

EXAMINING THE PRACTICES AND PROFITS OF GUN MANUFACTURERS

HEARING BEFORE THE COMMITTEE ON OVERSIGHT AND REFORM HOUSE OF REPRESENTATIVES ONE HUNDRED SEVENTEENTH CONGRESS SECOND SESSION

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Wednesday, July 27, 2022

HOUSE OF REPRESENTATIVES,
COMMITTEE ON OVERSIGHT AND REFORM,
Washington, D.C.

The committee met, pursuant to notice, at 10:08 a.m., in room 2154, Rayburn House Office Building and via Zoom; Hon. Carolyn Maloney, [chairwoman of the committee] presiding.

Present: Representatives Maloney, Norton, Lynch, Connolly, Krishnamoorthi, Raskin, Khanna, Mfume, Ocasio-Cortez, Tlaib, Porter, Brown, Davis, Wasserman Schultz, Welch, Johnson, Sarbanes, Speier, Kelly, Lawrence, DeSaulnier, Gomez, Pressley, Comer, Jordan, Hice, Grothman, Cloud, Higgins, Norman, Keller, Biggs, Donalds, Flood, Mace, Fallon, Clyde, and Franklin.

CHAIRWOMAN MALONEY. Welcome, everybody, to today's hybrid hearing.

Pursuant to House rules, some members will appear in person and others will appear by Zoom. For members appearing remotely, I know you are familiar with Zoom by now but let me remind everyone of a few points.

First, the House rules require that we see you. So please have your cameras turned on at all times.

Second, members appearing remotely who are not recognized should remain muted to minimize background noise and feedback.

Third, I will recognize members verbally, but members retain the right to seek recognition verbally in regular order. Members will be recognized in seniority order for questions.

Last, if you want to be recognized outside of regular order, you may identify that in several ways. You may use the chat function, you may send an email to the majority staff, or you may unmute your mic to seek recognition.

We will begin the hearing in just a moment when they tell me that they are ready to begin the live stream.

[Pause.]

CHAIRWOMAN MALONEY. The committee will come to order.

Without objection, the chair is authorized to declare a recess of the committee at any time.

I now recognize myself for an opening statement.

Today, we are holding our second hearing on the crisis of gun violence in America. Seven weeks ago, this committee heard heart-breaking testimony from witnesses whose lives were forever changed by gun violence, including Miah Cerrillo, a fourth grader

who survived the massacre in Uvalde by smearing herself with blood so that they did not recognize her.

Gun violence is now the top killer of children in the United States, causing more deaths in children than car accidents.

In 2020, more than 45,000 people were killed by gun violence, the highest number ever recorded in our country, and since our first hearing the evil of gun violence has continued to shatter our communities.

On the Fourth of July a gunman rained down bullets on families at a parade in Highland Park, Illinois. He killed seven people and injured dozens more.

That shooter, like the killers in Uvalde, Buffalo, Las Vegas, Parkland, and Newtown used an AR-15 style rifle. This is an ultra-deadly weapon engineered to kill enemy soldiers on the battlefield.

Yet, the gun industry has flooded our neighborhoods, our schools, and even our churches and synagogues with these deadly weapons and has gotten rich doing it.

That is why I launched an investigation into the gun industry. This morning, I released a memo with our initial findings and what we found is appalling. Our investigation shows that five major gun manufacturers collected a total of more than a billion dollars from the sale of assault rifles over the last decade.

One company, Ruger, made over \$100 million through the sale of AR-15 style rifles in 2021 and more than doubling what it made the year before.

Another company, Daniel Defense, tripled its revenue from these rifles from 2019 to 2021, and Smith & Wesson brought in over \$125 million from the sale of assault weapons in 2021.

Our investigation also found that gun manufacturers use dangerous marketing tactics to sell assault weapons to the public. That includes marketing to children, preying on young men's insecurities, and even appealing to violent white supremacists.

Finally, we found that even as guns kill more Americans than ever, none of those companies take even basic steps to monitor the deaths and injuries caused by their products. This is beyond irresponsible.

At the end of our last hearing, I vowed that this committee would hold a second hearing so the committee and the American people can hear directly from the gun industry about why they continue to sell the weapons of choice to mass murderers.

Today, we will hear from CEOs of two gun manufacturers who sold assault rifles used by mass shooters, Daniel Defense and Ruger. Daniel Defense sold the assault weapon that was used in Uvalde to murder 19 children and two teachers and to wound 18 others; and Ruger is the largest rifle manufacturer in the U.S. Their assault weapon was used to murder more than two dozen people at a church in Sutherland Springs, Texas.

We also invited Mark Smith, the CEO of Smith & Wesson. His company is the second leading rifle manufacturer in the country and is responsible for the weapons used by mass murderers in Highland Park and Parkland and in other mass shootings.

Mr. Smith promised he would testify but then he went back on his word, perhaps because he did not want to take responsibility for the death and destruction his company has caused.

But the time for dodging accountability is over. Today, I am announcing my intent to issue a subpoena for documents from Smith & Wesson's CEO and other top executives so that we can finally get answers about why this company is selling assault weapons to mass murderers, answers we were hoping to get at today's hearing.

After we announced this hearing, the committee heard from victims, family members, and survivors of gun violence from across our country who wanted to share their stories and their questions for the gun industry.

I would like to play their video now. Let us please play the video. [Video is shown.]

CHAIRWOMAN MALONEY. These people are demanding answers and accountability from the gun industry, and I intend to get both today.

Following today's hearing House Democrats will continue to take bold action to stop the bloodshed. Later this week, we hope to vote on the first assault weapon ban in nearly 30 years.

The House is also planning to take action to end the outrageous legal immunity that has protected the gun industry from lawsuits for far too long, and in the coming weeks I intend to introduce additional legislation to hold the gun industry accountable for the damage inflicted by their products, just like the car industry, the pharmaceutical industry, or any other American business.

Let me close by addressing my Republican colleagues. I know that you value the rights guaranteed by the Second Amendment, and so do I.

But even Justice Scalia recognized that, quote, "The right secured by the Second Amendment is not unlimited," end quote.

Even as we protect this right, we cannot ignore our fundamental obligation to protect the public, especially our children. I hope all of my colleagues will join me in finally taking action to end this crisis.

I now yield to the distinguished Ranking Member, Mr. Comer, for his opening statement.

Mr. COMER. Thank you, Chairwoman Maloney.

As elected representatives in Congress, it is our responsibility to work to ensure the law is enforced to reduce violent crime. The violence that began during the summer of 2020 continues to increase. Murders are up, aggravated assaults are up, and we must reverse this trend.

Ironically, cities with the worst crime rates are the hardest place to buy guns. Years of gun control laws in cities like New York and Chicago have failed.

That is why I will continue to protect the rights of all law-abiding gun owners who safely use, store, and carry firearms, including the AR-15, which is the most popular rifle in the United States.

It has become clear that the two parties in Washington have very different solutions of putting an end to the violent crime wave across the Nation.

Republicans want to target criminals. Democrats want to target lawful gun owners and take away their guns.

We all took an oath to support and defend the Constitution. The Second Amendment ensures the rights of individuals to keep and bear arms and defend themselves in times of danger.

Just recently, the Supreme Court reaffirmed our right of self-defense enshrined in the Second Amendment. Meanwhile, Democrats and President Biden continue to blame American companies for various national crises that their policies have made worse.

From the price of gasoline to the surge in violent crime, Democrats are quick to point the finger at American industry. Their targets today? The American firearms industry.

What did the American firearm industry do wrong? Their customers are allowed to lawfully buy guns. Their customers are allowed to exercise their Second Amendment right to keep and bear arms for their protection and other lawful purposes.

Gun manufacturers do not cause violent crime. Criminals cause violent crime. As the Democrats continue their obsession with vilifying American companies, they refuse to conduct any oversight over the Biden administration and the Federal Government.

It is not surprising that the Lugar Center, a nonpartisan congressional rating group, has given the Democrats in our committee an F for oversight.

Democrats have no problem with subpoenaing oil companies and private citizens. Yet, we have not heard from a single Biden administration Cabinet secretary this entire Congress. When are they going to get a subpoena?

We invited Attorney General Garland to today's hearing since he is responsible for agencies like the FBI and the ATF, and he is not here. In February, we invited the Department of Energy Secretary Granholm to talk about gas prices. But she could not make it.

Just this week, we learned that Democrats get the same response from the administration as Republicans. They refuse to show up. After both EPA and FAA rejected an invitation to tomorrow's Environmental Subcommittee hearing, Democrats were so desperate to secure the participation of the administration that they offered to change the scope of the hearing so that both agencies would be comfortable testifying.

It looks like they still aren't going to show up. Americans are suffering from the effects of an open border, including fentanyl streaming across into the hands of our youth, inflation at a 40-year high, and last month gas prices hit a record of over \$5 a gallon nationwide.

Madam Chairwoman, it is time that we hear directly from the people in the administration making policy decisions impacting the lives of all Americans.

I would like to enter into the record a letter from Democrat Subcommittee Chair Ro Khanna expressing exasperation with the EPA for not appearing at a hearing tomorrow.

CHAIRWOMAN MALONEY. Without objection.

Mr. COMER. I would also like to enter into the record a letter that committee Republicans sent you earlier today saying that we support issuing subpoenas to administration officials if they are not appearing voluntarily.

CHAIRWOMAN MALONEY. Without objection.

Mr. COMER. Let us hold the Biden administration to the same standard that you hold private companies. Show up or get a subpoena. It is time that we do the job the American people sent us here to do—holding the government accountable instead of holding

hearings like this to score political points against private companies.

As I close, Madam Chair, will you commit to holding one hearing before the end of the year with a Cabinet secretary? Just one hearing with one Cabinet secretary.

CHAIRWOMAN MALONEY. I will take it under advisement; and now we will introduce our witnesses.

First, we will hear from Marty Daniel, Chief Executive Officer of Daniel Defense, LLC. Then we will hear from Christopher Killoy, President and Chief Executive Officer of Sturm, Ruger & Company, Inc.

Then we will hear from Ryan Busse, Senior Advisor at Giffords Law Center. Then we will hear from Kelly Sampson, Senior Counsel and Director of Racial Justice at Brady: United Against Gun Violence.

Finally, we will hear from Antonia Okafor, National Director of Women's Outreach at Gun Owners of America.

In addition to our witnesses, we also have in the hearing room victims and survivors of the mass shooting in Uvalde and Highland Park, who will be observing our hearing. We are honored by their presence of these brave men and women today.

In particular, I want to welcome Felix and Kimberly Rubio, who testified at our previous hearing about their heartbreaking loss of their daughter, Lexi Rubio.

The witnesses will be unmuted so we can swear them in. Please raise your right hand.

Do you swear or affirm that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

[Witnesses are sworn.]

CHAIRWOMAN MALONEY. Let the record show that the witnesses answered in the affirmative. Thank you.

Without objection, your written statements will be made part of the record; and with that, Mr. Daniel, you are now recognized for your testimony.

Mr. Daniel?

**STATEMENT OF MARTY DANIEL, CHIEF EXECUTIVE OFFICER,
DANIEL DEFENSE, LLC**

Mr. DANIEL. Thank you, Chairwoman Maloney.

Chairwoman Maloney, Ranking Member Comer, my name is Marty Daniel, founder and CEO of Daniel Defense. I am grateful for the opportunity to work with you and to join with Americans across the country in attempting to find effective solutions to combat the unacceptable increase in violent crime in our country, including the evil acts in Uvalde, Buffalo, and Highland Park that prompted this hearing.

I am sharing my views today to help ensure that the voices of law-abiding citizens and gun owners are understood by this committee.

I am concerned, however, that the stated and implied purpose of this hearing is to vilify, blame, and try to ban over 24 million sporting rifles already in circulation that are lawfully possessed

and commonly used by millions of Americans to protect their homes and loved ones, to safely sport shoot with family and friends, and to put food on the table as licensed hunters.

This proceeding is focused on a type of firearm that was involved in fewer than four percent of homicides involving firearms in 2019.

I believe in God and my faith guides me and my family. Fundamentally, I also believe that there is good and evil in our lives, and what we saw in Uvalde, Buffalo, and Highland Park was pure evil. The cruelty of the murderers who committed these acts is unfathomable and deeply disturbs me, my family, my employees, and millions of Americans across this country.

Lately, many Americans, myself included, have witnessed an erosion of personal responsibility in our country and in our culture. Mass shootings were all but unheard of just a few decades ago.

So, what changed? Not the firearms. They are substantially the same as those manufactured over a hundred years ago. I believe our Nation's response needs to focus not on the type of gun but on the type of persons who are likely to commit mass shootings.

In my judgment, the U.S. Secret Service and Department of Homeland Security have shown how we can best spend public resources in reducing these threats. Several recent studies by these agencies have concluded that mass shootings are preventable when appropriate community systems are in place.

