

Congress of the United States
Washington, DC 20515

October 21, 2020

Ms. Regina Lombardo
Acting Director
Bureau of Alcohol, Tobacco, Firearms and Explosives
99 New York Avenue NE
Washington, DC 20226

Dear Acting Director Lombardo,

In recent weeks, constituents have brought to our attention their concerns with the Bureau of Alcohol, Tobacco, Firearms, and Explosives' (ATF's) decision to prohibit the manufacturing and marketing of the Honey Badger Pistol under the National Firearms Act (NFA) and Gun Control Act of 1968 (GCA). As you know, the Honey Badger Pistol with a stabilizing brace, manufactured by SB Tactical, is a pistol – not a short-barreled rifle (SBR) as defined by the NFA – meaning that it falls outside the regulatory scope of both the NFA and the GCA and, thus, outside of the ATF's enforcement authority.

Recently, several Members of Congress have inquired with the ATF as to its determination regarding braces similar to the Honey Badger Pistol. However, your agency has ignored these questions and, in doing so, has taken action hostile to citizens' Second Amendment rights and due process. Further, your agency has shown an unwillingness to work with the Department of Justice (DOJ) to solve this issue, instead pursuing its own rogue agenda of criminalizing firearms affixed with arm braces.

With the ATF's determination, it has arbitrarily declared the Honey Badger model pistol to be an SBR, subjecting it and the law-abiding gun owners who own it to burdensome and costly regulations. ATF's determination that the Honey Badger Pistol is an SBR, and thus subject to regulation under the NFA and GCA, has also created needless uncertainty in the firearm marketplace about whether law-abiding gun owners will now be subject to severe penalties, including large fines or long-term imprisonment.

The ATF's strong-arming of small businesses around the country into complying with arbitrary criteria in what your agency holds out as a voluntary classification process is bureaucracy at its worst, and the short-sighted determinations of your agency hold real-life implications for Americans trying to navigate the bureaucratic process around owning and using firearms.

We demand that ATF **immediately cease** abusing its enforcement authority by threatening small businesses – already suffering from the economic disruptions wrought by the coronavirus pandemic – and the millions of Americans who own firearms equipped with arm braces. Further, we request the ATF provide our offices with the criteria it uses to make determinations for what constitutes a short-barreled rifle for criminal and civil purposes.

Thank you for your attention to this matter. We respectfully request a response as soon as possible, but no later than **November 1, 2020**.

Sincerely,



Doug Collins
Member of Congress



Matt Gaetz
Member of Congress