

United States Senate

WASHINGTON, DC 20510

November 23, 2015

President Barack Obama
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Mr. President:

We stand with you determined to take action to reduce the terrible epidemic of gun violence plaguing this nation. All across the country, communities are ravaged and lives are senselessly cut short by gun violence. Following yet another horrific mass shooting in Roseburg, Oregon, it is unthinkable that our country can continue to turn a blind eye to these tragedies.

We will continue to make every effort to build support for and demand a vote on legislation to improve background checks, close loopholes, and shut down the illegal pipeline of guns. We will not give up the fight to improve our nation's gun laws to reflect the broad agreement of gun owners and non-gun owners who want Congress to act to halt gun violence.

We ask you, concurrently, to investigate and pursue all available options under your executive authority to reduce gun violence. Specifically, your administration could take an immediate step that would have an important impact on limiting gun violence. We urge you to address an aspect of the high-volume gun seller loophole that allows guns to be sold without a background check by eliminating the ambiguity surrounding the term "engaged in the business" as it pertains to federally licensed firearms dealers.

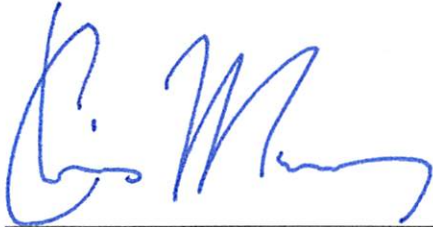
Under current law, only licensed gun dealers are required to perform background checks for all gun sales, and only those individuals deemed to be "engaged in the business" of dealing in guns are required to obtain a license from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). However, the regulatory definition of "engaged in the business," needs clarification. Currently, individuals are able to sell guns at a high volume at gun shows, over the internet, or elsewhere without ever becoming licensed and, in turn, without being compelled to conduct a simple background check before completing a sale.

Updating the definition of "engaged in the business" to provide more explicit guidance as to which gun sellers are required to obtain a federal firearms license would not impact a father giving a gun to his son, or an individual selling his gun on the internet. But it will help ensure that individuals are not able to continue to exploit ambiguity in the current regulation and sell guns at a high volume without any oversight by ATF and without conducting background checks. This type of action is not without precedent, as many states have provided this type of explicit guidance regarding which vendors engaged in retail sales in the state are required to collect state sales tax. This change would be a positive step forward in achieving universal background checks, a policy change that roughly 90 percent of Americans support. It would

help ensure that those clearly holding themselves out as gun dealers are held to the same standard as the thousands of responsible gun dealers already licensed with ATF across the country.

Thank you for your continued efforts to reduce gun violence and for your consideration of executive action that could save lives. We look forward to continuing to work together to prevent gun violence.

Sincerely,



CHRISTOPHER S. MURPHY
United States Senator



RICHARD BLUMENTHAL
United States Senator



TAMMY BALDWIN
United States Senator



CORY A. BOOKER
United States Senator



BARBARA BOXER
United States Senator



SHERROD BROWN
United States Senator



BENJAMIN L. CARDIN
United States Senator



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United States Senator



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United States Senator



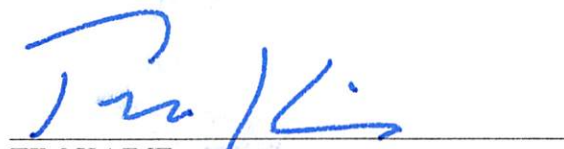
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United States Senator


DIANNE FEINSTEIN
United States Senator


AL FRANKEN
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KIRSTEN GILLIBRAND
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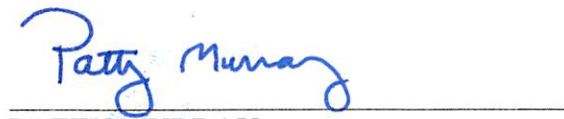

MAZIE K. HIRONO
United States Senator

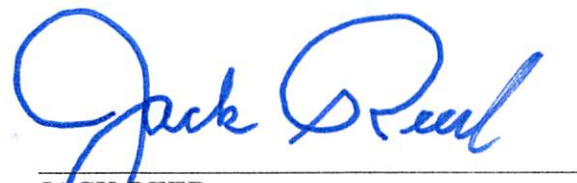

TIM KAINE
United States Senator


EDWARD J. MARKEY
United States Senator

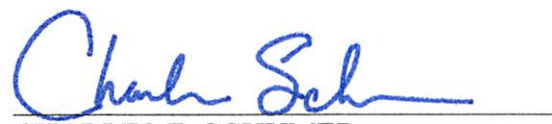

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