In my full statement, I identify other actions that can be taken without infringing on the constitutional rights of law-abiding citizens.

As the Supreme Court stated in *Heller*, the enshrinement of constitutional rights necessarily takes certain policy choices off the table, including those that would diminish the Second Amendment rights of law-abiding Americans, such as banning common and popular guns.

To close, I am appearing before you on a voluntary basis because I believe strongly in our constitutional form of government and the role of Congress in addressing the Nation's problems.

I have respect for Congress, and I hope you will afford me the same respect as both a citizen and a manufacturer of a lawful product built for responsible citizens.

Thank you.

CHAIRWOMAN MALONEY. Thank you.

Mr. Killoy, you are now recognized for your testimony.

STATEMENT OF CHRISTOPHER KILLOY, PRESIDENT AND CHIEF EXECUTIVE OFFICER, STURM, RUGER & COMPANY, INC.

Mr. KILLOY. Chairwoman Maloney, Ranking Member Comer, and distinguished members of the committee, good morning.

My name is Chris Killoy and I am both fortunate and proud to be the President and Chief Executive Officer of Sturm, Ruger & Company, Incorporated, more simply known as Ruger.

At its core, Ruger, like all companies, is simply a collection of people. We are fathers, mothers, grandparents, friends, and neighbors. From humble beginnings in Southport, Connecticut, very close to where our corporate headquarters is today, we have grown to a team of nearly 2,000 hardworking folks.

We have factories in Prescott, Arizona, Mayodan, North Carolina, Newport, New Hampshire, and Earth City, Missouri, with smaller offices and personnel in various locations around our great country.

We come to work every day with the goal of building rugged, reliable firearms that responsible citizens are proud to own and lawfully use. Our motto, “Arms makers for responsible citizens,” is a testament to our company culture and philosophy dating back nearly 75 years.

Among the materials provided to the committee are a few examples of what we have done these many years to advance our philosophy and demonstrate our core values of respect, integrity, teamwork, and innovation.

As many companies in America move jobs overseas to improve their bottom line, we build our products in American factories. With few exceptions, our supply chain is nearly all domestic, often supported by small local businesses near our factories.

We strive to provide good pay and benefits to our work force with the hope that employees will become long-term members of our team, and we have the track record to prove it.

Right now, we employ well over 100 dedicated employees with between 30 and 50 years at our company. I recently attended a retirement party for a husband and wife team who, collectively, dedicated 87 years to Ruger, more than a typical lifetime. Not many CEOs are as fortunate as I am to work with such great people.

During the COVID-19 pandemic, we worked exceptionally hard to keep our work force safe. Our COVID task force met nearly every day for more than a year to manage our response, track constantly shifting guidance, and make protocol recommendations.

While these protocols had an adverse impact on production and profitability, we opted for the harder right and are proud of that decision.

With the recent acquisition of the Marlin firearms brand, we now offer over 40 product lines and nearly 800 product innovations. Our management team is small, hardworking, and effective.

We work closely together every day and strive to do the right thing for our employees, shareholders, customers, and communities in which we are located.

We operate in a rapidly changing and increasingly complex legal environment. We do our level best to meet our regulatory obligations, cooperate with law enforcement, and remain true to our corporate philosophy.

As a company, we support many initiatives designed to promote the safe and responsible use of firearms. Examples include Project Childsafe, Fix NICS, and Walk the Talk America, just to name a few.

These programs and others are detailed in the materials we have provided to the committee. Our employees are very active in their respective communities. We have an internal company newsletter, “The Ruger Action,” which highlights the achievements of our work force—weddings, graduations, promotions, retirements, a first buck, and so on. I am always proud and pleased by the community outreach and service of our employees that I read about so frequently.

Ruger is a collection of nearly 2,000 hardworking, dedicated individuals sharing the common goal of supplying rugged, reliable American-made firearms to responsible citizens who use them lawfully every day. That is who we are.

The tension between our constitutional right to own firearms and the harm inflicted by criminals who acquire them is a complex topic that evokes strong emotions, regardless of your position on the issue.

At Ruger, we are proud Americans who embrace the Constitution and the blanket of protections it provides, including specifically those guaranteed by the Second Amendment.

We firmly believe that it is wrong to deprive citizens of their constitutional right to purchase the lawful firearm they desire because of the criminal acts of wicked people.

A firearm, any firearm, can be used for good or for evil. The difference is in the intent of the individual possessing it, which, we respectfully submit, should be the focus of any investigation into the root causes of criminal violence involving firearms.

Thank you. I look forward to your questions.

CHAIRWOMAN MALONEY. Thank you.

Mr. Busse, you are now recognized for your testimony.

STATEMENT OF RYAN BUSSE, SENIOR ADVISOR, GIFFORDS LAW CENTER

Mr. BUSSE. Good morning, Chairwoman Maloney. Thank you for inviting me today.

My testimony is about decisions—the ones I have made, the ones the firearms industry has made, and, ultimately, the decisions you must make. Like so many gun owners in America, I grew up with guns and was taught that responsibility and safety are critical components of firearms ownership.

In 1995, I made the decision to get into the gun industry. For the first several years of my career, the same responsibility I was raised with prevailed there. Tactical gear was not allowed in the largest trade shows. Companies like Ruger even included their founding motto on all advertising, “Arms maker for responsible citizens.”

By 2007, change was happening as most companies began combining guns with the political fear and conspiracy machine of the NRA. It worked very well because the same things that drove NRA radicalization also drove gun sales.

Prior to 2008, guns like the AR-15 were a pariah. But they represented a new and untapped market, and the NRA and the NSSF needed new political symbols and profit.

So, companies like Smith & Wesson made the decision to get into the AR-15 business. A few years later, the M&P 15, as in military and police, became the best-selling rifle in America. Eventually, young male gun customers in places like Parkland, Florida, Highland Park, Illinois, and Kenosha, Wisconsin, all decided to use an M&P 15.

By 2008, Ruger made the decision to remove the responsible citizen motto from most of its public advertising. Those industry lead-

ers who spoke out against this new trajectory were attacked and marginalized.

Everyone was told that any new gun, any new gun buyer, or any gun marketing was good so long as it furthered political aims and sold guns.

The trend of dismissing responsibility has only worsened, and today the industry condones frightening marketing that openly partners with domestic terror orgs like the Boogaloo Boys, a group that hopes for race wars and wears Hawaiian shirts.

There is no industry criticism of marketing like this. In fact, the maker of this Boogaloo rifle is also one of the Nation's largest gun retailers and they boast of the public support of most of the largest gun companies, including Smith & Wesson.

It is not that the industry and the NSSF are shy about aggressively policing the actions of members. In 2018, after the Parkland shooting, Ed Stack, the CEO of Dick's Sporting Goods, removed AR-15s and tactical gear from his stores. Stack still sold plenty of other guns, but within days the NSSF Board of Governors officially expelled Stack and Dick's to let everyone know that anything short of complete devotion would not be tolerated.

I was inside the industry as new companies like Daniel Defense built businesses by advertising AR-15s with slogans encouraging young men to "use what the Special Forces guys use."

Like many companies, they also sought and celebrated the inclusion of their AR-15s in first person shooter games and movies. When Daniel Defense tweeted a picture of a toddler blessed by a Proverbs verse while cradling an AR-15 on the same week as the Uvalde shooter was killing kids with one of their rifles, there was no criticism from industry leadership.

But there has been a prestigious reward. The same NSSF Board of Governors that expelled Ed Stack elected Marty Daniel to a coveted seat on that board, a position he still holds today. Mr. Killoy is an important voting member of that NSSF board.

Sadly, for me, there is no place in the industry for anyone who believes in moderation or responsible regulation. If they did exist, they were frightened into submission or forced out.

In my last months as an industry executive, I snapped photos like this. It is a tactical advertisement over the entrance of the SHOT Show that weirdly combines Revolutionary War soldiers, a modern AR-15, and the promise of daily gunfights as a business proposition.

On January 6, 2021, less than a year after I took this photo, these exact components coalesced into a violent mob just a few hundred yards from here.

Despite guns being the center of radicalized domestic terrorists, there is no industry rebuke, not of the Come and Take It flags on January 6, not of armed men invading the Michigan capitol, certainly not of Kyle Rittenhouse "owning the libs" by shooting and killing people at a protest with his Smith & Wesson military and police rifle.

Any rational person can see the direct lines from this marketing to the troubled young men who kill people in places like Buffalo and El Paso and Uvalde. Anyone can see the direct lines to our Nation's most dangerous domestic terror orgs.

I am here on behalf of responsible gun owners like me, who harbor a deep fear about what this is doing to our country. I am also here to warn you that there is much more of this on the way. No one from the industry is going to stop it and it is going to get much worse.

Now, as the elected leaders of our country, you have a decision to make. What is to be done about this?

Thank you, and I look forward to your questions.

CHAIRWOMAN MALONEY. Thank you, Mr. Busse.

Ms. Sampson, you are now recognized for your testimony.

Ms. Sampson?

STATEMENT OF KELLY SAMPSON, SENIOR COUNSEL AND DIRECTOR OF RACIAL JUSTICE, BRADY: UNITED AGAINST GUN VIOLENCE

Ms. SAMPSON. Chairwoman Maloney, Ranking Member Comer, and committee members, thank you for holding this hearing because Americans of all walks of life can and do agree that gun violence is a real problem.

Gun violence is a leading cause of death for American children, which is a public health issue, not a private evil hearts problem. Indeed, no prevailing philosophy, theology or world history suggests that evil is unique to the United States.

What is unique, however, especially in comparison to peer countries, is the rate at which gun violence kills our people, and that isn't because we are more evil, more prone to mental health diagnoses, or more violent.

First, a mental health diagnoses makes someone more likely to be a victim of violence rather than a perpetrator, and in any case, research shows that Americans are no more prone to mental health issues than people around the world.

Second, research suggests that America isn't necessarily more violent than our peers, but because guns are so readily available, we are decidedly deadlier.

When it comes to gun violence, we are, quite literally, off the charts. That is why countries like Australia, Canada, and Germany warn their citizens to take extra precautions when traveling here and that is also why hundreds of families will get the dreaded news that their loved one has been shot today.

In the face of such horrific violence, I can understand why people may earnestly believe that the answers lie in the individual private sphere of hearts and morals. But gun violence is a public health problem, and it requires public policy solutions.

We have to be honest. We have a gun violence problem unlike any other industrialized country on Earth, and guns don't just come from the sky.

Those opposed to regulation claim that people who want to get guns to commit crime could circumvent gun laws by going to the black market, as though the black market were given. But it is not.

Loopholes, combined with the lack of accountability and unlawful, irresponsible, and negligent gun industry practices feed the black market. I am going to focus on those business practices.

Almost all guns start in licensed manufacturers' factories. Generally, manufacturers sell to distributors, who sell to dealers, who sell to the public. Dealers are supposed to screen for gun trafficking and most do. The majority of gun dealers won't sell a single crime gun in a given year.

But the most recently available data shows that five percent of licensed dealers sell about 90 percent of crime guns; and you might be asking what manufacturers have to do with that. A lot.

Through trace data from the Bureau of Alcohol, Tobacco, Firearms, and Explosives, or the ATF, manufacturers know which dealers and distributors are routinely selling crime guns.

Since the majority of gun dealers don't sell crime guns in a given year, then if a dealer has multiple traces, that should at least trigger the manufacturer to investigate and, at most, compel the manufacturer to cut business ties.

But they don't do that, and you don't have to take my word for it. Several industry insiders have said as much and I have detailed it in my written testimony.

Despite manufacturers' role in supplying the black market, they face little accountability for a couple of key reasons.

First, they have lobbied to undercut the ATF. Second, they bought themselves a shield in Protection of Lawful Commerce in Arms Act, also called PLCAA, a law that makes it much harder for those harmed by industry misconduct to get justice.

So, we have got paltry enforcement and PLCCA, and the gun industry sows carnage by flooding communities with guns, then reaps profit by saying the only thing that will stop the bad guys with guns are good guys with guns. This more guns, less crime frame isn't just wrong, it is dangerous.

First, we know that states with more—with looser gun laws have more crime.

Second, framing guns around good and bad guys isn't neutral. Because of the racial inequities in our society, a good guy with a gun is usually code for white, resulting in disparate treatment for Black gun owners.

For example, police shot and killed Philando Castile, a Black licensed concealed carry permit holder during a traffic stop, whereas police were peacefully able to take an armed white man into custody who had fled after shooting and killing seven people at a July 4th parade in Highland Park.

Further, some manufacturers use militaristic marketing, suggesting that assault style rifles are the way to protect freedom. But as I have detailed in my written testimony, freedom in the firearms context is linked to a distorted view of the Second Amendment that falsely claims that people have the right to take up arms against the government.

