



Congress of the United States  
House of Representatives  
Washington, DC 20515-3605

August 23, 2021

The Honorable Governor Roy Cooper  
20301 Mail Service Center  
Raleigh, NC 27699-0301

The Honorable Attorney General Josh Stein  
9001 Mail Service Center  
Raleigh, NC 27699-9001

Dear Governor Cooper and Attorney General Stein,

Recently, the federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) proposed two new illegal rules that would greatly infringe upon the Second Amendment rights of all Americans. It is unacceptable that President Biden would attempt to unconstitutionally restrict the rights of law-abiding citizens. Doing so by circumventing the legislative process adds further insult to this infringement. Today, we the undersigned, request that you reject President Biden's dictatorial actions and ensure that North Carolinians in our great state do not lose their Second Amendment rights.

The ATF Proposed Rule *Definition of "Frame or Receivers" and Identification of Firearms*, 86 Fed. Reg. 27,720 (May 21, 2021), is a dangerous step towards a national gun registry by (1) arbitrarily expanding the ATF's record keeping power, (2) forcing Firearm Transaction Records with personal gun and gun owner information to be kept indefinitely, and by (3) mandating the serialization and unnecessary regulation of firearm parts in excess of current law's requirements.

These proposed actions directly contradict the statute and clear intent of Congress with regards to the replacement of the *Federal Firearms Act* with the *Gun Control Act*. Congress recognized both the futility and unnecessary complications that arose from regulating every part of a firearm, so instead it chose to designate a single part for regulation. The ATF is attempting to use its bureaucratic rulemaking authority to bypass the legislative process, in direct violation of the system of checks and balances that the United States of America were founded upon.

ATF Proposed Rule *Factoring Criteria for Firearms With Attached "Stabilizing Braces"*, 86 Fed. Reg. 30,826 (June 10, 2021), has the potential to make the owners of 40 million pistols into felons overnight, which will undoubtedly affect many North Carolinas. While the ATF speculates that "only" 1-3 million pistol braces are currently in circulation, sources from both the

industry and the Congressional Research Service put the number closer to 40 million. A single manufacturer alone purporting to have sold over 10 million such products. This Proposed Rule overturns a decade of interpretive guidance from the ATF, criminalizing citizens who possessed these firearms in good faith. Depriving a person of their liberty through criminal penalties is one of the most serious actions a government can take. It should be left up to the people's representatives in Congress—not federal bureaucrats—to create new criminal laws. Gun owners, including many of 2020's first-time buyers, would soon be at the mercy of ATF's discretion as to whether they would be charged with a federal felony for simple possession of a pistol-braced firearm.

Over three quarters of all North Carolina counties, representing 57% of North Carolina's population, have made clear through enacting Second Amendment Sanctuary Ordinances that they do not want any further encroachment on their rights.

President Biden's anti gun agenda is, no doubt, exactly the type of encroachment these statutes were enacted to oppose. We strongly urge you to listen to your citizens and uphold the Constitution by refusing to comply with or assist in any manner with the enforcement of the ATF's two new illegal Proposed Rules. These two Proposed Rules are an abuse of executive power and bureaucratic rulemaking that do not aid in stopping criminals, but instead criminalize a multitude of honest North Carolinians.

We hope that you stand not only with us, but also the millions of your constituents that refuse to obey unjust and improperly constructed federal regulations.

Sincerely,



Ted Budd  
Member of Congress



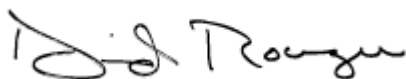
Dan Bishop  
Member of Congress



Richard Hudson  
Member of Congress



Gregory F. Murphy, M.D.  
Member of Congress



David Rouzer  
Member of Congress