

The Zelman Partisans

AUTHORITARIAN SWINE, GUN CONTROL, POLITICS, SO MUCH STUPID!

[UPDATE] BUMBLING MACHINATIONS ON BUMP STOCKS?

APRIL 2, 2018 | CARL BUSSJAEGER | 1 COMMENT

[See ATF update below]

I've been chasing bump-fire stock commenting on regulations.gov this morning, [because it matters](#), trying to sort out the [issues with commenting](#). What I've found so far:

My layman's understanding is that new rules (Notice of Proposed Rulemaking, NPRM) have to be announced in the Federal Register, giving people a chance to voice their views on them, before the rules can be implemented. Sure, they can ignore us, but they have to let us yammer.

The only Federal Register [announcement for "Bump-Stock-Type Devices"](#) is "A Proposed Rule by the Alcohol, Tobacco, Firearms, and Explosives Bureau on 03/29/2018." That is **Docket No. 2017R-22**, which on federalregister.gov shows 35,709 public comments. Clicking the link to those comments takes you to the comments for December 2017's proposed rule. (Ditto for the [GPO PDF of the Federal Register](#).)

Regulations.gov is the web site where we – supposedly – get to voice those views.

Regulations.gov shows **two** dockets, neither of which is "Docket No. 2017R-22".

ATF-2018-0001:

"Comments Not Accepted"

The comment I made on that, [1k2-92ad-9enm, 3/29/2018](#), shows "*This comment was received in Regulations.gov but is not yet posted. Please contact the agency directly for more information.*"

A search for comments on ATF-2018-0001 shows "*35,709 results*". But the result displayed are the comments from the December 2017 NPRM, "*Comment Period Closed, Jan 25, 2018 11:59 PM*"

ET”.

Docket No. ATF-2018-0002:

This docket shows different comment counts depending on the page you look at.

- [ATF-2018-0002](#)
Commenting allowed, currently shows “3,673 Comments Received”.
- [ATF-2018-0002-0001](#)
Commenting allowed, currently shows “1,864 Comments Received”.

But no comments on ATF-2018-002 can be found: “*0 results*”.

My comment on *this docket*, [1k2-92b5-589w](#), 3/30/2018, also shows “This comment was received in Regulations.gov but is not yet posted. Please contact the agency directly for more information.”

Please note: While ATF-2018-0001 was published on 3/29/2018 and could be considered the NPRM referred to in the Federal Register, ATF-2018-002 was not published until 3/30/2018, after comment were closed on the 3/29 docket.

SUMMARY: The “Bump-Stock-Type Devices” is being “tracked” under three different docket numbers. The Federal Register — where rules apparently must be legally published — shows *only* Docket No. 2017R-22, which you might recall is also the docket number for the [December 2017 NPRM](#).

But regulations.gov shows *two* dockets, neither published in the Federal Register, with different comment counts. And neither of my comments will display for *any* docket number.

It’s hard to tell with the ATF, but this *might* be bureaucratic incompetence rather than deliberate malice. Possibly some idiot did a copy/paste from the 2017 NPRM, and got the old docket number. When they tried to enter a new docket number to keep comments separated, they managed to enter two, screwing up the whole NPRM.

Or it might be deliberate machinations, with bureaucratic bumblng as *plausible deniability*.

Update, 4/2/2018, 11:55 AM EDT: I have received a response from the ATF. As you can see, it fails to explain why commenting closed on one docket, or why there are two *other* separate (and not listed in the Federal Register) dockets. Comments are still separated across dockets in

counts, yet are not visible.

From: Katrina.A.Moore@usdoj.gov

Subject: FW: Comments Closed on Bump-Fire Rule

This is in response to your email to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). In your email, which you inquired why the commenting was closed on the Notice of Proposed Rulemaking in "Bump-Stock-Type Devices" after one day.

As you may know, ATF is responsible for enforcing the Gun Control Act of 1968 (GCA), as well as other Federal firearms laws. A significant part of the GCA concerns the licensing and recordkeeping requirements pertaining to the manufacture, importation, distribution and sale of firearms.

The direct link to comment on the subject notice is <https://www.regulations.gov/document?D=ATF-2018-0002-0001>

If you have any further comments or concerns, they may be directed to the Office of Regulatory Affairs (202) 648-7070.

In addition, there may be State laws that pertain to this proposed activity. Contact State Police units or the office of your State Attorney General (www.naag.org) for information on any such requirements. You may also find information in ATF publication 5300.5: State Laws and Published Ordinances – Firearms.

