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OREGON, PENNSYLVANIA, RHODE ISLAND, UTAH, VERMONT, VIRGIN
ISLANDS, VIRGINIA, WISCONSIN**

October 30, 2017

The Honorable Mitch McConnell
Majority Leader
U.S. Senate

The Honorable Paul Ryan
Speaker of the House
U.S. House of Representatives

The Honorable Chuck Schumer
Minority Leader
U.S. Senate

The Honorable Nancy Pelosi
Minority Leader
U.S. House of Representatives

Re: Las Vegas Tragedy and “Bump-Stocks”

Dear Congressional Leaders:

As the chief law enforcement officers of our respective states, we are deeply saddened by the recent tragedy in Las Vegas, Nevada and we are extremely concerned about the role that so-called “bump stocks” may have played in causing mass casualties and spreading carnage. While we mourn for those injured and killed, and honor the first responders that acted with valor, it is time for Congress to consider whether action is needed to close a loophole in current machinegun laws.

Since 1986—when Congress enacted the Firearm Owners Protection Act to amend the Gun Control Act of 1968 (“Act”)—fully automatic weapons and “machineguns” have been restricted. *See* Pub. L. No. 99-308, 100 Stat. 449 (May 1986). Under the Act, it is unlawful for civilians to possess a machinegun unless the firearm was acquired prior to the Act’s effective date. 18 U.S.C. § 922(o)(2)(B). Machineguns cannot be sold or transferred without the approval of the Bureau of Alcohol, Tobacco, Firearms, and Explosives. *See id.* § 922(o)(2)(A); 27 C.F.R. § 479.84. Thus, for over three decades, Congress has expressed its intent to tightly control the availability and use of machineguns within the civilian population. Courts have upheld these restrictions against constitutional challenges. *See, e.g., U.S. v. One (1) Palmetto State Armory PA-15 Machinegun Receiver/Frame, Unknown Caliber Serial No. LW001804*, 822 F.3d 136, 144 (3d Cir. 2016) (“These cases make clear that § 922(o) does not burden conduct falling within the scope of the Second Amendment, and thus, Watson’s facial challenge to § 922(o) must fail.”).

It has been widely reported that the Las Vegas gunman, Stephen Paddock, modified otherwise lawful semi-automatic rifles with “bump stocks” to kill 58 innocent people and injure hundreds more. A “bump stock” is a plastic or metal piece attached to a firearm’s stock that is specifically designed to harness the gun’s natural recoil and increase the ability to fire like a fully automatic weapon. As demonstrated by the many gut-wrenching videos that have surfaced from that fateful

night in Las Vegas, bump stocks can mimic fully automatic machinegun fire and therefore lead to disastrous consequences in the wrong hands.

It therefore appears that bump stocks may be used to evade the machinegun laws that are currently in place and that have passed judicial scrutiny. Accordingly, we urge Congress to evaluate whether bump stocks should be regulated in the same fashion as machineguns to further protect our States' citizens from the dangers posed by unrestricted fully automatic weapons. When considering any new laws, it is vital that Congress act with due deliberation and circumspection, but Congress should carefully consider whether bump stocks have created a loophole in the machinegun laws that should be addressed.

Respectfully,



Adam Paul Laxalt
Nevada Attorney General



Steve Marshall
Alabama Attorney General



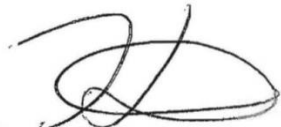
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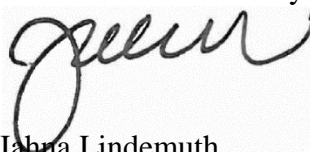
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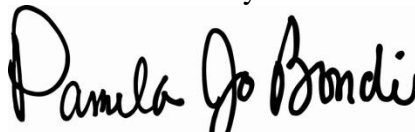
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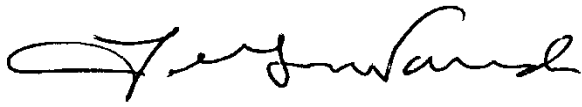
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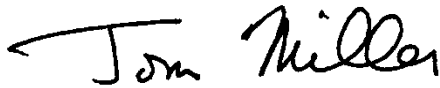
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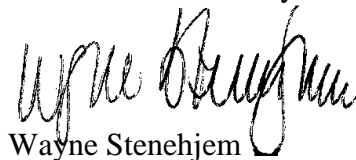
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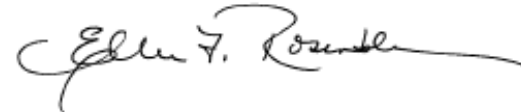
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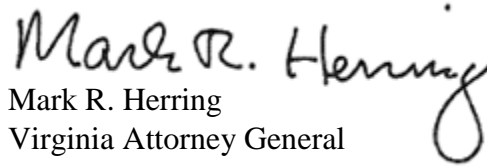
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