

Congress of the United States
Washington, DC 20515

October 2017

The Honorable Thomas E. Brandon
Acting Director
Bureau of Alcohol, Tobacco, Firearms, and Explosives
99 New York Ave NE
Washington, DC 20226

Dear Acting Director Brandon,

On the morning of October 2, we were shocked and appalled to awaken to news of the horrific events that occurred during the night at a concert in Las Vegas. As a nation, we mourn the loss of life, we condemn the senseless and evil attack on these innocent victims, and we praise the brave actions by our first responders and bystanders alike.

As members of Congress, however, it is our responsibility to examine this situation to determine what actions, if any, may be taken as an appropriate response to this national tragedy. We recognize that it is impossible to prevent tragedy—we cannot stop evil in its many forms, and we cannot gauge the level of hate in someone’s heart. But we can come together to find commonsense ways in which to blunt the damage these evildoers are able to inflict upon other citizens while ensuring protection of individuals’ civil liberties and rights under our Constitution.

Reports in the aftermath of this tragedy indicate that the perpetrator may have used a commercially available mechanism to modify the rate at which his weapons were able to discharge. Commonly called a bump-stock—also known as a “slide fire”—this mechanism is designed to replace the weapon’s original shoulder stock to allow the rest of the weapon to slide backward and forward, harnessing the kinetic energy of the weapon’s recoil to allow for a more rapid trigger pull, thereby dramatically increasing the rate of discharge.

It is also our understanding that this mechanism is technically legal under the National Firearms Act (26 U.S.C. 5845(b)) and the Gun Control Act (18 U.S.C. 921(a)(23)). In fact, we have enclosed two letters from the Firearms Technology Branch (FTB) of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) dated June 7, 2010 and April 2, 2012 which indicate this mechanism is not implicated by the laws that apply to machineguns.

In light of the tragic events in Las Vegas, we respectfully request that FTB-ATF work expeditiously to re-evaluate bump stocks and similar mechanisms to ensure full compliance with federal law. If the re-evaluation shows otherwise, we request that you move swiftly to issue appropriate rulings concerning the manufacture, sale, transfer, and importation of these mechanisms, as well as any other mechanism that is expressly designed to simulate the automatic rate of fire of a machinegun. For our part, we will be studying legislative options to close any loopholes that might exist in current statutes governing the regulation of machineguns.

We trust that you will undertake this request expeditiously and thoroughly, and we thank you for your thoughtful consideration. Should you have any questions or concerns, please do not hesitate to contact us directly.

Sincerely,

Adam Kinzinger
Member of Congress

Mike Gallagher
Member of Congress

Martha McSally
Member of Congress