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## **Attorney General Griffin Co-Leads 21-State Coalition in Suit Challenging ATF Gun Show Loophole Rule**

*Griffin: 'This lawsuit is just the latest instance of me and my colleagues in other states having to remind the President that he must follow the law'*

**LITTLE ROCK** – Attorney General Tim Griffin today issued the following statement after co-leading with Kansas Attorney General Kris Kobach on behalf of 19 other state attorneys general in filing suit in U.S. District Court for the Eastern District of Arkansas against the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) over the Biden Administration’s new rule attacking the ability of private collectors and hobbyists to buy and sell firearms:

“Federal law has defined who is a firearms dealer since 1938. In every iteration of that definition, private collectors and hobbyists were not included and, in many cases, were specifically exempted from that definition. In fact, then-Senator Biden praised the 1985 Firearm Owners Protection Act as a ‘balanced piece of legislation that protects the rights of private gun owners.’

“In 2021, President Biden instructed his government to curtail gun rights ‘without having to go through’ Congress. The ATF’s new rule is the latest manifestation of the President’s desire to govern by fiat without consideration of the constitutional rights of Americans.

“This is the point of our suit filed here in Arkansas. Congress has never passed into law the ATF’s dramatic new expansion of firearms dealer license requirements, and President Biden

cannot unilaterally impose them. This lawsuit is just the latest instance of me and my colleagues in other states having to remind the President that he must follow the law.”

When it first proposed its new rule in August 2023, the ATF conceded that it “would impact unlicensed persons who would now have to become licensed dealers to lawfully operate as a small business.” Despite objections from numerous commenters, the ATF issued its rule without any significant alterations.

In announcing the final rule on April 11, the Biden Administration touted the fact that a person must be licensed to sell firearms “absent evidence showing they are in fact not engaged in the business of firearms dealing,” and that “it does not matter whether you are dealing firearms at a gun show, online, in your home, in the trunk of a car, at a flea market, or anywhere else.”

Additionally, the White House has said that “even a single firearm transaction may be sufficient to require a license.”

The suit, filed by the attorneys general of Kansas, Arkansas, Iowa, Montana, Alabama, Alaska, Georgia, Idaho, Indiana, Kentucky, Missouri, Nebraska, New Hampshire, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Virginia, West Virginia, and Wyoming, asks the court to postpone the rule; declare that it is unlawful and violates of the Administrative Procedures Act; declare that it violates the Second Amendment of the U.S. Constitution; vacate the rule; and enjoin the Department of Justice and the ATF from enforcing the rule.

The lawsuit can be [read here](#).

### **About Attorney General Tim Griffin**

Tim Griffin was sworn in as the 57th Attorney General of Arkansas on January 10, 2023, having previously served as the state’s 20th Lieutenant Governor from 2015-2023. From 2011-2015, Griffin served as the 24th representative of Arkansas’s Second Congressional District, where he served on the House Committee on Ways and Means, House Armed Services Committee, House Committee on Foreign Affairs, House Committee on Ethics and House Committee on the Judiciary while also serving as a Deputy Whip for the Majority.

Griffin has served as an officer in the U.S. Army Reserve Judge Advocate General’s (JAG) Corps for more than 27 years and currently holds the rank of colonel. In 2005, Griffin was mobilized to active duty as an Army prosecutor at Fort Campbell, Kentucky, and served with the 101st Airborne Division (Air Assault) in Mosul, Iraq.

He is currently serving as the Commander of the 2d Legal Operations Detachment in New Orleans, Louisiana. His previous assignments include serving as the Commander of the 134th Legal Operations Detachment at Fort Liberty (née Bragg), North Carolina, and as a Senior Legislative Advisor to the Under Secretary of Defense for Personnel and Readiness at the Pentagon. Griffin earned a master's degree in strategic studies as a Distinguished Honor Graduate from the U.S. Army War College, Carlisle Barracks, Pennsylvania.

Griffin also served as U.S. Attorney for the Eastern District of Arkansas, and Special Assistant to the President and Deputy Director of Political Affairs for President George W. Bush; Special Assistant to Assistant Attorney General Michael Chertoff, Criminal Division, U.S. Department of Justice; Special Assistant U.S. Attorney, U.S. Attorney's Office, Eastern District of Arkansas; Senior Investigative Counsel, Government Reform and Oversight Committee, U.S. House of Representatives; and Associate Independent Counsel, Office of Independent Counsel David M. Barrett, In re: HUD Secretary Henry Cisneros.

Griffin is a graduate of Magnolia High School, Hendrix College in Conway, and Tulane Law School in New Orleans. He attended graduate school at Oxford University. He is admitted to practice law in Arkansas (active) and Louisiana (inactive). Griffin lives in Little Rock with his wife, Elizabeth, a Camden native, and their three children.

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