



April 19, 2023

The Honorable Kevin McCarthy  
Speaker  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Hakeem Jeffries  
Democratic Leader  
U.S. House of Representatives  
Washington, DC 20515

Dear Speaker McCarthy and Leader Jeffries:

I write to you today on behalf of GIFFORDS, the gun violence prevention organization founded by former Congresswoman Gabrielle Giffords, in strong opposition to H.J. Res. 44, which would nullify the Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF's) recently-enacted Rule 2021R-08F regarding firearms with attached stabilizing braces.

As you know, gun violence is among the nation's most devastating public health epidemics, claiming the lives of nearly 49,000 people in 2021 and leaving more than 100,000 shot and injured. Mass shootings occur with alarming frequency, and many of our country's most disadvantaged, under-resourced communities of color suffer from daily gun violence that rarely receives public attention. If we are serious about stopping this carnage and saving lives, we must both pass commonsense gun safety legislation through Congress and ensure that federal firearms laws are properly enforced.

Rule 2021R-08F clarified that semi-automatic pistols attached to stabilizing braces are short-barrelled rifles and fall under the classification of the National Firearms Act (NFA). When semi-automatic pistols are equipped with stabilizing braces, the stabilizing brace increases the accuracy and maneuverability of the firearm—which typically fires rifle rounds that defeat standard law enforcement soft body armor—and allows the weapon to maintain the concealability of a pistol. These weapons pose a significant danger to public safety and have been used to commit horrific crimes, including mass shootings resulting in nine people killed and 27 others injured outside a bar in Dayton, Ohio; 10 people killed at a grocery store in Boulder, Colorado; five people killed and 25 injured at Club Q in Colorado Springs, Colorado; and just three weeks ago, six people killed at a school in Nashville, Tennessee.

ATF is the only federal agency mandated to regulate the firearms industry and enforce federal firearms laws with an ultimate goal of combating violent crime. To that end, ATF acted well within its statutory authority when the agency finalized Rule 2021R-08F to clarify the law regarding so-called "stabilizing braces." This rule is an appropriate response to the gun industry's efforts to circumvent the law and intentionally sell weapons that avoid the NFA's enhanced regulatory system. The NFA imposes an excise

tax and registration requirement to possess NFA weapons, requiring that applicants must pass a thorough background check, provide fingerprints and a passport photo, and register their NFA weapon with ATF. For nearly 90 years, this regulatory system has worked effectively: NFA weapons are rarely used in crime.

Contrary to the claims of the gun lobby and its lackeys in Congress, Rule 2021R-08F will not instantly create criminals out of law-abiding citizens or prevent people with disabilities from using firearms for lawful, recreational activities. ATF has presented a range of options to allow people in possession of these weapons to come into compliance with the Rule and retain their weapons, including permanently detaching the brace or replacing the barrel of the firearm so that it is not subject to the NFA and would allow people with disabilities to continue using firearms.

[Research](#) proves time and again that the severity of our nation's gun violence crisis is largely attributable to our nation's weak federal firearms laws. Rather than advancing legislation like H.J. Res. 44 which would repeal regulations that ensure the proper enforcement of gun laws, Congress should instead focus on strengthening gun laws and make every effort to prevent people intent on doing harm from easily accessing dangerous weapons and undermining public safety.

On behalf of GIFFORDS and our supporters, I strongly urge you not to advance H.J. Res. 44.

Sincerely,

Peter Ambler  
Executive Director, GIFFORDS