We trust the foregoing has been responsive to your inquiry. Should you have additional questions, please contact your local ATF office. A listing of ATF office phone numbers can be found [here](#).

Regards,

K Moore | Senior Industry Operations Investigator
U.S. Department of Justice | Bureau of Alcohol, Tobacco, Firearms and Explosives
Firearms Industry Programs Branch
99 New York Avenue NE, Mail Stop 6.N-518
Washington, DC 20226

Update 2, 4/2/2018, 2:55PM EDT:

The inconsistent comment counts are the same, but 431 comments can now be seen. Visible comments include some submitted today. However, neither of my comments submitted last week can be found anywhere. Since my comments have vanished, I have submitted a third attempt to voice my opinion: 1k2-92d6-aj9o, 4/2/2018:

Comment Tracking Number Match

This comment was received in Regulations.gov but is not yet posted. Please contact the agency directly for more information.

Carl is an unpaid TZP volunteer. If you found this post useful, please consider dropping something in his tip jar. He could use the money, what with truck repairs and bills.



- [← ATF](#)
- [← BANS](#)
- [← BUMP STOCK](#)
- [← BUMP-FIRE](#)
- [← BUMP-STOCK-TYPE DEVICES](#)
- [← COMMENTING](#)
- [← RULES](#)

ONE THOUGHT ON “[UPDATE] BUMBLING MACHINATIONS ON BUMP STOCKS?”



Mutti

APRIL 2, 2018 AT 12:30 PM

My personal comment has been unable to be submitted via the online form, therefore I suggest individuals FAX: (202) 648-9741 ATTN: Vivian Chu

or Mail:

Vivian Chu, Mailstop 6N-518, Office of Regulatory Affairs, Enforcement Programs and Services, Bureau of Alcohol, Tobacco, Firearms, and Explosives, 99 New York Ave. NE, Washington DC 20226. ATTN: 2017R-22

—

Depending on how much effort one wants to put forward a copy of the FAX receipt and Comment can/should be sent to any of their elected officials who have involvement with the

oversight committee (example: House Judiciary Committee: <https://judiciary.house.gov/subcommittee/full-committee/>)

00331751

The Zelman Partisans

AUTHORITARIAN SWINE, GUN CONTROL

[UPDATED] BUMP-FIRE RULE: "COMMENTS NOT ACCEPTED"

MARCH 30, 2018 | CARL BUSSJAEGER | 9 COMMENTS

ADDED 2: jim notes in comments that the proposed rule can *now* be found [HERE](#).

That's nice. Except...

Scroll down. New docket number. Comment count is zero.

Related Dockets: None

Related RINs: None

Related Documents: None

That means this is not tied to the previous notice with existing comments, and those hundreds of comments that were made before are **GONE**.

Inquiries to the ATF, DOJ, Federal Register, and various congresscritters have gone unanswered. An automated response from the ATF reads, *"It is the goal of FIPB to respond to requests from firearms industry members and the general public within 120 days of receipt."*

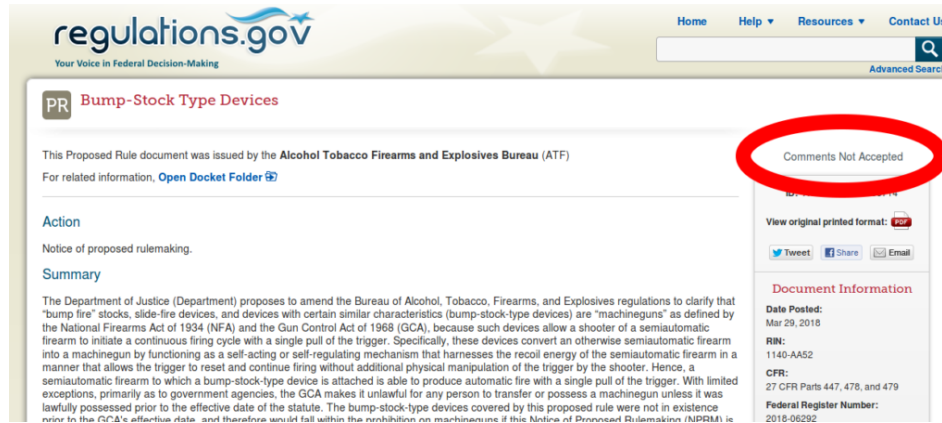
Nice trick. If comments aren't going your way, kill the proposal, reissue it without telling anyone, and do over until you get the results you want to justify violating human/civil rights.

