

United States Senate

WASHINGTON, DC 20510

October 16, 2026

The Honorable Todd Blanche
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington DC 20530

Dear Attorney General Blanche:

We write regarding the U.S. Department of Justice’s (the Department) decision to cease enforcement of longstanding federal restrictions on the sale of handguns to individuals under the age of 21 by federally licensed firearms dealers (FFLs). This significant change in federal enforcement policy raises serious questions about the Department’s legal justification, and we request information regarding the analysis underlying its decision.

On September 18, 2026, the Department’s Office of Legal Counsel (OLC) published a legal opinion concluding that 18 U.S.C. § 922(b)(1) and (c)(1)—the federal prohibition on FFLs selling handguns to 18- to 20-year-olds—violate the Second Amendment, and that federal prosecutors may no longer prosecute FFLs that sell handguns to 18- to 20-year-olds who are not otherwise prohibited from gun possession.¹ Congress enacted this prohibition as part of the Gun Control Act of 1968, clearly stating that “it shall be unlawful” for an FFL to sell or transfer a handgun to a person under age 21.² Nearly 60 years later, the Department’s decision to stop enforcing this provision comes not because Congress repealed or amended the law, but because the Executive Branch has independently concluded that these provisions are unconstitutional. This decision raises serious questions about the Department’s execution of federal law, its communications with members of the gun industry, and the implications for the enforcement of federal firearms laws nationwide.

The Department’s OLC opinion acknowledges the constitutionality of age-based firearms restrictions has “deeply divided members of the federal bench.” Given the ongoing nature of this legal dispute, the Department’s decision that it may cease enforcement of federal law by executive fiat, rather than continue defending and enforcing the statute, represents an expansive and concerning assertion of executive authority.

¹ <https://www.justice.gov/olc/media/1461811/dl>

² 18 USC § 922(b)(1).

The public safety implications of this decision are clear. Numerous mass shootings have been committed by perpetrators between the ages of 18 and 20, including the shooting at Robb Elementary School in Uvalde, Texas, where an 18-year-old fatally shot 19 students and two teachers and injured 18 others, as well as the shootings at a supermarket in Buffalo, New York; an Indianapolis FedEx facility and Marjory Stoneman Douglas High School in Parkland, Florida. These tragic examples underscore the public safety considerations at stake and the serious risks Congress sought to address.

The Department's decision to unilaterally cease enforcement of this provision of law raises serious questions and concerns. Thus, we request the Department provide:

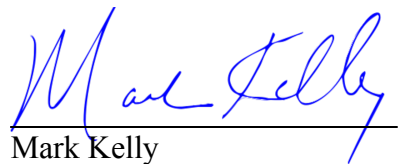
- A detailed explanation of the legal authority on which the Department relies to stop criminal and civil enforcement of these provisions, despite their continued status as federal law;
- All legal materials concerning the Department's decision to stop enforcing 18 U.S.C. § 922(b)(1) and (c)(1) against federally licensed firearm dealers that sell handguns to individuals between the ages of 18 and 20;
- Any analysis conducted or reviewed by the Department regarding the potential public-safety consequences of changing federal enforcement policy for handgun sales to individuals between the ages of 18 and 20; and
- A list of all investigations, prosecutions, and civil or criminal enforcement actions affected by the Department's decision, including any matters declined, suspended, dismissed, or otherwise modified, and the reasons for each action.

Please provide the requested information and documents by November 16, 2026.

Sincerely,



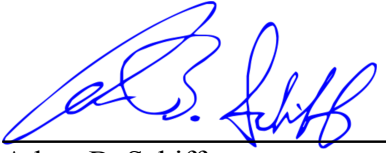
Christopher S. Murphy
United States Senator



Mark Kelly
United States Senator

United States Senate

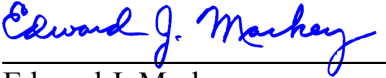
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