



October 09, 2020

President Donald J. Trump
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Re: ATF Boston Field Division Cease and Desist Letter to Q, LLC

Dear President Trump,

Recently, rogue elements of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) have issued legal determinations that are serious, troubling, and place thousands of law-abiding, peaceable American gun owners at risk of serious criminal liability and prosecution.

On or about August 3, 2020, the ATF Boston Field Division Special Agent in Charge (SAC), Kelly D. Brady, sent a cease and desist letter (the Letter) to Q, LLC (Q) demanding that Q cease and desist production of the Honey Badger Pistol (Honey Badger). The Letter asserted that the Honey Badger had been analyzed by the Firearms and Ammunition Technology Division (FATD), which [erroneously] determined that the submitted sample was a “firearm” as defined by the National Firearms Act (NFA), and more specifically, a “short-barreled rifle” (SBR). The letter was apparently signed by James M. Ferguson, Assistant Special Agent in Charge (ASAC), and a copy is enclosed for your reference and use.

We know that the decision to reverse course with respect to pistol braces was taken with the oversight and authorization of the ATF’s Chief Counsel’s Office. Most egregious is that those involved attempted to circumvent the Department of Justice’s (DOJ) order to not issue determinations on specific products and utilized the division in charge of criminal enforcement to carry out their anti-gun owner agenda.

This determination is a continuation of a long pattern of politically motivated, arbitrary and capricious actions by the ATF. The persons involved in this outrageous and abusive unlawful exercise of power must not be allowed to continue holding their positions of authority. The ATF swamp must be drained, and you should take this opportunity to do just that.

We respectfully request that you order Attorney General Barr to investigate this issue immediately and take any and all available actions necessary to remove and replace the ATF leadership that caused, authorized, or otherwise endorsed the Honey Badger determination. Should termination not be an option, I strongly suggest the reassignment of all offending rogue officers, attorneys, agents, and/or employees to areas of the Agency where they may not run wild with personal or prior administration’s agendas. It is my understanding Alaska has wonderful winters.

Finally, I urge you to issue clarification based upon longstanding law and ATF’s prior determinations that the Honey Badger is not an SBR.

Please contact me at akraut@fpclaw.org or (916) 378-5785 if you wish to discuss this or if we can assist you in remedying this issue.

We look forward to your urgent action in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Kraut", with a long horizontal line extending to the right.

Adam Kraut
Director of Legal Strategy