

FOR IMMEDIATE RELEASE:

Contact: James Hallinan

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(505) 660-2216

Attorney General Balderas Urges Congress to Evaluate “Bump Stocks”

Albuquerque, NM – Expressing extreme concern about the role “bump stocks” played in the recent Las Vegas, Nevada tragedy, Attorney General Hector Balderas late yesterday joined a bipartisan letter to Congressional leaders urging them to close a loophole in current federal gun laws. The bipartisan letter includes support from a broad group of attorneys general from U.S. states and territories. The letter notes that bump stock devices – a plastic or metal piece attached to a firearm’s stock designed to increase the ability to fire like a fully automatic weapon – may be used to evade the machinegun laws that are currently in place.

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. The attorneys general urge Congress to evaluate whether bump stocks should be regulated like machineguns in order to protect residents from the dangers posed by unrestricted fully automatic weapons.

Since 1986, when Congress enacted the Firearm Owners Protection Act to amend the Gun Control Act of 1968, fully automatic weapons and “machineguns” have been restricted, making it unlawful for civilians to possess a machinegun unless the firearm was acquired prior to the Act’s effective date.

According to the letter, bump stocks can “mimic fully automatic machinegun fire and therefore lead to disastrous consequences in the wrong hands.” The attorneys general also state that Congress “should carefully consider whether bump stocks have created a loophole in the machinegun laws” when considering any new laws.

Joining Attorney General Balderas in the letter are the attorneys general from Alabama, Alaska, American Samoa, Arizona, California, Colorado, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Iowa, Maine, Massachusetts, Minnesota, Montana, Nevada, New Jersey, North Carolina, North Dakota, Northern Mariana Islands, Oregon, Pennsylvania, Rhode Island, Utah, Vermont, Virgin Islands, Virginia, and Wisconsin.

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**ATTORNEYS GENERAL OF MASSACHUSETTS, NEVADA, ALABAMA, ALASKA,
AMERICAN SAMOA, ARIZONA, CALIFORNIA, COLORADO, CONNECTICUT,
DELAWARE, DISTRICT OF COLUMBIA, FLORIDA, GEORGIA, HAWAII, IDAHO,
ILLINOIS, IOWA, MAINE, MINNESOTA, MONTANA, NEW JERSEY, NEW MEXICO,
NORTH CAROLINA, NORTH DAKOTA, NORTHERN MARIANA ISLANDS,
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



Talauega Eleasalo V. Ale
American Samoa Attorney General



Xavier Becerra
California Attorney General



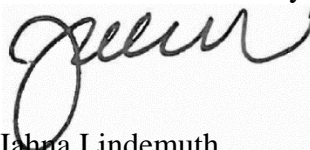
George Jepsen
Connecticut Attorney General



Karl A. Racine
District of Columbia Attorney General



Maura Healey
Massachusetts Attorney General



Jenna Lindemuth
Alaska Attorney General



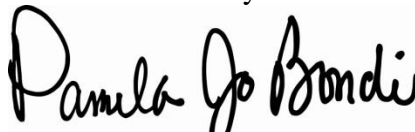
Mark Brnovich
Arizona Attorney General



Cynthia H. Coffman
Colorado Attorney General



Matthew P. Denn
Delaware Attorney General



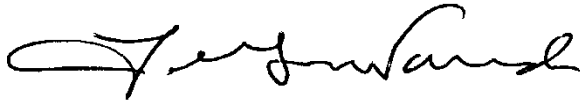
Pamela Jo Bondi
Florida Attorney General



Christopher M. Carr
Georgia Attorney General



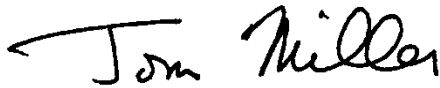
Douglas S. Chin
Hawaii Attorney General



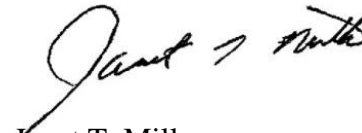
Lawrence Wasden
Idaho Attorney General



Lisa Madigan
Illinois Attorney General



Tom Miller
Iowa Attorney General



Janet T. Mills
Maine Attorney General



Lori Swanson
Minnesota Attorney General



Tim Fox
Montana Attorney General



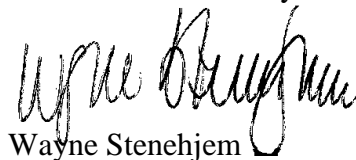
Christopher S. Porrino
New Jersey Attorney General



Hector Balderas
New Mexico Attorney General



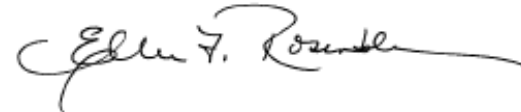
Josh Stein
North Carolina Attorney General



Wayne Stenehjem
North Dakota Attorney General



Edward Manibusan
Northern Mariana Islands Attorney General



Ellen F. Rosenblum
Oregon Attorney General



Josh Shapiro
Pennsylvania Attorney General



Peter F. Kilmartin
Rhode Island Attorney General



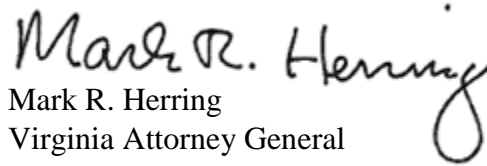
Sean Reyes
Utah Attorney General



T.J. Donovan
Vermont Attorney General



Claud E. Walker
Virgin Islands Attorney General



Mark R. Herring
Virginia Attorney General



Brad Schimel
Wisconsin Attorney General