This insurrectionist interpretation is particularly seductive to extremists, and it threatened this very body on January 6. Neither history nor any Supreme Court precedent supports the notion that the Second Amendment is the right to insurrection.

As Representative Raskin pointed out just last week, it is absolutely absurd. Yet, we see manufacturers using it to sell guns all the time.

The gun industry's role in fueling our country's gun violence epidemic can't be understated. That cannot stand and I look forward to your questions.

Thank you.

CHAIRWOMAN MALONEY. Thank you so much.

Ms. Okafor, you are now recognized for your testimony.

**STATEMENT OF ANTONIA OKAFOR, NATIONAL DIRECTOR OF
WOMEN'S OUTREACH, GUN OWNERS OF AMERICA**

Ms. OKAFOR. Thank you, Chairwoman Maloney, Ranking Member Comer, and members of the House Oversight Committee. Thank you for inviting me to testify today and for giving me the opportunity to defend the rights of millions of American gun owners to own and maintain AR-15s for self-defense.

My name is Antonia Okafor Cover and I am the National Director of Women's Outreach for Gun Owners of America. I am also a National Spokesperson. I am a certified firearms instructor and range safety officer who specializes in working with women, particularly those with traumatic backgrounds.

I am what you would call an accidental activist. My parents are immigrants from Nigeria and I grew up primarily with an anti-gun anti-Second Amendment mindset until I arrived in college in 2009 and was greatly grieved at the epidemic of sexual assaults occurring at universities across the U.S.

As a sexual assault survivor myself, I have since become a passionate advocate of empowering women and in my years as a range safety officer and firearms instructor, I have found that my female students tend to give the AR-15 the best review overall.

This year, Gun Owners of America put on free events for women that let new female shooters try out an array of firearms, from handguns to rifles to shotguns. Out of all the firearms it was always the AR-15 that they raved about, many of them surprised, given the anti-AR-15 rhetoric pushed by organizations spending millions of dollars trying to deter them from owning one.

The AR-15 allows women to have a larger firearm without having to absorb the recoil as much as one does with a smaller handheld firearm. The AR-15 makes it easier for those who have a physical disadvantage to the attacker to have an upper hand.

Having a rifle allows me the advantage of being able to shoot the attacker from much further away than the standard handgun. The number-one reason that women buy firearms is for self-defense.

I am a proud owner of a Daniel Defense rifle and it is my go-to rifle. It is by far lighter than any other rifle I own. It makes it easier for me to hold and, yet, it still does an incredible job of absorbing the impact after each trigger pull.

Women have been known to use rifles in defense in plenty of instances, but the people who have used Armalite rifles range from older men to young women.

For instance, Stephen Willeford, a GOA spokesman and senior living in Sutherland Springs, Texas, used an AR-15 to effectively stop a mass shooter at the church in his town a few years ago.

In November 2019, a woman in her ninth month of pregnancy used her family's AR-15 to stop two armed attackers in her home.

After they severely wounded her husband and attempted to grab her 11-year-old daughter, the wife grabbed the AR-15 and drove the attackers away. One of them was found dead from the round she put in him before they fled from the scene.

More recently, in Atlanta, a black Army veteran protected his home and family inside using an AR-15 to fend off two intruders from his home. His wife was hiding inside the home and the man used his rifle in defense of his family, home, and property.

Banning these firearms will only make it difficult for women like me to protect our families. Gun bans never stop bad guys from getting firearms.

As my written testimony shows, the original ban of 1994 did nothing to reduce the crime. Consider all the recent shootings in Buffalo and Uvalde were aided and abetted by gun restrictions.

The Buffalo shooter indicated he was comforted that his victims would be limited in their ability to carry firearms by New York's tough gun laws and Uvalde's school was a gun-free zone. It is not surprising that 94 percent of mass shootings occur in gun-free zones.

The Second Amendment guarantees a right that we already have. It preexists the Second Amendment. The right is to self-preservation.

The Second Amendment's primary focus is not about hunting. The Second Amendment was put into the Constitution as protection of the people against an oppressive government. History has shown countless times that any people group without the means of keeping and bearing arms has remained the oppressed people group.

Our history in America has shown oppression correlated with gun control. Even after Black people fought alongside their white counterparts in the military, many came home to racist governments and institutions that systematically took away firearms from Black communities, communities that relied on firearms to deter attacks from the Ku Klux Klan and other anti-gun organizations.

Martin Luther King, Jr., applied two times for a concealed carry permit. Both times the racist police in charge of giving Dr. King a permit refused to give him one.

In conclusion, because of the many benefits of the AR-15 for women and those with physical disadvantages, including the fact that our Constitution is clear that no government body has the power to determine which firearm I choose to keep in my possession, the Armalite rifle is a platform that is an exceptional commonly owned firearm and should be protected as such.

Thank you.

CHAIRWOMAN MALONEY. Thank you so much. I thank all the panelists. I now recognize myself for questions.

Today's hearing is historic. It is the first time in nearly two decades that the CEOs of leading gun manufacturers have testified before Congress about their business practices.

Mr. Daniel, the gunman in Uvalde used an assault weapon from your company to murder 19 children and two teachers. Your company said that this shooting was, and I quote, "a horrifying tragedy," end quote, and that the victims and families are, quote, "in our thoughts and they are in our prayers," end quote.

You even canceled your company's appearance at the NRA convention after the shooting and you testified today that there has been a decline in personal responsibility, using your words.

Mr. Daniel, do you agree that the murder of these children and teachers in Uvalde was a tragedy and do you feel any personal responsibility for that tragedy?

Mr. DANIEL. Chairwoman Maloney, we are—I am deeply disturbed by these horrific acts committed by evil people. I can—I cannot even imagine what those innocent children had to go through and the teachers. I cannot imagine the horror that the families have to live with for the rest of their lives.

These acts were horrible and these acts need to be stopped.

CHAIRWOMAN MALONEY. Thank you.

OK. Reclaiming my time.

Mr. Killoy, weapons from your company, Ruger, have also been used in mass shootings, including the deadliest shooting in Texas history.

I played a video earlier in which Americans impacted by gun violence had a simple question. What is the gun industry doing to stop the violence?

We just heard from Mr. Daniel that we have to stop the violence. I think we all agree. What is the gun industry doing? One obvious step is to end the sale of assault weapons to civilians and children. Yet, neither company before us has been willing to take that step. Congress is moving to take that step.

Mr. Daniel, how many more American children need to die before your company will stop selling assault weapons to civilians and young men?

Mr. KILLOY. Congresswoman, was that directed to myself or for Mr. Daniel?

CHAIRWOMAN MALONEY. OK. Mr. Daniel, yes. Can you respond, Mr. Daniel?

Mr. DANIEL. Yes. Can you—I thought that question for Mr. Killoy. Can you repeat the question, please?

CHAIRWOMAN MALONEY. How many more American children need to die before your company will stop selling assault weapons to civilians and children the weapon of choice in most mass murders in our country?

Mr. DANIEL. Congresswoman Maloney, I believe that these murders are local problems that have to be solved locally. I believe that the facts—

CHAIRWOMAN MALONEY. OK. My time is limited and I have to go to the next question.

Mr. Killoy, how about you? Is there any number of shootings in schools and churches and synagogues that would convince you to stop selling weapons of war to civilians?

Mr. KILLOY. Respectfully, Congresswoman, I don't consider the modern sporting rifles today that that my company produces to be weapons of war; and like all Americans, I grieve, you know, when we read about these tragic incidences. You ask what the industry has done and what our company has done and can do. One of the things you reference was the Sutherland Springs situation.

In that case, the evil person who perpetrated those crimes and committed those murders was allowed to buy a firearm that, frank-

ly, he should not have been allowed to do. He somehow was able——

CHAIRWOMAN MALONEY. Reclaiming.

It seems to me that if a company really cared that its products were being used to kill scores of Americans it would stop selling them. But, of course, the gun industry won't do that because they are making lots and lots of money from these weapons.

As shown in the chart behind me, over the last 10 years Daniel Defense collected more than half a billion dollars in revenue selling AR-15 style assault weapons, the weapon of choice in too many mass shootings.

Ruger also made over \$500 million on these weapons and Smith & Wesson made more than \$600 million. That is the very definition of putting profits over people.

Today, in the committee room there are victims and surviving family members from the Highland Park and Uvalde shootings.

Mr. Daniel, you have sent thoughts and prayers to the victims of Uvalde, but you have never accepted responsibility for selling the weapons that killed these innocent children, and you testified earlier that there has been a decline in personal responsibility.

I want to give you the opportunity now to show personal responsibility. Will you accept personal responsibility for your company's role in this tragedy and apologize to the families of Uvalde?

Mr. DANIEL. Chairwoman Maloney, these acts are committed by murderers. The murderers are responsible for the——

CHAIRWOMAN MALONEY. Reclaiming my——

Mr. Killoy, how about you? Will you apologize to the victims here today and victims around our country and their families in Sutherland Springs, Boulder, and other cities who were harmed by your products?

Mr. KILLOY. Congresswoman, with all due respect, while as I grieve like all Americans at these tragic incidences, again, to blame the firearm—the particular firearm in use here that we are talking about, modern sporting rifles, to blame the firearm is an inanimate object.

CHAIRWOMAN MALONEY. Thank you.

Reclaiming my time. So let me get this straight; and with all due respect, you market weapons of war to civilians and children. You make millions by selling them. But when someone pulls the trigger, you refuse to accept responsibility and I would call that a staggering lack of accountability.

I hope the American people are paying attention today. It is clear that gun makers are not going to change unless Congress forces them to finally put people over profits.

I yield back and recognize the gentleman from Georgia.

Mr. Hice is now recognized.

Mr. HICE. Thank you.

I want to thank each of our witnesses for being here, for your testimonies. I also want to thank Chairwoman Maloney for holding this hearing so that the American people can see the disturbing trend in this committee of going after both private citizens and the constitutional rights of American citizens.

Just the other day this committee went after those in the energy sector, and now are going after firearm manufacturers, all for polit-

ical purposes. And just to go with the chairwoman's comments, I want to know when are you, Chairwoman Maloney, going to apologize to the American citizens for not dealing with the real issue and showing responsibility and accountability?

When are we going to have hearings in this committee holding people responsible in cities, municipalities, states, and right here in our own Congress for being soft on crime?

When are we going to have hearings to do away with the ridiculous outrageous policies of defunding the police; and do we really think that that is a good idea when it comes to dealing with crime?

Would anyone in their right mind think that crime would go down when we attack and defund the police, when we are soft on crime, and here we have a southern border that remains open, allowing gang members to come in.

We have not had one hearing about that. We have not dealt with one thing of the issue. This is like the old saying that we are going to blame the manufacturers of forks and spoons for obesity.

I guess you are going to subpoena some of them as well to deal with obesity in this country. It is absolutely absurd that we are not dealing with the issues, and I want to know when are you going to apologize for the lack of leadership in this committee of dealing with the issues that this country is facing.

This committee should have jurisdiction over government oversight and Federal issues, not going after private citizens and private companies like we are doing here today.

Yes, violent crime is on the increase. That is a concern for all of us. But to go after the manufacturers of guns while at the same time remaining soft on crime, defunding the police, supporting those policies, and keeping our southern border open for all sorts of criminals is absolutely disgusting to me and unthinkable, the height of irresponsibility and lack of accountability.

My colleagues seem to forget that the American people have a right to own guns as a constitutional right to defend themselves and, yet, we have a perpetual barrage of politicized buzz words like have already been used here this morning, like assault weapons and weapons of war, to support arbitrary gun grabs not from criminals but from law-abiding American citizens, and it is time that we see some changes.

Mr. Daniel, I would like to go to you.

There were—approximately eight and a half million Americans purchased a firearm for the first time in 2020 and this is a trend that has continued to go up for the last several years.

Does your company make or produce any illegal product?

Mr. HICE. Mr. Daniel?

Mr. DANIEL. Sir, we make—we don't make any illegal products. We abide by all the laws. We have a very, very professional compliance department. We focus on always doing the right thing.

We focus on—we tell our employees every month in our monthly meetings that we need to be 100 percent compliant 100 percent of the time and we have—are known to have a great system of making sure that we are—everything is legal.

Mr. HICE. I have been to your company. I have toured it. It is an amazing place.

Why do you believe so many Americans are choosing to exercise their constitutional rights for firearms and purchase firearms, particularly things like the AR-15, which seems to be under attack this morning?

Mr. DANIEL. Congressman, I believe—our data agrees with what you have stated, that there were 8 million plus new gun owners in 2020. That number has continued. Those types of numbers have continued through today, equaling 16 million plus new gun owners.

Our internal data shows us, sir, that less than 20 percent of those new gun owners who have never owned a gun before are Republicans and that people who have made a decision in the past to never own a gun have changed their minds and are buying guns in unprecedented quantities.

