.



According to a December 13, 2010, *Washington Post* investigation, J&G was third in a list of gun dealers with the highest numbers of guns recovered in Mexico and traced back to the U.S.

J&G describes its suit challenging the reporting requirement on its website:

BATFE lawsuit info - Monday August 01, 2011

As many of you may have heard, the BATFE has sent a demand letter to all the licensed firearms dealers in the four border states of Arizona, New Mexico, California, and Texas. This letter requires these dealers to report to the BATFE the names and addresses and serial numbers of all purchases of more than one semi-automatic rifle, with a detachable magazine, over 22 caliber, within a 5 business day period.

The BATF and Department of Justice has made this demand with no Congressional authorization and therefore, J and G Sales has filed suit in the Washington DC federal court challenging the legitimacy of this new regulation. We are being assisted in this law suit by the NRA as well. We hope the outcome of our challenge will be a reversal of this unconstitutional regulation for all border state FFL dealers. We appreciate our customers and your support of the 2nd amendment and will keep you all updated as this case progresses.

This new regulation goes into effect for all purchases that occur on or after August 14th, 2011. The BATFE has issued a new form 3310.12 that FFL dealers have to fill out and return to the BATFE starting on this date and going forward until this is hopefully reversed.