



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives
99 New York Avenue NE, 5.S-195
Washington, DC 20226

Washington, DC 20226

www.atf.gov

OCT 09 2012

127000 (b) (6)
9200

(b) (6)

Senior Vice President, Assistant Secretary, and General Counsel
National Shooting Sports Foundation, Inc.
11 Mile Hill Road
Newtown, CT 06470-2359

Dear (b) (6)

This letter is being sent as a follow-up to a telephone conversation that occurred in February 2012, between you and Gregory Gant, former Assistant Director (AD) in the Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF), Office of Public and Governmental Affairs. During this phone call you confirmed that the National Shooting Sports Foundation (NSSF) would continue to include a Political Action Committee (PAC) letter in the "Don't Lie for the Other Guy" Federal Firearms Licensee packet (FFL packet). Former AD Gant advised that ATF would cease to include the NSSF PAC letter in the FFL packet that ATF distributes. More recently, in August 2012, ATF's Firearms Industry Technical Advisor (b) (6) spoke to NSSF Associate General Counsel (b) (6) and confirmed with (b) (6) that the NSSF does not consider the PAC letter to be a solicitation and would continue to include those letters in the FFL packets.

The intent of ATF's partnership with NSSF regarding the Don't Lie for the Other Guy program has been and continues to be to provide information about a subject of mutual interest to ATF, gun owners and gun advocacy groups: the elimination of illegal "straw" purchases. While ATF is not opposed to the inclusion of NSSF membership applications in the FFL packets, ATF is unable to distribute FFL packets that contain the NSSF PAC letter. The Hatch Act, 5 U.S.C. §§ 7321-7326, specifically prohibits any Federal employee from using his or her official authority to affect the results of an election, assisting with political fundraising, or soliciting political activism from any person who seeks a ruling, license, or permit from (or is the subject of an audit or enforcement action by) a Federal employee's employing agency. With a target audience of FFLs, the distribution of NSSF PAC letters by an ATF employee would violate these Hatch Act prohibitions.

Senior Vice President & General Counsel

(b) (6)

Page 2

ATF wishes to continue its ongoing partnership with NSSF in the context of the "Don't Lie for the Other Guy" program and requests that the NSSF discontinue the inclusion of the one-page NSSF PAC form from existing and future FFL packets.

Please direct any questions to me; I can be reached (b) (6) or via email at

(b) (6)

Sincerely yours,

(b) (6)

Acting Chief, Liaison Division
Public and Governmental Affairs