Congress of the United States Washington, DC 20515

July 15, 2022

The Honorable Steven Dettelbach Director Bureau of Alcohol, Tobacco, Firearms and Explosives 99 New York Avenue, N.E. Washington, D.C. 20226

Dear Director Dettelbach,

We write to express concern over the discovery that the Uvalde shooter purchased and attempted to use a "hellfire" trigger device to carry out his deadly attack on Robb Elementary School in Uvalde, Texas, on May 24, 2022, as first reported by *The New York Times*.¹

In the past, "hellfire" trigger devices gained notoriety for their ability to dramatically increase a semiautomatic weapon's rate of fire. Installed on a weapon's trigger guard, the original accessories pushed a trigger forward again after an initial shot, thus allowing for lightning-fast subsequent shots. It appears that such devices were approved by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) in a 1990 letter,² even though the devices clearly violate the law. The consequences of that mistaken decision have been deadly. One device was used to deadly effect in the 101 California Street shooting in July 1993, and David Koresh of the Branch Davidians "told law enforcement authorities that he had used Hellfire triggers on semi-automatic weapons," leading to the Waco, Texas, siege.³

Today, a company called Firequest International⁴ sells newer designs that are just as deadly, including the "Hellfire Stealth," which installs inside an AR-15's pistol grip and acts very much like the original hellfire trigger devices of the 1990s. In describing the Hellfire Stealth, Firequest states on the product's webpage:

"This incredible new system installs invisibly within your pistol grip on an AR15 style rifle...and can be activated or deactivated in seconds. It legally allows you to pull your guns trigger at up to 900 rpm *legally*." (Emphasis added.)

1 J. David Goodman, "Aware of Injuries Inside, Uvalde Police Waited to Confront Gunman," *The New York Times*, June 9, 2022, <u>https://www.nytimes.com/2022/06/09/us/uvalde-shooting-police-response.html</u>.

2 "POTD: Blast From The Past: Hell-Fire Trigger System," The Firearm Blog, November 3, 2017, <u>https://www.thefirearmblog.com/blog/2017/11/03/potd-blast-past-hell-fire-trigger-system/</u>.

3 Dan Freedman, "Add-on offers machine-gun-like firepower," *San Francisco Chronicle*, January 30, 2013, <u>https://www.sfgate.com/politics/article/Add-on-offers-machine-gun-like-firepower-4237872.php</u>.

⁴ On its website, <u>firequest.com</u>, Firequest International lists its physical address as 505 E 5th St, El Dorado, Arkansas — the same address for Baston Arms, a current FFL holder. The company is also tied to <u>Rockinlock.com</u>, which directs potential buyers to the Firequest website as well as the <u>web store</u> for Pro Carbon Shooters Supply of Oxford, Georgia.

The company also claims the device is "ATF LEGAL WITH CERTIFICATE," and a video posted on the product page shows that a shooter can "bump fire" to unload an AR-15's magazine in mere seconds.⁵

Firequest also offers the "Hellfire Gen 2" for AR-15s, AK-47s, and similar weapons. This device wraps around a host weapon's pistol grip and operates like a bump stock, utilizing the rifle's recoil to continue firing. With the latter installed, the company states, "All you have to do is squeeze the trigger to shoot at rates up to 900 rpm," which is comparable to AR-15s with bump stocks that can fire between 450 and 900 rounds per minute.⁶ Once again, Firequest also claims that the Hellfire Gen 2 "is ATF legal and compliant and comes with it's [sic] own certificate of legality." A video included on the product page shows a shooter firing a Hellfire-equipped AR-15 with substantially the same rate of fire as a fully automatic rifle 7

It appears that Firequest is also tied to a YouTube channel with dozens of videos showcasing Hellfireequipped weapons that can shoot as quickly as machine guns.⁸