I have two comment receipts now, so I can check if the first is permanently evaporated, or if they'll... *restore* it.

Original post (and update) follows:

Something is up with the **Notice of Proposed Rulemaking** on "Bump-Stock Type Devices." I was there earlier this morning checking on comment totals: 941.

I thought of something else I wanted to see again a few minutes ago. I found this.



"Comments Not Accepted"

So I cleared cache/cookies/history/*et al* and attempted a new comment.

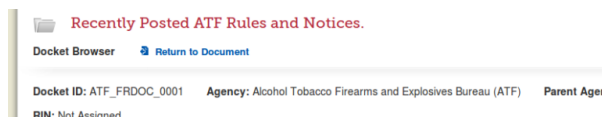


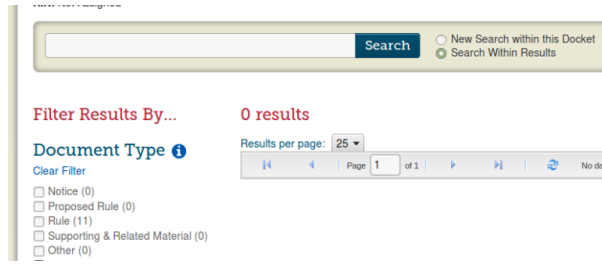
"Document ATF_FRDOC_0001-0036 is no longer open for comment."

That was supposed to be open for 90 days, until June 29, 2018.

Very odd. Anyone know what's going on?

Added: I also did a search on the comments submitted before it was closed (remember: there had been at least 941):





Inquiries have been made to DOJ and the Federal Register. No responses yet.

Carl is an unpaid TZP volunteer. If you found this post useful, please consider dropping something in his tip jar. He could use the money, what with truck repairs and bills.



9 THOUGHTS ON "[UPDATED] BUMP-FIRE RULE: "COMMENTS NOT ACCEPTED"



jim

MARCH 30, 2018 AT 12:15 PM

You may submit comments, identified by docket number ATF 2017R-22, by any of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the directions for submitting comments.

Fax: (202) 648-9741.

Mail: Vivian Chu, Mailstop 6N-518, Office of Regulatory Affairs, Enforcement Programs and Services, Bureau of Alcohol, Tobacco, Firearms, and Explosives, 99 New York Ave. NE, Washington DC 20226. ATTN: 2017R-22.



jim

MARCH 30, 2018 AT 12:22 PM

Try this link:

<https://www.regulations.gov/document?D=ATF-2018-0002-0001>



★ **Carl Bussjaeger**

MARCH 30, 2018 AT 1:07 PM

That's nice, but according to that page the hundreds of comments already submitted are gone.



Mike Murray

APRIL 2, 2018 AT 11:38 AM

Thanks for that, Jim.

The link works, and I shamelessly used part of Carl Bussjaeger's refutation of mechanical concept that "it's a machine gun".

It's not, and if this passes it's one more step toward banning any semi-auto firearm. Bastards.



★ **Carl Bussjaeger**

APRIL 2, 2018 AT 11:59 AM

"It's not, and if this passes it's one more step toward banning any semi-auto firearm."

Exactly.

"Bastards."

Yep.



Comrade X

MARCH 30, 2018 AT 4:20 PM

Tyrants don't need no stinkin comments!



jim

MARCH 30, 2018 AT 4:57 PM

Roger that, too many games or too many secrets (remember that movie?). I hope people are waking up to the fact Dems and Repubs are the same animal. Stock up with everything you can get. Never again....



Comrade X

MARCH 31, 2018 AT 12:12 PM

I hate to be a broken record but ;Yep, a one party system; the big government party with two branches, a D & a R.



pigpen51

MARCH 30, 2018 AT 9:40 PM

I just had flashbacks of Richard Nixon. Yes, I am old enough to remember him talking on the television.

What I remember is him saying " The American people have a right to know if their president is a crook. Well, I am not a crook." Shortly, he resigned his office, because he was found to be a crook. And he knew that if he stayed he would be impeached. Based on his covering up the burglary into Watergate hotel, not for actually doing the burglary or even ordering it, but just trying to hide it.

So I think that I can agree with pretty much all that have spoken here that this is a crooked deal, that once the BATFE's saw the way that the comments were running, they simply did away with them and started over. And that it will happen again, until they get the results that they want. The Dems and the Repubs are one and the same, and that it is prudent to stock up, no matter what the political climate is.

00331764