



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

EXECUTIVE OFFICE

January 9, 2024

Via Email and U.S. Mail

Stefanie Feldman
Director, White House Office of Gun Violence Prevention
1600 Pennsylvania Avenue, NW
Washington, DC 20500

RE: Manufacture and Sale of Military-grade Ammunition at the Lake City Army Ammunition Plant and its Use in Mass Shootings

Dear Director Feldman,

We write on behalf of the States of New York, Arizona, California, Connecticut, Delaware, the District of Columbia, Hawai'i, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, Oregon, Rhode Island, Vermont, and Washington (the "States") to express concern about recent reports that billions of rounds of military-grade ammunition manufactured at the Lake City Army Ammunition Plant have been sold on the commercial market, leading to their use in many of the most tragic mass shootings in recent history. We ask your Office to conduct an investigation into the contracting processes that led to this situation, and to take action to ensure that military-grade and military-subsidized ammunition stays out of civilian hands.

According to recent reports, the ammunition made at Lake City for our military has been sold to civilians in mass quantities, leading to these bullets being used in mass shootings, including a shooting in which three law enforcement officers were killed and multiple school shootings.¹ Lake City rounds have become the ammunition of choice for use in mass shootings, including:

- The Marjory Stoneman Douglas High School shooting in Parkland, FL, in which 17 children and adults were murdered and 17 children and adults were wounded;
- The Tree of Life Synagogue shooting in Pittsburgh, PA, in which 11 people were murdered as they gathered for Shabbat morning service and Torah study, and an additional six were wounded;
- The Robb Elementary School in Uvalde, TX, in which 19 elementary school students and two of their teachers were murdered, and an additional 17 people were wounded; and

¹ See, e.g., Ben Dooley and Emily Rhyne, Army Ammunition Plant Is Tied to Mass Shootings Across the U.S., N.Y. Times, Nov. 12, 2023, at A1.

- The racist massacre at a supermarket in Buffalo, NY, in which 10 people were murdered and three were wounded.

The shooter in the Buffalo massacre discussed Lake City ammunition as “the best barrier penetration ammo I can get.” Compounding the horror, the bullets used in this violence were subsidized by American taxpayers, as the federal government has apparently invested more than \$860 million to improve production.

Ammunition from Lake City is manufactured for military use and does not belong in our communities. Federal courts have repeatedly noted the military nature of 5.56-millimeter rounds,² which are used in military-issued rifles, such as the M-16. Military-style weapons – and the ammunition specifically manufactured for them – should be limited to military use. Even if military-grade ammunition were appropriate for the civilian market, its sale to private parties should not be subsidized by taxpayer dollars.

In the short term, we ask your Office to investigate the contracting and manufacturing practices that led to so many billions of military-grade rounds being sold into our communities, and to issue a public report with recommendations about how to end the diversion of military ammunition into civilian hands. In the long term, we ask the White House to ensure that future production contracts prohibit the sale of military weapons and ammunition to civilians.

The States recognize the critical importance of military readiness in an uncertain world, and of making sure that the military has adequate supplies and reserve production capacity in order to meet its needs in the event of a crisis. Nonetheless, the federal government can and must do more to ensure that weapons made for our military do not take the lives of innocent civilians at home, and that our tax dollars do not subsidize crime and violence or otherwise perpetuate the epidemic of gun violence in America. We salute President Biden for the creation of the White House Office of Gun Violence Prevention, and we ask you to take appropriate action.

Sincerely,



Letitia James
Attorney General
State of New York



Kris Mayes
Attorney General of Arizona



Rob Bonta
Attorney General of California

² See, e.g., Liberty Ammunition, Inc. v. United States, 835 F.3d 1388 (Fed. Cir. 2016) (discussing “military ammunition, particularly the Army standard-issue 5.56 mm round”); United States v. Rodriguez-Reyes, 925 F.3d 558, 568-69 (1st Cir. 2019) (discussing “an assault rifle, with accepts 5.56 millimeter military ammunition”).



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