



State of West Virginia
Office of the Attorney General
John B. McCuskey
Attorney General

April 21, 2025

The Honorable Pamela Bondi
Attorney General of the United States
Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Bondi:

We write in support of your recent decision to create the Second Amendment Enforcement Task Force. This Task Force serves as another example of the Trump Administration’s commitment to using all the tools it has available to protect our constitutional liberties. It will create a critical space for the federal government to devise innovative strategies to use litigation and policy effectively in the fight to protect the Second Amendment.¹ We applaud your choice to create it.

The Second Amendment right to keep and bear arms is essential to the preservation of the rest of our liberties. The Supreme Court has recognized the right’s paramount importance in our constitutional structure, explaining that the Second Amendment enshrines a “fundamental” preexisting right “deeply rooted in this Nation’s history and tradition.”² But, somehow, courts and other government officials have sometimes not “afford[ed] the Second Amendment the respect due [to] an enumerated constitutional right.”³

We saw a particularly troubling animus against the Second Amendment put into action in the last administration. Then, the federal government took drastic actions against gun rights that showed no respect for law-abiding gun owners.⁴ The firearms industry, President Biden declared, was the “enemy.”⁵ Altogether, federal agencies stretched statutes and ignored facts on their way to trouncing on Second Amendment rights in a variety of contexts.⁶

¹ OFF. OF THE ATT’Y GEN., U.S. DEP’T OF JUST., MEMORANDUM FOR ALL DEPARTMENT EMPLOYEES: SECOND AMENDMENT ENFORCEMENT TASK FORCE (2025).

² *McDonald v. City of Chicago*, 561 U.S. 742, 750, 767 (2010).

³ *Silvester v. Becerra*, 583 U.S. 1139, 1140 (2018) (Thomas J., dissenting from denial of certiorari).

⁴ See *Biden’s Gun Control Agenda*, THE HERITAGE FOUND., <https://tinyurl.com/428aak49>.

⁵ Larry Keane, *No One Likes President Biden on Guns*, NSSF (Apr. 4, 2024), <https://tinyurl.com/2smu648p>.

⁶ See Brief of Amici States West Virginia, Montana, and 25 Other States In Support of Respondents, *Garland v. VanDerStok*, No. 23-852 (U.S. Aug. 20, 2024) (detailing ATF’s statutory manipulations).

We States have been fighting back on such sentiments for some time. West Virginia, for instance, has always been among the first states to take the initiative to stand against governmental infringement of the right to keep and bear arms. Just this month, the West Virginia Legislature passed multiple bills aimed at protecting gun rights and the firearms industry. Bills like the FIND Act, the West Virginia Firearm Liability Clarification Act, and the Firearm Industry Nondiscrimination Act aim to strengthen Second Amendment protections by limiting gun control measures and protecting the firearms industry from discrimination by other business entities.⁷ These measures complement our efforts before the Supreme Court. There, we have defended an originalist understanding of the Second Amendment and pushed back on the Biden administration's anti-gun oversteps.⁸

We are heartened to see that the federal government has now rejoined us in our fight for Second Amendment liberties. This Task Force will serve as a key reset of President Biden's misguided approach and a crucial cornerstone of President Trump's efforts to restore Second Amendment rights to its rightful place as a first-class liberty.⁹

We recognize the success of this Task Force will be vital. To that end, we promise to use our own resources to support the Task Force and collaborate with this administration in whatever way possible. We will stand beside you in Second Amendment litigation. We will provide administrative expertise as you decide how best to reform federal regulations in this area. And State law enforcement officers stand ready to work with the Department of Justice to determine the best way to enforce new and pre-existing laws.¹⁰

The American people need to know their Second Amendment rights will not continue to erode over time. This Task Force is an important leap forward to reverse such a terrible trend. Together, States and the federal government—under the leadership of you and President Trump—will work tirelessly to protect the age-old American liberty to keep and bear arms. After all, “the right of the citizens to keep and bear arms has justly been considered, as the palladium of the liberties of a republic.”¹¹

Sincerely,



John B. McCuskey
West Virginia Attorney General

⁷ *West Virginia: Pro-Gun Bills Advance to Governor's Desk*, NRA-ILA (Apr. 10, 2025), <https://tinyurl.com/3hd8pw5p>.

⁸ *See, e.g.*, Brief for West Virginia et al. as Amici Curiae Supporting Petitioners, *Hanson v. District of Columbia*, No. 24-396 (U.S. Apr. 1, 2025); Brief for West Virginia et al. as Amici Curiae Supporting Petitioners, *Gray v. Jennings*, No. 24-309 (U.S. Oct. 18, 2024), *cert. denied*, 2025 WL 76443 (Jan. 13, 2025).

⁹ Exec. Order No. 14206, 90 Fed. Reg. 9,503 (Feb. 7, 2025), <https://tinyurl.com/ymbkc52r> (“Because it is foundational to maintaining all other rights held by Americans, the right to keep and bear arms must not be infringed.”).

¹⁰ Effectively sharing information and communication between local and federal officials in the Bureau of Alcohol, Tobacco, Firearms and Explosives division of DOJ will be especially important. *See About the Bureau of Alcohol, Tobacco, Firearms and Explosives*, ATF <https://tinyurl.com/3dfrw5hw> (“We partner with communities, industries, law enforcement, and public safety agencies to safeguard the public we serve through information sharing, training, research, and use of technology.”).

¹¹ 3 JOSEPH STORY, COMMENTARIES ON THE CONSTITUTION OF THE UNITED STATES § 1890 (1833).

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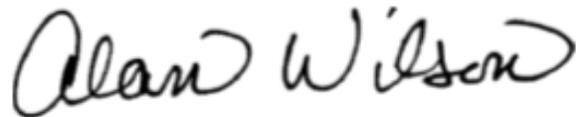
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