

DEFEND OUR
RIGHTS.



PROTECT OUR
HEARING.



June 20, 2025

The Honorable John Thune
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Mike Crapo
Chairman, Senate Finance Committee
United States Senate
Washington, DC 20510

Dear Majority Leader Thune and Chairman Crapo:

The National Firearms Act of 1934 (NFA) is simply a tax scheme within the Internal Revenue Code that impedes the ability of all Americans to exercise their Second Amendment rights. Justified by Congress as a revenue generating measure, the NFA was enacted prior to *Wickard v. Filburn*, 317 U.S. 111 (1942), the landmark case that significantly expanded the scope of the Commerce Clause. In 1937, the U.S. Supreme Court upheld the NFA as a revenue generating measure in *Sonzinsky v. United States*, 300 U.S. 506 (1937). As recently as 2012, the Supreme Court cited *Sonzinsky* as a justification for the Obamacare tax in *NFIB v. Sebelius*, 567 U.S. 519 (2012).

On behalf of the American Suppressor Association, our coalition partners, and law-abiding gun owners nationwide, we applaud the House of Representatives for passing language in the One Big Beautiful Bill to remove suppressors from the NFA tax scheme. We are encouraged that the Senate Finance Committee included similar provisions to not only eliminate the suppressor tax, but also remove short-barreled firearms from the NFA.

No tool can make a gunshot silent. Guns are just too loud. Also known as silencers, suppressors simply reduce the dangerously loud noise of a gunshot to safer levels. Even the quietest suppressed gunshots are still as loud or louder than a jackhammer striking concrete. According to the National Hearing Conservation Association (NHCA):

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“Persons wearing conventional hearing protection are not without risk of NIHL [Noise Induced Hearing Loss] when using firearms. The noise reduction of hearing protection devices varies considerably across users and may provide significantly less protection from noise than the labeled noise reduction rating (NRR) suggests. The National Institute of Occupational Safety and Health (NIOSH) has recommended the NRR of conventional hearing protection be derated by 25% for earmuffs, 50% for formable earplugs, and 70% for all other earplugs to correspond to existing real-world data. NIOSH research has demonstrated that as many as 50% of persons using earplugs fail to achieve 25 dB of noise reduction for their earplugs. However, using conventional hearing protection in conjunction with a suppressor can significantly reduce the risk of NIHL more than using either device alone.”

For these reasons, the NHCA and the Academy of Doctors of Audiology support the removal of the tax on suppressors as a method to improve access to these hearing safety devices.

Following House passage of the One Big Beautiful Bill, unsurprisingly, anti-Second Amendment lawmakers and activists began spreading disinformation about suppressors and what removal from the NFA would mean for the law-abiding gun owners. We are setting the record straight.

If removed from the National Firearms Act, suppressors and short-barreled firearms would still be treated like firearms under the Gun Control Act for purposes of manufacture, sale, and purchase. This means commercial manufacturers and sellers would be required to have a Federal Firearms License (FFL) and purchases would be subject to the same National Instant Criminal Background Check System (NICS) background check requirements that they are subject to under the NFA. It would not legalize suppressors or short-barreled firearms in any of the states where ownership is currently prohibited.

Just this week, the Trump administration, through a Department of Justice amicus brief in a critical Second Amendment case (*Barnett v. Raoul*), again reaffirmed that that preserving the Second Amendment rights of Americans is a top priority for President Trump. This follows a brief in the *Peterson* case in which the DOJ made clear that suppressors are protected under the Second Amendment, as well as the most pro-Second Amendment executive order in our nation's history signed by President Trump in February. It is clear that undoing the unconstitutional NFA tax scheme is squarely in line with this administration's top priorities.

Americans should not be taxed on a safety device that helps prevent irreversible damage to one of their senses while exercising their Constitutional rights. It would be ludicrous if elected officials demonized and regulated automobile mufflers like they do suppressors. Suppressors use the same science as mufflers, which should come as no surprise considering the muffler was invented by the same man who invented the firearm suppressor. Like car mufflers, suppressors are designed to protect hearing, reduce noise pollution, and help us all be good stewards of the environment. Scare

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tactics, misinformation, and preservation of the status quo must not be impediments to restoring common sense to our nation's approach to the Second Amendment.

While some technical fixes are still necessary, we look forward to working with you to deliver the most common sense and meaningful tax relief possible for millions of Americans who exercise their Second Amendment rights. We urge you to make good on the decades-long promises to protect our Constitutional rights by strengthening these provisions and permanently removing suppressors from the draconian NFA tax scheme.

Sincerely,



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American Suppressor
Association



BRAD RILEY,
AB Suppressor



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TYLER KATH,
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SHAMUS TERRY,
Vortex Optics



CHRISTOPHER GRAHAM,
Yankee Hill Machine Co.

CC: Speaker Mike Johnson, Senate Republican Conference



**AMERICANS SHOULD NOT BE TAXED ON A SAFETY
DEVICE THAT HELPS PREVENT IRREVERSIBLE
DAMAGE TO ONE OF THEIR SENSES WHILE
EXERCISING THEIR CONSTITUTIONAL RIGHTS.**