Mr. HICE. I am sure that is primarily to defend themselves because we are soft on crime. We are not dealing with the real issues.

Ms. Okafor, let me go to you here. Lawful gun ownership is an integral part of a citizen's right to defend themselves. In fact, it is interesting—had, Chairwoman, I have two articles here.

But in 1982, the city of Kennesaw, Georgia, passed an ordinance requiring heads of households to maintain working firearms and ammunition, and interestingly, Kennesaw, which is a metro Atlanta city, certainly, not a depopulated rural area, they have incredibly low crime rates, particularly violent crime. In fact, between 2012 and 2020, only two homicides in that city.

I have a couple of articles I would like to submit to the record, please.

CHAIRWOMAN MALONEY. Without objection.

Mr. HICE. Thank you.

Ms. Okafor, in your opinion, is private gun ownership one of if not the most effective means of self-defense?

Ms. OKAFOR. Thank you, Congressman. Yes, absolutely. That is one of the most impactful ways of deterring any criminal from wanting to go to the places that are most vulnerable and defenseless.

Like I said in my testimony, 94 percent of mass shootings occur in gun-free zones. So, a criminal is going to go where they can do the most amount of harm in the least amount of time, and so those places that they know that they are not going to be able to do that are going to be a deterrent.

Mr. HICE. Is that answer data based?

Ms. OKAFOR. That is absolutely data based.

Mr. HICE. OK. Thank you very much. I appreciate the chairwoman's allowing us to go a little bit over our time.

But with that, I will yield back and I thank the witnesses for being here.

CHAIRWOMAN MALONEY. The gentleman's time is expired and he yields back.

Our votes have been called, and after the questioning from the District of Columbia, Ms. Norton, who is now recognized, we will recess for the purpose of going to the floor to vote.

Ms. Norton, you are now recognized.

Ms. NORTON. Thank you, Chairwoman Maloney, for this especially timely hearing.

You are having this hearing at a time when gun violence is menacing the entire country. You do not open a paper these days, these mornings, without reading about gun violence, often involving many, many victims.

I would like to preface my questions by noting that without statehood the District of Columbia could have its local gun violence prevention laws, including its ban on assault weapons and high-capacity magazines overturned by Congress.

Republicans, including this Congress, have repeatedly tried to overturn D.C.'s common sense gun violence prevention laws. We have defeated each such effort and I will continue to try to do so.

It is clear that there is a common denominator to mass shootings that occur over and over in America and that is the use of assault weapons.

Mr. Busse, how is an AR-15 style firearm different from other guns sold by manufacturers and what makes an AR-15 more deadly and dangerous than regular handguns?

Mr. BUSSE. Thank you, Congresswoman.

An AR-15 is chambered in a very common cartridge, typically, a .223 or 5.56. In that way it is similar to many other commonly used guns.

But the AR-15 is based on the military version of the rifle, and it is specifically designed to be an offensive weapon of war for troops in battle to charge into places like buildings and battlefields to take as many lives as possible as fast as they possibly can.

That is what the design of the rifle is for. I think an analogy may be in order. An AR-15, if you think about it in terms of cars, most cars and trucks have four wheels and a steering wheel and engines and all those things, and most rifles have a trigger and a barrel and a stock and all those things.

But in this case, the AR-15 would be much like a Formula One racecar. It is like other cars, but it is specifically designed to do things very fast, very easy at corners. It gets places very fast.

So, I think that is the analogy that should be used.

Ms. NORTON. A very telling analogy, I must say.

All of these differences mean the damage to the human body from one bullet fired from an assault rifle is particularly gruesome. I will just give one example.

A trauma surgeon at the University of Texas said that a bullet from an AR-15 has so much energy that it can disintegrate three inches of leg bone and it would, quote, "just turn to dust."

Knowing this, it is incomprehensible that the AR-15 style rifles are so easy to purchase.

Mr. Daniel, your company brags that it offers a buy now pay later financing and a consumer can buy this product in, quote, "seconds."

Mr. Daniel, did the Uvalde shooter use this financing program to purchase his weapon?

Mr. DANIEL. Congresswoman, this shooting is still under investigation and we shouldn't comment on this investigation.

Ms. NORTON. Ms. Sampson, I want to quickly turn to you.

How could a new assault weapons ban reduce the number of horrific mass shootings in our country?

Put on your microphone.

CHAIRWOMAN MALONEY. Mic, please.

Ms. SAMPSON. Is it on now? Thank you.

Thank you for the question. Renewing the assault weapons ban would prevent deadly mass shootings because we know that assault weapons are the weapon of choice for mass shooters because, as was mentioned earlier, not only are they able to shoot from a further distance but they also allow a lone shooter to inflict much more harm on a greater number of people in a shorter amount of time.

So, if we renew the assault weapons ban that would take away a key piece of what allows mass shooters to kill more people in less time without having to stop to reload.

CHAIRWOMAN MALONEY. The gentlelady's time has expired.

Votes have been called, and to accommodate members voting the committee will take a short recess and reconvene approximately five minutes at the close of the last vote in the series.

The committee stands in recess.

[Recess.]

CHAIRWOMAN MALONEY. The committee will come to order.

The gentleman from Texas, Mr. Cloud, is recognized for five minutes.

Mr. CLOUD. Thank you, Madam Chair.

Our United States Constitution was not written to be shredded in times of crisis or in tragedy, and, tragically, we see often and even in this body to use every crisis and every tragedy as a reason to shred the Constitution, so to speak.

Even today in this hearing we see, once again, the attempt to punish society for the acts of an individual, this ideology, this blame shifting, that is really rooted in Marxism. It is the same ideology that gives terrorists and those who commit genocide their reasoning and demagogues throughout history to justify their actions.

Truly, there is no single common denominator for the truly heinous acts we have all witnessed and that we have all been heartbroken over in our Nation.

But if we were to look at the common denominators, one of the biggest things we see is the breakdown of the family and that is something I, certainly, think that we should consider as we go forward with this.

But, Ms. Okafor, could you speak to what is the fastest growing gun owner demographic currently in our country?

Ms. OKAFOR. Thank you, Congressman Cloud.

The fastest growing demographic currently is actually Black women and, particular, women, of course. Forty percent of the 8 million new gun owners that we had from 2019 to 2020 were women and of those 21 percent of them are Black women.

Mr. CLOUD. Any insight as to why this is happening and at this time?

Ms. OKAFOR. Particularly with Black women, there is many reasons. One of the big reasons is because, unfortunately, Black women are one of the demographics that have been victims of violent crime and so that is a reaction to that, of women realizing—Black women realizing that they have to take care of themselves and protect themselves.

Particularly during the pandemic, we saw an increased awareness of this, and so that is part of the trend—the growing trend of Black women getting firearms.

Mr. CLOUD. One of the trends we have seen kind of happening concurrently with this is the defund the police movement. Do you think there is any connection there or is that just—

Ms. OKAFOR. Well, it is actually shown—study by study has shown that in primarily African American communities that many African Americans actually prefer and want to have, of course, a stable police force to protect and serve their communities.

So, despite the rhetoric behind the defund the police, et cetera, and even if so, for those who have a distrust of police it has come down to their solution is to make sure that they have a way to defend themselves and their families and that is what Black people across America are going toward that solution.

Mr. CLOUD. It has been interesting to me—the chairwoman said at the beginning—she said the time for dodging accountability is over. Yet, what we have seen is violence and crime has just increased in major cities across our country, especially in the last couple of years.

A lot of it seems to be because of the lack of accountability. We continue to have almost daily stories of criminals who committed heinous acts be released only to commit heinous acts once again, and in that context, we have seen a number of people realizing that they have a need to protect themselves and to protect their families and such.

We have leftist DAs in almost all of these cities where this is happening. We have an attorney general here, Attorney General Garland, who has really laid the groundwork for an understanding that there aren't consequences for bad actions by the individual and it has really upended the rule of law in this country and we have seen the tragic results.

I was wondering, too, if you could speak to one of the big concerns with red flag laws is that there is a discriminatory nature to them. Could you speak to that?

Ms. OKAFOR. Yes. As we have seen, especially with red flag laws that uniquely tend to use no-knock warrants that we have seen in criminal justice reform, et cetera, that I think those in the Second Amendment community and those in the criminal justice reform community agree on is that these no-knock warrants have been used especially in discriminatory practices, especially in red flag laws instances.

So that is just one of the many reasons why GOA—Gun Owners of America—does not want no-knock warrants to exist as well as red flag laws because of the discriminatory practices used behind them.

Mr. CLOUD. One of the things we have seen recently, too, is the ATF has a massive data base of gun records. It is almost a billion, if not that, already, and then recently we have seen that it is a searchable data base, basically.

Now, Federal law says that they are not allowed to create a gun registry. But they have a searchable data base for all practical purposes and recently we have begun to see stories of them trying to enforce this through local law enforcement and showing up and

surveying gun owners—do you have this serial number in your house and those kinds of things.

Does that kind of thing concern you and how do you think that squares with the Second Amendment?

Ms. OKAFOR. It absolutely concerns us at Gun Owners of America. When it comes down to it is that this is exactly why people are concerned about any type of registration is because once registration is allowed then it is very easy for any type of government agency to be able to use that to, essentially, again, discriminate against gun owners and those that they deem to be, quote/unquote, “dangerous” and what that actually means tends to be anything from what they believe is a First Amendment difference or something like that.

So, when it comes down to it, that is part of the issue is that any type of registration leads to gun confiscation, in the end.

Mr. CLOUD. Yes, and—

CHAIRWOMAN MALONEY. The gentleman’s time has expired. Thank you.

The gentleman from Massachusetts, Mr. Lynch, is recognized.

Mr. LYNCH. Thank you, Madam Chair, and I really appreciate you holding this hearing, and I thank the ranking member as well and our witnesses.

On one of the other committees, I actually serve as the chairman of the Task Force on Financial Technology, or FinTech, and our task force is continuing to investigate the emerging use of so-called buy now pay later financing for online purchases.

So, I want to direct this question to Mr. Busse and Ms. Sampson.

Buy now pay later allows consumers to purchase and immediately take possession of an item after agreeing to pay the purchase price over a fixed period of time.

The use of buy now pay later has really dramatically increased in the last few years, especially with the pandemic. Not surprisingly, buy now pay later is also extremely popular with younger consumers because it entails a very, very light credit pull or credit check and really targets those with minimal disposable income and little or no credit history, and by far Millennials and Gen Z consumers make up the majority of buy now pay later users by age group.

Regrettably, however, relevant to this hearing, buy now pay later has really become popular as a way to finance online gun and ammunition purchase purchases.

While some of the major buy now pay later providers like Affirm and Klarna and Afterpay explicitly prohibit purchasing guns and ammunition, some do not, and as recently reported by *The New York Times*, Credova Financial, LLC, and some other niche firms are actively exploiting the gap in gun sales market by teaming up with gun merchants to offer a buy now pay later financing to facilitate online purchases.

In fact, Credova boasts a multitude of retail partners on its website including several gun merchants. For example, the company is the financing arm for *grabagun.com*, which is an online gun seller offering handguns, shotguns, and what they say on the website, a huge number of AR-15s.

Grabagun.com prominently highlights the convenience and benefits associated with Credova buy now pay later, including no hard credit inquiries for preapproval and zero money down.

The website also dangerously markets Credova's services. As advertised on *grabagun.com*, a consumer can select Credova financing in order to what they call shoot now pay later. So that is running contrary to all the checks that we are asking to be implemented to prevent the wrong people from actually getting access to firearms.

So, Mr. Busse and Ms. Sampson, can you offer us your thoughts on how this new mechanism of buy now pay later in the gun industry could affect and exacerbate the gun violence epidemic?

Mr. BUSSE. Thank you for the question, Congressman.

I believe that this sort of system points out the sort of danger that we are now facing and what, I think is a holdover in our firearms laws. We need to do things to make it more difficult for impulsive teenagers to get AR-15s and up to 60 30-round magazines that the Uvalde shooter had.

We don't need to make things—I mean, 18-year-old, 19-year-old, 20-year-old kids, especially young men, are impulsive and buy now pay later or buy now—or shoot now pay later sort of financing options like this highlight this massive hole we have in our regulation that is a holdover from the time when 18-year-old kids were thought—it was OK because they needed to go buy a hunting rifle to go hunting with their dad on some nice October day. That is why this 18-year-old law exists and why handguns are 21.

Our country has changed where many of our long guns—in fact, in some places, the majority of our long guns—purchased are AR-15s and we need—in my opinion, as responsible gun owners, as lawmakers, as responsible citizens, we need to reduce the prevalence of, you know, increasing that sort of easy access.

Mr. LYNCH. Thank you.

Ms. Sampson?

Ms. SAMPSON. I would also just add that the reason why this is so compelling, especially for younger consumers, is because AR-15s and the like are rather expensive weapons, and so for individuals who may be younger this may be another way to allow them to get their hands on them, and it all goes around to the deliberate marketing to some of the most vulnerable and impulsive members of our society.

