

United States Senate

WASHINGTON, DC 20510-2402

February 27, 2015

The Honorable B. Todd Jones
Bureau of Alcohol, Tobacco, Firearms and Explosives
99 New York Avenue, NE
Washington, DC 20226

Dear Director Jones:

I am writing to express my deep concern regarding the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) proposal to reclassify 5.56 millimeter projectiles of SS 109 and M855 ammunition from “primarily intended for sporting purposes” to “armor piercing ammunition.”

It is my understanding that this common and widely available ammunition has been exempt from federal regulation related to armor piercing ammunition for almost 30 years. I am concerned this proposed framework will supersede the will of Congress reflected through a statute that has proven effective in ensuring safe recreational application, and it will harm law-abiding gun owners and ammunition manufacturers. Additionally, this action sets a precedent that could lead to unnecessary regulation of almost all other classifications of ammunition. Such an outcome was clearly not the intent of Congress when it passed the Law Enforcement Officers Protection Act in 1986.

By misapplying the intended use test under the “sporting purposes” exemption set forth in 18 U.S.C. 921(a)(17)(C), the proposed ATF framework disregards that this ammunition is “primarily intended to be used for sporting purposes.” In fact, this ammunition is used almost exclusively for sporting purposes. I strongly encourage you to revisit this interpretation and reconsider the vast implications that this may have on law-abiding gun owners and the American firearms industry.

Your attention to this matter is greatly appreciated, and I look forward to your response.

Sincerely,



THAD COCHRAN
United States Senator