However, it is quite clear that despite Firequest's claims, Hellfire triggers should be illegal and thus restricted by the ATF. After the October 2017 Las Vegas shooting where a gunman used bump-stockequipped AR-15s to kill 61 people and wound another 411, the ATF finalized a rule that went into effect in March 2019 and effectively banned bump stocks, "as such devices allow a shooter of a semiautomatic firearm to initiate a continuous firing cycle with a single pull of the trigger."⁹ This same logic should prohibit Hellfire triggers as well. The final rule even mentions "Hellfire triggers" in responding to commenters but declines to discuss their legality.¹⁰

More recently, the ATF published an open letter to federal firearms licensees sharing its determination that forced-reset triggers — which operate like past and present Hellfire triggers and eliminate the need to release the trigger before firing again — are indeed classified as "machineguns" in accordance with the National Firearms Act (NFA) and Gun Control Act (GCA) because they constitute a "combination of parts" that allows someone "to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger."¹¹ The ATF's 1990 approval letter anticipates that changed circumstances could lead to other decisions and specifies that such approval would be subject to review if any changes were subsequently made to the "Hell-Fire" trigger attachment's design, dimension, or function.

As with bump stocks, when firearms are equipped with binary triggers, forced-reset triggers, or Hellfire triggers, shooters can simply hold their index fingers stationary, after one initial trigger pull, to continuously "bump fire" an entire magazine's worth of ammunition in seconds.

9 ATF, "Bump Stocks," accessed June 10, 2022, https://www.atf.gov/rules-and-regulations/bump-stocks. 10 ATF, Final Rule, https://www.govinfo.gov/content/pkg/FR-2018-12-26/pdf/2018-27763.pdf, page 20.

^{5 &}quot;Hellfire Stealth for AR-15," Firequest, https://www.firequest.com/HEG3X.html.

⁶ Alex Yablon, "AR-15 Lovers Are Getting Fully Automatic Thrills with Barely Legal Gadgets," The Trace, November 16, 2015.

^{7 &}quot;Hell-Fire Gen 2 'Snap On' Trigger System for AR-15," Firequest, https://www.firequest.com/HEG2AR.html.

^{8 &}quot;MRTRIGGERMAN," YouTube, https://www.youtube.com/user/MRFLASHCO/videos.

¹¹ ATF, "Open Letter to All Federal Firearms Licensees," March 22, 2022, https://www.atf.gov/firearms/docs/open-letter/all-ffls-mar-2022-open-letter-forced-reset-triggers-frts/download.

While the Uvalde shooter purchased a Hellfire trigger device, he was not able to use it. It is imperative that the ATF act to prevent these accessories from being used to such deadly effect in the future – the outcome in Uvalde was already devastating, and a device that effectively functions as a bump stock should be explicitly prohibited under ATF's regulations. The 1990 approval letter and the claims that these devices are "ATF LEGAL WITH CERTIFICATE" are outdated, inconsistent with the bump stock regulation and current regulatory framework and should be considered overruled and immediately withdrawn. There must be more done to uphold the law and keep the people in this country safe.

Accordingly, we respectively request responses to the following questions:

- 1. Has the ATF approved of the Hellfire trigger devices marketed and sold by Firequest International and its affiliates?
 - a. Was the ATF made aware of Firequest's marketing practices?
 - b. Has the ATF discovered any companies selling similar products?
- 2. Can the ATF clarify its positions on Hellfire triggers and similar modifications, such as auto sears and binary triggers, which dramatically increase a weapon's rate of fire?
- 3. Why does the ATF hold that a "single function" of a trigger only means a trigger "pull" and not the "release," with the understanding that it is impossible to pull a trigger without releasing it at some point, even with binary triggers?
 - a. Has the ATF inspected videos and other marketing materials of binary trigger producers?
- 4. What steps will the ATF take to prevent Hellfire triggers and similar products from being used in future mass shootings and criminal endeavors?
- 5. Has the ATF withdrawn the 1990 approval letter?

We are sure you share our goal of ensuring compliance by the firearms industry with federal law. Thank you for your prompt and personal attention to this request. We would appreciate a reply no later than August 15, 2022.

Sincerely,

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