

# United States Senate

WASHINGTON, DC 20510

April 1, 2010

Vice Admiral Alan S. Thompson  
Defense Logistics Agency  
8725 John J. Kingman Road  
Fort Belvoir, Virginia 22060-6217

Dear Vice Admiral Thompson:

We write in response to reports that some military installations have contracted with private entities for the sale of their once-fired small arms cartridge cases under the Qualified Recycling Program (QRP) rather than put the cartridge cases up for public bid through Government Liquidations intact for eventual purchase by reloaders. There is considerable demand for once-fired small arms cartridge cases in the civilian marketplace for ammunition reloading and other purposes. Thus, we are concerned about reports that certain military installations are diverting once-fired small arms cartridge cases away from the civilian marketplace.

The domestic market for ammunition is highly sensitive to shortages of spent cartridge cases. Prohibiting the sale of once-fired small arms cartridge cases or diverting the once-fired small arms cartridge cases away from the open market would constrain the supply of ammunition – preventing individual gun owners from fully exercising their Second Amendment right to keep and bear arms. Reloading ammunition also provides important economic activity for both individuals and businesses.

As you know, according to the 2010 Department of Defense Appropriations Act (Sec. 8019 of PL 111-118), demilitarizing or disposing of small arms ammunition is prohibited, unless the small arms ammunition is certified by the Secretary of the Army or designee as unserviceable or unsafe for further use. The intent of this law is to ensure once-fired small arms cartridge cases are made available intact in the open market. We are concerned that certain installation contracts with private entities for the sale of once-fired small arms cartridge cases under the QRP may not be in compliance with this law.

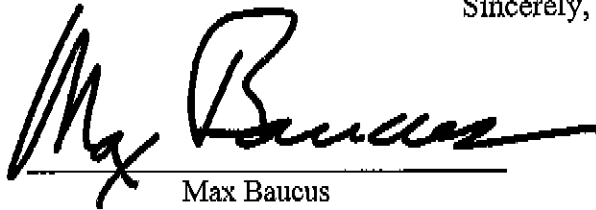
Please provide a detailed description of the following by April 15, 2010;

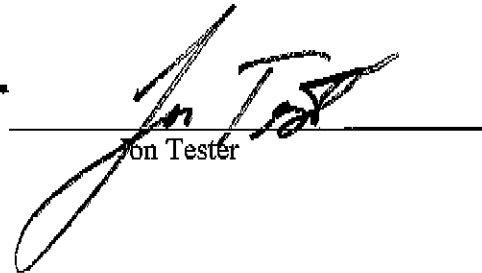
- 1) The number of and location of military installations that have contracted with private entities for the sale of their once-fired small arms cartridge cases under the QRP.
- 2) An assessment of whether these contracts are in compliance with Section 8019 of PL 111-118.
- 3) An assessment of whether once-fired small arms cartridge cases sold to private entities under the QRP earn as much revenue as otherwise would be earned if the brass were put up for public bid through government liquidations.

- 4) The steps your agency is taking to ensure that all interested buyers have the opportunity to purchased once-fired small arms cartridge cases and an assessment of whether your agency is taking every step possible to assure the maximum availability of once-fired small arms cartridge cases to those who purchase them for resale and reuse via the Defense Reutilization and Marketing Office (DRMO) system.

Thank you for your prompt attention to this matter.

Sincerely,

  
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Max Baucus

  
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Jon Tester