CHAIRWOMAN MALONEY. The gentleman's time has expired. The gentleman from—

Mr. LYNCH. Thank you very much. Madam Chair, I yield back. Thank you.

CHAIRWOMAN MALONEY. Thank you. Thank you.

The gentleman from Louisiana, Mr. Higgins, is now recognized.

Mr. HIGGINS. Thank you, Madam Chair.

Mr. Busse, does an American citizen have the right to defend their home from an armed violent home invasion?

It is yes or no. It is not a trick question.

Mr. BUSSE. Yes, sir. I believe that the Supreme Court has established that right.

Mr. HIGGINS. That was well defined 240 years ago, reaffirmed by Article Three and every sovereign state since.

Ms. Sampson, do you believe an American citizen, a free American, has a right to defend his home from armed violent invasion?

Ms. SAMPSON. With respect, thank you for the question.

The things that we are talking about won't prevent—

Mr. HIGGINS. Well, we are moving past you.

Ms. Okafor, does an American citizen have the right to defend their home from armed and violent invasion?

Ms. OKAFOR. Absolutely. Not only is it a human right, it is also guaranteed by the Constitution.

Mr. HIGGINS. Absolutely. What my colleagues are doing it is really—it is unbelievably beyond the pale of anything reasonable or constitutional.

Everything we are leading toward here is the seizure of weapons from the homes of law-abiding American citizens that have purchased those weapons legally.

You are setting up gunfights in the homes of Americans between Americans responding in the dead of night. When do you think ATF and FBI comes to a house? In the dead of the night?

You are setting up gunfights between American citizens defending their homes from dark shadows clearly armed coming into our home, onto our porch, and through our door. You are setting up death, Americans killing Americans over some fantasy that you can define what is a dangerous weapon in the hands of those Americans just living beyond their true right to exercise our own decision about what type of firearm they legally purchase and own.

It is insane what you are pushing. It is not going to end well. Once again, I clarify, yes, you have majority control and you are most certainly exercising it, and you can push this bill through by party line vote.

But Americans are not going to sit and allow without responding. I mean, people make decisions like that in the worst possible circumstances, again, in the dead of night. You are setting up some extreme stuff what you are 100 percent responsible for.

My colleagues in the Democratic Party, when those gun fights happen that blood will be on your hands over some—this political charade of pretending to be able identify weapons that you, from your ivory tower in D.C., you know better.

I can define the weapons that Americans shouldn't have the right to own. It is already—we can't buy a tank or a howitzer or caliber above 50. We carry light arms and we own them. We own them legally. We intend to keep them.

Ms. Okafor, thank you for being here today, ma'am. Very contentious this issue in America today but it doesn't have to be. For anyone that would actually read the Constitution that they teach they would know that this is a rabbit hole there is no escaping from and, ultimately, it ends with an American citizen standing to defend his freedom.

The only question is can we have that debate reasonably through Article One in the legislative branch? Will we have reasonable regulatory effort out of Article Two in our executive branch? Will it be argued in court or will it be settled on the front porch of Americans when the FBI and the ATF shows up to seize legally owned weapons from a law-abiding American citizen? That is what you are setting up.

I am sorry, Ms. Okafor. My time has expired, but my passion has not in defense of the Second Amendment.

Madam Chair, I yield.

CHAIRWOMAN MALONEY. The gentleman yields back.

The gentleman from Virginia, Mr. Connolly, is recognized for five minutes.

Mr. CONNOLLY. I thank the chair; and let me just say to my friend from Louisiana I can match his passion with my own and we will not be threatened with violence and bloodshed because we want reasonable gun control.

Mr. HIGGINS. Is the gentleman point—saying I am threatening him because I am not.

Mr. CONNOLLY. I will not yield. I will not yield up my time, Madam Chairman, and I would like the time restored. I would like the time restored from the interruption.

Mr. HIGGINS. I would ask the gentleman to retract that statement.

Mr. CONNOLLY. You just heard it, another threat of violence.

Mr. HIGGINS. Madam Chair, I would like the words stricken.

Mr. CONNOLLY. Madam Chairman, it is my time.

Mr. COMER. Madam Chair, point of order.

Point of order, Madam Chair. Point of order.

Mr. CONNOLLY. Can I put up—can I put up the—

CHAIRWOMAN MALONEY. Members will suspend.

The gentleman has a point of order.

Mr. COMER. Madam Chair, the gentleman from Louisiana requested a retraction and I do believe that Mr. Connolly said something that was not what Mr. Higgins said, and I don't feel that with our rules you are allowed to say things that are not true.

CHAIRWOMAN MALONEY. OK.

Mr. Connolly, will you retract?

Mr. CONNOLLY. I don't know what it is I am expected to retract. I heard—

Mr. HIGGINS. You pointed at me and said I was threatening you.

Mr. CONNOLLY. I heard the—if I can finish, Madam Chairman.

Mr. HIGGINS. Take it back.

Mr. CONNOLLY. If I can finish and respond to your question, Madam Chairwoman.

I heard the gentleman from Louisiana say that blood would be on our hands if we attempted to pass legislation that could yield to his imagination, apparently, of ATF agents and FBI agents going to someone's front porch and taking away their weapons. What I heard in that remark was an implied threat that people would resort to violence—

Mr. HIGGINS. I accept—I accept the gentleman's tone.

Respectfully, I accept the gentleman's tone. He is my friend and colleague. We disagree from time to time, sometimes passionately, but I accept the tone of your explanation, sir.

Mr. CONNOLLY. I thank my colleague.

Mr. HIGGINS. I withdraw my request to have the words stricken, Madam Chair.

CHAIRWOMAN MALONEY. Thank you. The gentleman withdraws. The time is Mr. Connolly's.

Mr. CONNOLLY. Thank you, and I thank my friend from Louisiana. He is a gentleman.

I would ask my visual be put up. "Use what they use."

[Photo.]

Mr. CONNOLLY. Mr. Daniel, this is one of your ads, "Use what they use", and it shows a military picture using a military weapon, and it would seem to imply that you are encouraging people to purchase military weapons and, quote, "Use what they use."

Is that your intent with this that, in fact, people should buy military style weapons and use them like the military uses them?

Mr. Daniel?

Mr. DANIEL. Congressman, thank you for your question. This ad is an ad for a rail system that can be added to an AR-15.

We sell products to the military, we market products to the military, and we market products to civilians based off of our military heritage, that we provide the best products that can be built—that can be bought, and we sell those products——

Mr. CONNOLLY. Thank you.

Mr. DANIEL [continuing]. And sell those products to the military. That shows our customers that we——

Mr. CONNOLLY. Excuse me. I have got limited time, Mr. Daniel, but thank you.

Mr. Busse, is that how you see that ad?

Mr. BUSSE. Thank you, Congressman.

This ad is a common practice in the firearms industry to buildup the sort of military credentials of a firearm so that, frankly, oftentimes more young men want to purchase the gun as if they are in—are still in or wish to be in the military.

Mr. CONNOLLY. Would it be fair to say that just looking at the visual, this isn't what Ms. Okafor has talked about self-protection and protecting my home? This is, in fact, invoking a military image explicitly and inviting you to purchase the same kind of military style weapon the military has. Is that correct?

Mr. BUSSE. Yes, sir. These kinds of ads are very prevalent in the industry now and it has changed much in the last 10 or 15 years to this style of advertising.

Mr. CONNOLLY. If we can put up visual No. 2.

[Photo.]

Mr. CONNOLLY. Yes. So, this is extraordinary to me. What weapon is that, Mr. Busse, that is being handed to a toddler?

Mr. BUSSE. That is a Daniel Defense AR-15 version.

Mr. CONNOLLY. So, this is an ad by Daniel Defense handing an AR-15 and what it says is, train up a child in the way he should go and when he is old he will not depart from it.

What are we to take from that message, Mr. Busse?

Mr. BUSSE. I don't think that is the meaning of the original Proverbs verse, sir.

Mr. CONNOLLY. No. No, it is kind of a distortion of Scripture, maybe.

Of course, I don't think they had AR-15s when Scripture was written.

Mr. Daniel, if a child uses one of those guns to shoot himself, under the law is your company liable or are you liable by law?

Mr. DANIEL. Ad about—this is not a question about safety, sir. This is a question about this—the purpose of this ad. The purpose of this ad—

Mr. CONNOLLY. No. No. No. I am asking you a different question right now because I got limited time. I am asking you a legal question. Are you liable if a child shoots himself with one of those guns?

Mr. DANIEL. I don't know the answer to that, sir. I will be happy to talk to my lawyers and get back with you.

Mr. CONNOLLY. Oh, I would suggest to you, respectfully, the answer is no. But all right. If a child uses one of those guns to shoot a friend or a sibling, are you or your company liable?

Mr. DANIEL. Congressman, this child in this photo was not being taught to use a gun.

Mr. CONNOLLY. I am not talking about that just yet. I am asking a legal question about liability, and the answer, again, is no because of the law which protects people like you and your company.

Ms. Sampson, I want to give you an opportunity to respond to the witness testimony from your companion at the table who talked about AR-15s—you know, they are safer, they are easier, the recoils, and they protect us.

They protect us, including—she invoked sexual assault, and I want to give you an opportunity, given your role. What do you think about that? AR-15s are the best way to go in terms of self-protection?

Ms. SAMPSON. Thank you for that question, Congressman. There has actually been research done into the number of shots fired by individuals when they are facing a home invasion, for example, and in any case, most of the time the answer is about two to three shots, if at all.

So, an AR-15 is totally unnecessary for something like personal self-defense. It is, on the other hand, very effective for inflicting mass casualties, as we saw at Uvalde, as we saw at Parkland, as we saw at Highland Park, and as we see over and over again in our country.

Mr. CONNOLLY. Thank you. My time has expired.

Thank you, Madam Chairwoman, for holding this very important hearing.

CHAIRWOMAN MALONEY. The gentleman's time has expired.

The gentleman from Ohio, Mr. Jordan, is recognized.

OK. Mr. Clyde. Mr. Clyde is recognized.

Mr. CLYDE. Thank you. Thank you for yielding, Mr. Jordan.

Might I remind my friend, Mr. Connolly, of Justice Scalia's words when he says, "It may be objected that if weapons that are most useful in military service, M-16 rifles and the like, may be banned, then the Second Amendment right is completely detached from the prefatory clause, and the prefatory clause would be a well-regulated militia being necessary for the security of a free state.

So, it may well—and this is, again, Justice Scalia—"it may well be true today that a militia, to be as effective as militias in the 18th century, would require sophisticated arms that are highly unusual in society, at large. Indeed, it may be true that no amount of small arms could be useful against modern day bombers and tanks.

But the fact that modern developments have limited the degree of fit between the prefatory clause and the protected right cannot change our interpretation of the protected right.”

Mr. CONNOLLY. Would my friend yield for a second?

Mr. CLYDE. No, I would not. I mean, do you understand what that statement says?

That statement says that the Second Amendment protects weapons that are of primary use to a militia; and what is a militia? A militia is all able-bodied personnel that can be called up in defense of a free state.

That is exactly what Justice Scalia says in the Heller decision.

Now, I would ask Mr. Busse—Busse, I think—you said that you have a lot of experience in the firearms industry. How is an AR-15 any different from any other semi-automatic rifle with a detachable magazine, let us say, like a Remington 7400, chambered in .223 or 5.56?

Mr. BUSSE. The AR 15 and the military version rifle on which it is based is designed specifically for offensive use in war and the Remington rifle to which you refer is not designed for that.

There are numerous—there are numerous design factors. I don’t think we have enough time. I, certainly, don’t have enough time on this clock to list all the features which denote that.

Mr. CLYDE. OK. Do they not both fire one round with a single pull of a trigger?

Mr. BUSSE. Yes, sir. They do.

Mr. CLYDE. OK. Do they not fire the same caliber of around, .223 or 5.56 ammunition?

Mr. BUSSE. They both can be chambered in that caliber. Yes, sir.

Mr. CLYDE. OK. Do they not both feed from a detachable box magazine?

Mr. BUSSE. Yes, sir. They do.

Mr. CLYDE. OK. So, basically, what you see is looks, just it looks different—

Mr. BUSSE. That is not true.

Mr. CLYDE [continuing]. Between a Remington 7400 and an AR-15. It does exactly the same thing.

Mr. BUSSE. If that was the case, sir, I would expect that we would be soon arming our Special Forces with a remnant Remington 7400. I am not aware of any such demands.

Mr. CLYDE. Well, you know, our Special Forces, they don’t use AR-15s, do they?

Mr. BUSSE. Some do. Yes, sir.

Mr. CLYDE. They use M-4s.

Mr. BUSSE. No. Some use AR-15s.

