



TIM GRIFFIN
ATTORNEY GENERAL

September 4, 2026

The Honorable Mike Johnson
Speaker
U.S. House of Representatives
Washington, D.C. 20515

The Honorable John Thune
Majority Leader
U.S. Senate
Washington, D.C. 20515

The Honorable Hakeem Jeffries
Minority Leader
U.S. House of Representatives
Washington D.C. 20515

The Honorable Chuck Schumer
Minority Leader
U.S. Senate
Washington, D.C. 20515

RE: National Firearms Act

Dear Speaker Johnson, Leader Thune, Leader Jeffries, and Leader Schumer:

We, the undersigned 21 Attorneys General write to draw your attention to the recent decision in *Silencer Shop Foundation v. ATF*.¹ In that opinion, the court enjoined enforcement of certain provisions of the National Firearms Act (NFA) against “the plaintiffs and, where applicable, their agencies, political subdivisions, members, and customers.”² We urge Congress to consider repealing those sections, so that they cannot be enforced against anyone.

For decades, the NFA has imposed substantial burdens on the exercise of Second Amendment rights by law-abiding citizens. The federal government has imposed onerous registration, application, and approval requirements on certain firearms, including silencers, short-barreled rifles, short-barreled shotguns, and “any other weapons.”³ Because the NFA imposed a “tax” on these firearms, Congress claimed authority to enact the NFA based on its taxing clause power.⁴

¹ No. 6:25-CV-056-H, 2026 WL 2255460 (N.D. Tex. Aug 5, 2026).

² *Id.* at *30.

³ 26 U.S.C. § 5845(a).

⁴ See *Sonzinsky v. US*, 300 U.S. 506 (1937).

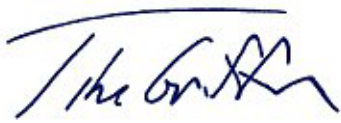
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However, the One Big Beautiful Bill Act of 2025 (OBBBA) reduced the tax on NFA-regulated firearms, other than machine guns and destructive devices, to zero.⁵ As the *Silencer Shop* court correctly concluded, “[w]ithout revenue generation, the regulatory requirements for those firearms—which were designed to support the transfer and making taxes—cannot be upheld under the taxing power.”⁶

The court’s decision, however, does not strike the law from the books. Instead, it prevents enforcement of those unconstitutional provisions against certain parties—but not everyone—in accordance with the limits of the judicial power and the Supreme Court’s decision in *Trump v. CASA*.⁷ As a result, these unconstitutional provisions might still be enforced against at least some citizens, which infringes on their Second Amendment rights.

Congress can completely remove the enforcement threat and ensure that no citizen is subject to these unconstitutional provisions by repealing the NFA provisions at issue in *Silencer Shop*.⁸ Repealing these provisions will provide clear, uniform rules nationwide. We respectfully urge you to take up this issue.

Sincerely,



Tim Griffin
Attorney General of Arkansas



Russell M. Coleman
Attorney General of Kentucky



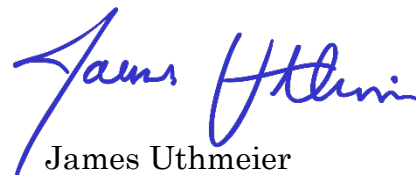
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⁵ Sections 70436(a) and (b) of the OBBBA amended 26 U.S.C §§ 5811(a) and 5821(a), respectively.

⁶ *Silencer Shop*, 2026 WL 2255460, at *26.

⁷ See *id.* at *2 (“Federal courts lack power to issue universal injunctions that provide relief to parties not before the Court.” (citing *Trump v. CASA, Inc.*, 606 U.S. 831 (2025))).

⁸ 26 U.S.C. §§ 5812(a)-(b), 5822, 5841(a)-(c), (e), 5842(b), 5861(b)-(f), (i).



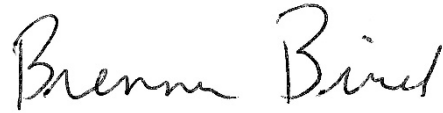
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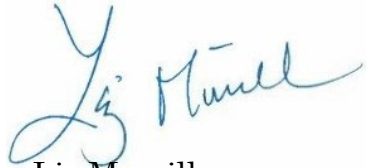
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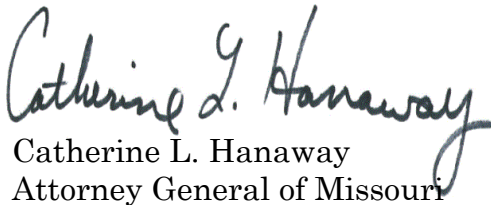
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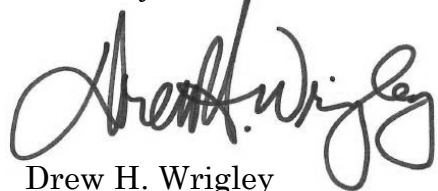
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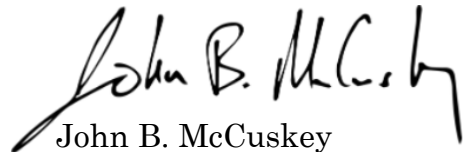
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