Mr. CLYDE. And they have different things that attach to them like optics and like laser designators and like flashlights and all sorts of other things—

Mr. BUSSE. Most of which are available to civilians as well, sir.

Mr. CLYDE. Absolutely, they are. OK. But the Remington 7400 does exactly the same thing with every pull of the trigger that an AR-15 does. So, I disagree completely with your statement that the AR-15 is a weapon of war.

Mr. BUSSE. Sir, you must disagree with the folks in the military—

Mr. Clyde, well, it is not a discussion.

Mr. BUSSE [continuing]. Who request the AR-15 and that in the military version.

Mr. CLYDE. Mr. Busse, this is not a discussion. OK. Thank you.

Now, I would ask Ms. Sampson, you said in your statement that though trace data from the dealers or distributors—excuse me, trace data from manufacturers—through trace data from the manufacturers or from ATF, rather, manufacturers know which dealers or distributors routinely sell crime guns. Is that correct?

Ms. SAMPSON. Yes.

Mr. CLYDE. OK. You used this term crime gun. Can you define that term?

Ms. SAMPSON. A crime gun is a gun where either the possession of the gun itself was a crime or the gun was used in a commission of a crime.

Mr. CLYDE. Say that again.

Ms. SAMPSON. A crime gun was a gun in which either the possession of the gun itself was a crime or was used in the commission of a crime.

Mr. CLYDE. OK. So, do you have evidence to show that every trace gun is a crime gun, as you call it?

Ms. SAMPSON. By definition, yes, and we have seen instances where manufacturers have continued to do business with dealers who have an inordinate amount of traces per year; and the majority of dealers don't have a trace in a year. So, if a manufacturer sees the same store continuing to sell crime guns that should raise an alarm bell to that manufacturer that—

Mr. CLYDE. But the manufacturers primarily sell to distributors, right?

Ms. SAMPSON. Manufacturers sell to distributors who sell to dealers, but they have—

Mr. CLYDE. OK. So, the manufacturers are never going to actually see the dealer sale, is he?

Ms. SAMPSON. Yes, they will. They will understand which dealer the gun can—

Mr. CLYDE. No. If they sell to a distributor, how would they know that?

Ms. SAMPSON. Through the ATF.

Mr. CLYDE. But the ATF not going to tell them what dealer.

Ms. SAMPSON. The ATF has actually offered to do that and manufacturers have refused, and I detail that in my written testimony.

Mr. CLYDE. All right.

Ms. NORTON. [Presiding.] The gentleman's time has expired.

Mr. CLYDE. I disagree with that statement.

Ms. NORTON. The gentleman from Illinois, Mr. Krishnamoorthi, is recognized for five minutes.

Mr. KRISHNAMOORTHY. Thank you, Madam Chair.

Ms. Okafor, I have a social media post from your Facebook Instagram account. The image says you posted it on June 16, 2020. Here we have the seal of the Bureau of Alcohol, Tobacco, Firearms and Explosions and next to it you said, quote, "We said what we said. #GunOwnersofAmerica #AbolishtheATF."

That is what your post says, correct?

Ms. OKAFOR. Correct.

Mr. KRISHNAMOORTHY. Then underneath this ATF seal your post says in big letters, Defund, correct?

Ms. OKAFOR. Correct.

Mr. KRISHNAMOORTHY. Defund the ATF. So just to be clear, you say defund the ATF and then abolish the ATF. On July 4th, in Highland Park, Illinois, just very close to my district in the Chicago suburbs, the shooter shot and killed seven and injured 30 with an AR style rifle—AR-15 style rifle.

The shooter fled the scene. But despite this, he was identified and caught because ATF agents were able to quickly trace a weapon he left at the scene back to him using the ATF national tracing center.

Yet, ma'am, you want to abolish this agency. You want to abolish this national trade tracing center. That is an extreme and radical viewpoint. Unfortunately, some folks on the other side have introduced the extremist bill, quote, Eliminate the ATF Act.

I, respectfully, submit we should help keep our law enforcement intact. We should help keep our communities safe and we should be investing in the ATF and law enforcement, not defunding and abolishing it as you would suggest, ma'am.

Mr. Daniel, I want to turn your attention to a tweet on your account. This tweet says—it is actually from March 2d depicting the Delta 5 Pro Precision rifle. Your post reads, quote, "Rooftop ready even at midnight." Then a smiley face emoji follows that statement.

Mr. Daniel, this is what your tweet says, correct?

Mr. DANIEL. Yes, that is correct, sir.

Mr. KRISHNAMOORTHY. The tweet shows what appears to be a night vision gun scope trained on a parked car at street level.

Mr. Daniel, this tweet is not depicting anyone hunting for wildlife, is it?

Mr. DANIEL. No, sir. This—

Mr. KRISHNAMOORTHY. And it is not depicting anyone acting in self-defense against someone attacking them, correct?

Mr. DANIEL. That remains in the eyes of the viewer, sir.

Mr. KRISHNAMOORTHY. I don't see anyone attacking somebody here.

Mr. Busse, can you verify that nobody appears to be attacking the person who is supposedly operating this AR-15 or this sniper rifle, correct?

Mr. BUSSE. Yes, sir. That appears to be an ad which in some way glorifies the idea of becoming a sniper with that rifle.

Mr. KRISHNAMOORTHY. Mr. Daniel, this advertisement appears to depict premeditated violence or murder from a rooftop. As you know the Highland Park shooter in Illinois rained down bullets from a rooftop. Eight-year-old Cooper Roberts was paralyzed from the waist down when he was shot from a rooftop, Mr. Daniel. Two-year-old Aidan McCarthy was orphaned when both of his parents were murdered when they were shot from a rooftop.

Sir, this tweet appears to suggest a planned murder, and I would respectfully ask authorities and law enforcement to see whether this particular advertisement is even legal.

Mr. Busse, according to various outlets, including the Daily Beast, the Sig Sauer Corporation is selling a new weapon called the MCX Spear rifle.

In fact, Mr. Busse, you were recently quoted saying, quote, "It will shoot through almost all of the bulletproof vests that are worn by law enforcement in the country right now."

You stand by that statement, correct, sir?

Mr. BUSSE. Sir, the stated purpose for sourcing that rifle was to defeat body armor on the field of war. So, I am not stating anything that the company advertisement and that the sourcing information did not state.

Mr. KRISHNAMOORTHY. Mr. Daniel, I presume you don't want your weapons to be used to harm law enforcement. Will you commit that you will not sell a weapon that tears through bulletproof vests?

Mr. DANIEL. Congressman, we sell the very best products made for self-defense in the world and millions of—

Mr. KRISHNAMOORTHY. So, you are not answering the questions. It is yes or no question.

Mr. KILLOY, same to you. I presume you won't sell a weapon that tears through bulletproof vests, will you?

Mr. KILLOY. Congressman, with all due respect, the ability to pierce body armor typically relates to the ammunition, not the firearm.

Mr. KRISHNAMOORTHY. So, you will not sell that ammunition either, will you?

Mr. KILLOY. Congressman, we do not sell ammunition. We sell firearms. We sell in a variety of calibers. But we do not currently sell ammunition.

Ms. NORTON. The gentleman's time has expired.

The gentleman from Florida, Mr. Donalds, is recognized for five minutes.

Mr. DONALDS. Thank you, Madam Chair.

First and foremost, obviously, in the committee room today, we have family members from Highland Park and from Uvalde.

You know, for what you guys have had to go through, loss of your loved ones, is a tragedy, obviously, for you but for all of us because nobody wants to see these heinous acts occur. Like, everybody is truly grieved by it.

I think that for the families who are here and for even the families who might be watching this hearing, you might be concerned about what happens here in Congress and not understanding why the tragedy that has been, you know, inflicted upon you is part of a debate or a part of a back and forth between Members of Congress.

I think it is important for not just the families but for the American people to understand that when these tragedies occur, we grieve with you.

But we also have the responsibility for governing the Nation. We do not have the ability—we do not have the ability, although sometimes in previous Congresses that ability has been taken, but in my view, we do not have the ability to just simply pass laws because of tragedy or because of heartache.

When we pass laws, the appropriate way to conduct ourselves as a legislative body is to understand what has happened in our country but then still having to apply the Constitution, still having to understand and apply the various elements of natural law, and so

having apply a consistent fabric that all Americans can live under and can honor and can respect.

These tragedies are crippling to see. But in and of themselves, those tragedies do not change the Second Amendment to the United States.

I had a conversation in the hallway with one of the survivors of the Highland Park shooting and, in our conversation, what was mentioned was well, what about amending the Constitution.

I would add to any one of my colleagues that if they wanted to go through the political and legislative process of amending the Constitution, that is the way we set policy and law from a governing standpoint in the United States.

So, I just wanted—I think was important to kind of make that out because we are going back and forth between ads and gun specifications. But for the people here in this hearing it is important to understand why these deliberations are happening in front of you and for the people who are watching on C-SPAN or wherever understand why these deliberations occur because we just can't, in my view, just pass something and just do something for the sake of doing something.

Because the history of Congress is replete with Congress doing something and often doing it wrong, and then ignoring what they did wrong because you already got the ticker tape parade.

Mr. Busse, a quick question for you. You have referred several times in your testimony today that the weapons that we are talking about under a proposed assault weapons ban are, quote/unquote, "weapons of war," and I am paraphrasing your comments.

Are these weapons—the ones that are sold, the ones that are manufactured by the companies here today and other companies that are not with us—are these the same weapons that are used by men and women of the United States military?

Mr. BUSSE. With very, very minor differences, yes, they are, and in some cases, they are superior to the guns that we are supplying to our soldiers.

Mr. DONALDS. Can you stipulate the differences between the guns that are used by members of our military versus what are sold by retailers?

Mr. BUSSE. That would be an awful long list. But I think what you are getting at is whether the—many of the guns supplied to the military have a selective fire switch, which means they can fire in three round bursts, are fully auto, versus semi-automatic.

Mr. DONALDS. Mr. Busse, so what our men and women in the military have are three-round bursts and fully automatic? Is that available for sale in retail in the United States of America to citizens?

Mr. BUSSE. Not generally, no. But there are many—there are many firearms instructors who now advocate that single fire as in semi-auto fire is more effective and more deadly than three-round bursts for fully auto.

Mr. DONALDS. Advocating versus what is actually allowed on a firearm. Those are two different things. Wouldn't you agree, Mr. Busse?

Mr. BUSSE. Excuse me, sir. I don't understand your question.

Mr. DONALDS. You advocate—if your position is that semi-automatic firing is somehow better than fully automatic three-round bursts, those are different—those are different distinctions. Isn't that true?

Mr. BUSSE. I didn't make that designation. But there are many firearms instructors, including military firearms instructors, who now advocate for single shot semi-auto.

Mr. DONALDS. Ms. Okafor, the weapons that are used by the United States military, are they superior in, frankly, stopping power and ability to repel forces in a military theater than what is sold on the open market today to Americans.

Mr. BUSSE. No, sir. I don't believe so.

Mr. DONALDS. But I am talking to Ms. Okafor. Sorry.

Mr. BUSSE. Sorry.

Ms. OKAFOR. I am sorry. Can you repeat that?

Mr. DONALDS. All right. I am a little over but I thank the chair for her indulgence.

The weapons that are sold by retailers today that are the subject of this day's hearing are they similar in stopping power and effectiveness than what is used by members of the United States military, even though they have the same look?

Ms. OKAFOR. An M-16 or M-4 or an AR 15 are different, in fact—in the fact that you are able to have this—the bursts or three-round bursts or the fully automatic option that is readily available to military versus having to have a Class 3 license that a civilian has to have and obtain in order to have a firearm with that capacity.

Ms. NORTON. The gentleman's time has expired.

The gentleman from Maryland, Mr. Raskin, is recognized for five minutes.

Mr. RASKIN. Thank you, Mr. Chair.

Mr. Daniel, you said that the suffering of the children in Uvalde and other victims of the AR-15 was, quote, "unfathomable" to you.

Does this mean that you do not understand the impact of AR-15s on human flesh and the human body?

Mr. DANIEL. Congressman, the—what I was referring to is the horrible, horrible situation that these people had to endure and—

Mr. RASKIN. Do we understand the impact on the human flesh of your product?

Mr. DANIEL. Yes, sir. Every firearm is capable of killing a human.

Mr. RASKIN. OK. Reclaiming my time. In his important testimony today, Mr. Busse referenced the bloody violence that we experienced on January 6, 2021, something not mentioned by our colleagues who continue to think it was a tourist visit and are, clearly, soft on criminal insurrection and soft on criminal violence against our police officers.

Americans killing Americans—that is a good description of what is taking place with gun violence today. But on January 6th, we experienced the worst domestic insurrection against our government since the Civil War. More than 150 officers were wounded and injured, and several people were left dead in the rampage.

The rioters shut down the counting of electoral votes and drove the House and the Senate out of our chambers. And although there

was a huge arsenal of pistols, rifles, AR-15s, and other firearms brought to the area by the insurrectionists on January 6th, the email and text traffic of the extremist groups reveals that many of them decided to temporarily leave their firearms in specific sites outside of D.C. because of the District's stringent gun laws until they thought that firearms would be necessary.

Now, amazingly, in the wake of this savage insurrectionary attack against our government, the NRA and its followers in Congress continue to propound the idea that the Constitution, specifically the Second Amendment, gives people the right to violently attack and overthrow the government of the United States.

This so-called insurrectionary theory of the Second Amendment maintains that its purpose is to allow citizens to wage armed resistance if they think the government is being unfair or unjust.

The reading is absurd and flies in the face of the plain text of the Constitution, which in at least seven different places that I count clearly forbids and punishes armed resistance against the U.S. Government.

A few examples. The republican guarantee clause—Article Four Section Four provides the U.S. shall guarantee that every state in this union a republican form of government and shall protect each of them against invasion and against domestic violence.

This was written into the Constitution specifically in response to Shays' Rebellion, an armed resistance to the government which the Founders strongly condemned.

The treason clause—Article Three Section Three Clause One states treason against the United States will consist only in levying war against them or in adhering to their enemies.

What is violent insurrection against the government if not levying war against the United States?

Section Three of the 14th Amendment says anyone who has sworn an oath under the Constitution to defend it and support it betrays it by engaging in insurrection and shall never be allowed to hold Federal or state office again.

One more example. Article One Section Eight Clause Fifteen says Congress shall have the power to provide for calling forth the militia to execute the laws of the union, suppress insurrections, and repel invasions.

Now, do our colleagues really believe that the Constitution explicitly and repeatedly gives the government the power to suppress violent insurrections but the Second Amendment in invisible ink gives the people the right to engage in violent insurrections?

This is absurd and outlandish, and when I pointed it out the only substantive response I have gotten from my colleagues is a quotation from Patrick Henry, an anti-Federalist, who strongly opposed the Constitution precisely because he thought it gave the government way too much power and the people not enough to rebel against the government.

When I pointed this out, my friend, Mr. Roy of Texas, who is by far the most articulate and able defender of this doctrine, concedes that I am right about the Constitution but shifts over to talk about the Declaration of Independence, which I cheerfully concede is a revolutionary document and which explained why after a long train

of abuses and usurpations by the Crown and Parliament we needed to dissolve the political bands of union with England.

But that is the whole point. We are governed by the Constitution, which is positive law, and nowhere does it grant a right of insurrection. It opposes it at every term.

As a matter not of constitutional law but natural law, people can decide to overthrow their government, but you do that on your own time at your own risk. The Constitution does not give you the right to destroy the Constitution and the government.

Another way to understand this point is to think about non-violent civil disobedience. Even nonviolent civil disobedience is not protected by our Constitution.

Dr. King and SNCC, those people went to jail because they believed in civil rights and were willing to pay the cost. They never claimed that the Constitution gives people the right to break the law, much less take up arms against the government.

So, the facts are very clear. The Second Amendment does not give you the right to engage in insurrection. They should stop saying that, and Justice Scalia was extremely clear in the Heller decision that that the Second Amendment does not give an unlimited right to carry whatever guns you want wherever you want.

I yield back to you, Madam Chair.

Ms. NORTON. The gentleman's time has—the gentleman is over time.

I now recognize the gentleman from Ohio, Mr. Jordan. You are recognized for five minutes.

Mr. JORDAN. Thank you, Madam Chair.

I will tell you what we believe. We believe the right to keep and bear arms shall not be infringed, period, particularly arms—as the U.S. Supreme Court has said, particularly arms that are in common use.

Ms. Okafor, are handguns in common use?

Ms. OKAFOR. They are, Congressman.

Mr. JORDAN. How about AR-15s? Are they in common use in the country today?

Ms. OKAFOR. Yes, 24.6 million.

Mr. JORDAN. Millions of people have them. Are firearms used in self-defense, Ms. Okafor?

Ms. OKAFOR. Yes, 1.6 million every year.

Mr. JORDAN. Unfortunately, it is probably more and more common in light of the Democrats' ridiculous policies of defunding the police and no cash bail, not prosecuting criminals when they do crime, letting people who attack a United States Congressman running for Governor, letting him out on bail in the state of New York.

That probably, unfortunately, leads to the idea that people need guns to protect themselves, their family, their property, right?

Ms. OKAFOR. Right. It is the human right, again, guaranteed by the Constitution.

Mr. JORDAN. Are AR-15s used in self-defense?

Ms. OKAFOR. Yes. I actually describe them in my testimony.

Mr. JORDAN. You train—you train women to protect themselves and you—it is something you know about firsthand. So, you actually are out there working with women across the country. You are helping train them, so they are ready if some person wants to at-

tack them, why they need a firearm to protect themselves. Is that right?

Ms. OKAFOR. Absolutely, yes.

Mr. JORDAN. And AR-15s are used to defend others from criminals, right? That is part of your training, what you are helping people understand?

Ms. OKAFOR. Yes.

Mr. JORDAN. Mr. Daniel, is it fairly common that AR-15s, your product, are used to protect innocent people from criminal attackers?

Mr. DANIEL. Yes, sir. As Mr. Okafor stated, millions of times, hundreds of thousands or up to millions of times a year, firearms are used for self-defense.

Mr. JORDAN. Including the one you make, right?

Mr. DANIEL. Including AR-15s. Yes, sir.

Mr. JORDAN. And that is becoming more and more popular with people when they are thinking about defending themselves, their family, and their property to use your—the firearm you manufacture. Is that right?

Mr. DANIEL. That is correct, sir.

Mr. JORDAN. The Democrats—we should just cut to the chase here. The Democrats' beef is with the Second Amendment. They don't like the Second Amendment.

They want to get rid of the Second Amendment, but they can't because in the Constitution the American people like the fact that we have the right to keep and bear arms to protect ourselves, our family, our property. They like that fact, and it is a cumbersome process to amend and change the Constitution.

So, they can't do that. They are going to say, so we are going to ban certain type of weapons. We are going to call them assault weapons. We are going to try to ban them. Or they are going to come after gun manufacturers and try to sue them, a piece of legislation that passed out of—unfortunately, passed out the Judiciary Committee last week.

That is their course of action because their beef is with the Second Amendment. They can't change that so they are going to go around it and they go after gun manufacturers with this bill sponsored by our colleague—Democrat colleague to allow gun manufacturers to be sued for the actions of heinous evil people who use firearms in the wrong way and in a disruptive way.

Isn't that right, Ms. Okafor?

Ms. OKAFOR. That is correct, and I would like to say and that is why I said vocally and GOA concurs that abolishing the ATF is precisely that because it is unconstitutional but especially the fact of the matter is that they use that as a bureaucratic way to go around an elected body to be able to put restrictions on firearms, and so that is why ATF should not exist.

Mr. JORDAN. Their beef with the Second Amendment, though, is not limited to going after gun manufacturers and allowing them to be sued. It is not limited to banning certain weapons that they want to define as assault weapons or whatever else they want to try to ban.

It is not limited to their ridiculous red flag concept, bribing states. It is also what they did through the bureaucracy through

Treasury with Operation Choke Point where they tried to choke off the financing of gun manufacturers as a way to get at the Second Amendment because they know they can't do it—they can't change it via the Constitution like you are supposed to if you are going to try to do that.

Is that accurate, Ms. Okafor?

Ms. OKAFOR. That is correct.

Mr. JORDAN. All right. Madam Chair, this is—look, I hope this effort goes nowhere. Looks like—at least if you believe the press today, looks like the Democrats aren't going to bring up the assault weapons ban on the floor this week.

That is a win for liberty. That is a win for the Second Amendment. Not going to bring up the—looks like they are not going to bring up to bill that Mr. Schiff is sponsoring, which would allow gun manufacturers to be sued in a ridiculous way.

So those are, hopefully, some wins for the American people and a win for the Constitution.

With that, I yield back.

Ms. NORTON. The gentleman yields back.

The gentleman from California, Mr. Khanna, is recognized for five minutes.

Mr. KHANNA. Thank you. Thank you, Madam Chair.

Mr. Daniel, I just have some factual questions.

In 2005, what was Daniel Defense's total sales revenue that came from the sale of assault weapons?

Mr. DANIEL. I don't know, sir. We gave that information to the committee. I just don't know that off the top of my head.

Mr. KHANNA. Do you have a sense of about what percent it was, the revenue from assault weapons?

Mr. DANIEL. No, sir.

Mr. KHANNA. Do you know what percentage of Daniel Defense's sales revenues and profits came from assault weapons in 2020?

Mr. DANIEL. Sir, would you describe an assault weapon asked in your question?

Mr. KHANNA. Well, the assault weapon is the term—the industry actually created the term, which means semi-automatic weapons based on military designs and features. It is a term that actually the industry coined in 1980.

Based on that, do you have a sense of what the sales revenue and profits were in 2020?

Mr. DANIEL. Sir, I disagree with your characterization of the type of firearm. Assault weapons are fully automatic weapons used in war and the weapons we sell to consumers—

Mr. KHANNA. OK. In the way I am defining it, do you have a sense of how much the sales revenue was?

Mr. DANIEL. Sir, we are a rifle company that sells semi-automatic rifles. So, most of our business is in semi-automatic rifles. Is that—

Mr. KHANNA. And how much—the AR-15s, what percentage of your revenue that comes from that?

Mr. DANIEL. I don't know exactly, sir.

Mr. KHANNA. But approximately.

Mr. DANIEL. Most of our—we sell semi-automatic rifles and bolt action rifles. Most of our—

Mr. KHANNA. How do you not know that? I mean, is it 10 percent? Is it 20 percent? Is it a 50 percent? I mean, certainly, you would know how much, basically, revenue you are making of something.

Mr. DANIEL. Are you asking about revenue or percentage of revenue?

Mr. KHANNA. The percentage of revenue of AR-15s. How much is it? It is a factual question. You could say about 10 percent, about 50 percent, about 90 percent.

Mr. DANIEL. I would say probably 80 percent of our sales. My—

Mr. KHANNA. Eighty percent comes from that, and about—in 2005 do you know about how much revenue was from AR-15s or similar type rifles?

Mr. DANIEL. No, sir. I don't have that information in front of me.

Mr. KHANNA. All right. Would you guess it was about 10 percent? Twenty percent? Fifty percent?

Mr. DANIEL. 2005, sir, we were a—we didn't sell AR-15s in 2005, sir.

Mr. KHANNA. All right. So the—or any similar weapons you didn't, right? That is because there was the assault weapons ban; and I just want to be clear, you are saying 80 percent of your revenue now comes from AR-15s.

In 2005—I would like you to submit to this committee year by year a statistic of how much money you are making of AR-15s or assault weapons, or if you don't agree with my definition of semi-automatic weapons like AR-15s that have military designs and features, which was the industry definition.

But I would like you to submit that to this committee from 2005 onward. I am a bit perplexed that you do not know how much revenue you are making on the sales of these weapons. I mean, 80 percent is a lot, and I am surprised you do not know how it is tracked. I mean, I think your shareholders may be surprised by that.

Mr. Killoy—

Mr. CLYDE. Will the gentleman yield?

Mr. KHANNA. No. Not right now. I mean, is it for a question?

Mr. CLYDE. Yes, for a question.

Mr. KHANNA. Let me just finish this on my time.

Mr. CLYDE. No. I have a question for you. You just asked a—

Mr. KHANNA. Is my time being counted?

Ms. NORTON. This the gentleman's time.

Mr. KHANNA. I am happy, after my time has expired, to entertain a question. I do not want my time to be interrupted.

Mr. Killoy, in response to Sturm, Ruger, more than two-thirds of your shareholders have called on your company to produce a human rights assessment of the products you manufacture. When, Mr. Killoy, will this report be complete?

Mr. KILLOY. Congressman, actually less than 50 percent of our shareholders actually voted for that proposal. However, it did pass our most recent annual meeting. We plan to consider that in due course at the next upcoming Ruger board meeting. However, I would remind the committee that that was an advisory vote.

Mr. KHANNA. Let me just say this. Do you currently track crimes committed by the products that you sell?

Mr. KILLOY. No, sir, we do not.

Mr. KHANNA. Would you commit to tracking that as part of this report, the human rights assessment, that you are now required to do?

Mr. KILLOY. Congressman, respectfully that is not our job. We are not law enforcement. We do not have the resources, training, or capabilities——

Mr. KHANNA. Well, respectfully, the board——

Mr. KILLOY [continuing]. To do anything other than monitor——

Mr. KHANNA [continuing]. The board wants you to do a human rights assessment of the products you manufacture. I would assume that the first thing you would want to know is how many people were injured or killed based on those products, to do that assessment, and you are saying you would not do that?

Mr. KILLOY. Sir, it was actually a shareholder vote, the board of which I am one of nine members. We will consider that and consider how we go forward on doing that. But frankly, we do not violate human rights, and to say we do is just not correct.

Mr. KHANNA. I am just saying what your shareholders——

Ms. NORTON. The gentleman's time has expired.

The gentleman from Pennsylvania, Mr. Keller, is recognized for five minutes.

Mr. KELLER. Thank you, Chairwoman and Ranking Member Comer and our witnesses for being here today.

The Second Amendment protects Americans' constitutional right to keep and bear arms, and as a gun owner myself I have immense respect for the responsibility that comes with owning and operating a firearm.

Ms. Okafor, as an instructor, can you please explain to us, walk us through some of the best practices you teach regarding firearm storage and safety?

Ms. OKAFOR. Of course, depending on what type of firearm and general overall when it comes to storage, it is usually based on what is best, of course, for that person and their home. Also, if they are going to be taking it on their person outside of the home or keeping it in their home. But usually it is, of course, to keep it in a safe place, a place that is readily accessible to them and those who are able to use it safely, and in storage to make sure that it is something that is not in plain sight to anybody who is not able to use a firearm in a safe manner.

Mr. KELLER. Basically, the responsibility that comes with the right of owning a firearm.

Ms. OKAFOR. Absolutely. It comes down, at the end of the day, to the individual, the family members, to make sure that those who are in the home are able to properly use a firearm in a safe manner. I am a mother of two children, and when they are of age, as early as they can, I am going to make sure that they know how to properly use and store firearms. That is the responsibility of any firearm instructor and owner.

Mr. KELLER. Thank you. There were almost 40 million background checks performed last year, yet some criminals seem to still

go under the radar. What rules and regulations are in place for those who lawfully possess and use firearms?

Ms. OKAFOR. The rules and regulations go from safety, of course, of making sure that they know the four safety rules of making sure they know their target and what is behind it, they know that any firearm should be seen as loaded. There are several different safety measures that any instructor is going to impart upon their person that they are working with. When it comes down to it, though, it comes down to their home and their environment and what is best for their environment, to make sure, again, that they are able to defend themselves in their home in a quick manner.

Mr. KELLER. Yes. Do you think stricter laws on firearm manufacturers would actually curb violent crime?

Ms. OKAFOR. No. I mean, right now we already have strict laws on guns manufacturers. The fact that, again, the ATF has already rules of the FFL, for example, the fact that that, again, the typical person, it is very, very expensive to even acquire any time of fully automatic firearm to begin with because of the Hughes Amendment, the 1986 amendment that kept it very, very hard for most people of any type of lower to middle-class socioeconomic status to be able to achieve to have a firearm in that sense. When it comes down to it, most people cannot afford most AR-15s because of the prices that are behind it.

So, when it comes down to it, ATF and the FFL laws that go with the ATF have put many restrictions already on gun manufacturers as it is.

Mr. KELLER. It was already mentioned about, you know, the estimation of how many guns are used in self-defense. You know, the CDC ordered a study, and it estimated, you know, 500,000, 3 million times a year in self-defense. So how would additional rules and regulations impact Americans' ability to protect themselves, especially women and people in communities of high crime?

Ms. OKAFOR. The additional gun restrictions have already shown to restrict those, particularly those of a lower socioeconomic status. Right now, we are referring to this "Buy Now, Pay Later." The thing is that really what it is going down to is that you are making it harder or you are putting a financial barrier on those whose only, quote unquote "crime" is that they unfortunately do not have the means of paying for something which is their fundamental right to exercise as the Second Amendment. So that is unfortunately what we are seeing when we see these gun restrictions. We are seeing it really keep people who should be able to protect themselves and their families from being able to do so because of financial barriers.

Mr. KELLER. Yes, thank you. It is time for Democrats to stop villainizing law-abiding citizens for exercising their constitutionally protected rights and instead focus on enforcing current law by supporting law enforcement and full prosecution of violent individuals and criminals.

As President Reagan once said, "We must reject the idea that every time a law is broken society is guilty rather than the law-breaker. It is time to restore the American precept that each individual is accountable for his actions."

Thank you, and I yield back.

Ms. NORTON. The gentleman yields back.

The gentlewoman from California, Ms. Porter, is recognized for five minutes.

Ms. PORTER. Thank you. Other industries take seriously their responsibility to manufacture products that protect consumers. With firearms this responsibility is a matter of life and death. One study found that nearly 40 percent of accidental gun deaths could be prevented with technology that prevents non-authorized users from firing guns, and these ideas are not new. This study was published nearly 20 years ago. Yet technology like fingerprint scanners or bracelets with radio frequency identifiers are nowhere near the standard for firearms.

Mr. Killoy, how many of your firearms come equipped with fingerprint scanning mechanisms?

Mr. KILLOY. Congresswoman, none of them currently come equipped with such a device.

Ms. PORTER. None. Mr. Daniel, how about Daniel Defense? How many of your weapons come equipped with fingerprint identity scanners?

Mr. DANIEL. Congresswoman, we do not sell any time of firearm this way. Our customers have not asked for such.

Ms. PORTER. OK. So that is a no.

This is my cellphone. Mr. Killoy, it scans my fingerprint each time I go to unlock it. Is this a weapon?

Mr. KILLOY. No, ma'am.

Ms. PORTER. Can this fire bullets that shred people's vital organs? This phone?

Mr. KILLOY. No, Congresswoman, it can't.

Ms. PORTER. They why should this device require more steps to operate than your company's firearms, which have been used in accidental shootings, mass shootings, and homicides?

Mr. KILLOY. Congresswoman, respectfully, your cellphone does not generate internal pressures of upwards of 60,000 pounds per square inch. The operating system of a firearm is extremely dynamic, extreme high pressures, lots of moving pieces, and first and foremost, a firearm, especially one used for self-defense, needs to function reliably as—

Ms. PORTER. Reclaiming my time. These fingerprint scanners are offered in some firearms. Some manufacturers sell this, and they work. Your company and Mr. Daniel's company chooses not to.

Let me demonstrate again how long this takes. It is instant. It is instant when I pick up my phone.

Certain safety features, other safety features like chamber-loaded indicators or magazine disconnects are required for any gun sold in my home state of California. A magazine disconnect prevents a gun from firing if the magazine is not attached. My kids' Nerf guns have this safety feature. This decades-old safety feature prevents guns from shooting bullets that remain in the chamber after a magazine has been removed.

Mr. Killoy, do all Ruger rifles that have magazines come equipped with magazine disconnects?

Mr. KILLOY. Congresswoman, magazine disconnects typically are a feature offered on a handgun, a pistol, in particular. In fact—

Ms. PORTER. Do all your handguns or pistols have magazine disconnects, sir?

Mr. KILLOY. Some do and some do not.

Ms. PORTER. OK. So, some do and some do not.

Mr. Ruger, do your guns have magazine disconnects? Sorry, Mr. Daniel. Do your handguns have magazine disconnects?

Mr. DANIEL. Ma'am, we do not sell handguns.

Ms. PORTER. And your large-capacity guns do not have that feature either?

Mr. DANIEL. Our rifles do not have that feature. No, ma'am.

Ms. PORTER. Magazine disconnects are also not new. These features come standard in every gun that is sold in my home state, and those features prevent accidental deaths. In 2020, 149 children died in incidents when the person did not intend to fire the gun.

Mr. Killoy and Mr. Daniel, kids are dying because you refuse to implement these safety technologies, like fingerprint scanners and magazine disconnects, and these technologies were studied and developed decades ago. Mr. Killoy, will your company commit to adding fingerprint scanners to every firearm Ruger manufactures?

Mr. KILLOY. No, Congresswoman, we will not.

Ms. PORTER. Mr. Daniel, same question. Will your company commit to adding fingerprint scanners to every Daniel defense firearm?

Mr. DANIEL. Congressman, our guns fire when there is a bullet in the chamber, and it doesn't fire when there is not a bullet in the chamber. If it does want to be fired, if the owner does not want to fire it, they should not keep a round in the chamber.

Ms. PORTER. But the question is, will you commit to adding fingerprint scanners as a safety technology to every Daniel Defense firearm? Yes or no.

Mr. DANIEL. No, ma'am. Our customers are not interested in that.

Ms. PORTER. Mr. Killoy, will your company commit to adding magazine disconnects to every magazine-loaded Ruger firearm?

Mr. KILLOY. Congresswoman, we have, in many of our pistols, our semiautomatic pistols, we offer that as a feature, and if our customers choose to buy one of our firearms that has a magazine safety disconnect, they can. Other times they choose not to have that particular feature.

Ms. NORTON. The gentlelady's time has expired.

The gentleman from Arizona, Mr. Biggs, is recognized for five minutes.

Mr. BIGGS. Thank you, Madam Chair. This hearing is yet another transparent attempt to malign law-abiding Americans and American companies. My Democratic colleagues correctly note that there has been an increase in violent crime in this country over the past three years, but incorrectly claim that firearm manufacturers are contributing to or fueling violent crime. The laws of supply and demand apply to the firearms market in the same way that they apply to other markets.

Firearm manufacturers are responding to demand from the American people who are experiencing dramatic increases in homicides and aggravated assaults in their communities, Americans who are seeking to protect themselves and their families, a right recognized in this country by our Second Amendment. Democrats

in Congress continue to infringe on this right and to shame law-abiding companies who ensure that Americans have the means to protect themselves.

I thank each of you for your testimony today. Ms. Okafor, thank you for the work that you do to promote safe and responsible firearm ownership. I appreciate your discussion of the relative merits of the AR platform.

I discussed, in the Judiciary markup last week on this topic, which was interesting because these chairs of these two committees are running against each other so we have competing—we just do the same hearings back and forth. But I mentioned that my wife actually prefers the AR-15 because it is easier to handle. It is more stable for her, and in a case of defense and the need for stability to be able to respond under a stressful situation, she would be more comfortable with an AR-15.

The features of the AR-15 make it an incredibly viable weapon for defense. In your written testimony, Ms. Okafor, you discussed some of the recent trends in new firearm ownership, and before I ask you to discuss those with us, I will tell you that I talked to multiple gun dealers, retailers, in my district who tell me that the No. 1 new owner trend in my district are women who are Democrats, which I find interesting.

Ms. Okafor, can you discuss the trends with us, please.

Ms. OKAFOR. Absolutely. What I discussed earlier is that the fastest-growing demographic of gun owners are African American women, and we have also seen, like as you said, the fact that a lot of African American women tend to be part of the Democratic Party. So, it is honestly nothing to do with politics when it comes down to transcending politics, because this is a human right. This has nothing to do with you being a Republican or a Democrat or a Libertarian. It has to do with the fact that you understand your right to defend yourself and you want to be able to do so. So many people in America are doing just that.

Mr. BIGGS. And you kind of discussed it, but what are you hearing is the rationale for these new demographics who are coming out and buying guns?

Ms. OKAFOR. Particularly for women, in general, what I have found many times, particularly other mothers, saying that they know that at the end of the day it comes down to them to defend themselves, to defend their children, particularly during the pandemic when, unfortunately, there were many instances where people were not sure they were going to have a police officer or a police department get to them in time because of what was going on. So many people, including what was going on during that chaotic two years, found it necessary to then purchase a firearm, particularly for self-defense.

Mr. BIGGS. Mr. Daniel and Mr. Smith, what is your understanding about the motivations of Americans who are purchasing a firearm for the first time? Mr. Daniel, you are first.

Mr. DANIEL. Congressman, I believe that people are buying, new gun owners who have never owned a gun before, are buying firearms by the millions because they are afraid. They are afraid because of the violence they see in the riots, they are afraid because criminals are not being prosecuted, and they are afraid because of

the rising crime that they see. And they are making a life decision to change from being a non-gun owner to a gun owner, and I suspect, sir, that they will also be making the decision, a life-changing decision, in the way they vote.

Mr. BIGGS. Thank you. Mr. Smith?

Mr. KILLOY. Congressman, I agree with what we have heard from Ms. Okafor and Mr. Daniel. We are seeing a much greater increase of people purchasing firearms, particularly their first firearm, for the purpose of defending their homes and their person. Again, we saw that increase from the beginning of 2020 on, as it related to things going on in our communities and our society—the COVID pandemic, defund the police movement, and civil unrest, as well as the fact that we are entering an election cycle where the Second Amendment was on the ballot and a lot of people felt that was also a critical factor in a decision to purchase a firearm.

Mr. BIGGS. Thank you. Madam Chair, before you take my time away, I do have an article I would like to submit into the record.

Ms. NORTON. So ordered.

Mr. BIGGS. Thank you.

Ms. NORTON. The gentleman's time has expired.

The gentlewoman from Michigan, Ms. Tlaib, is recognized for five minutes.

Ms. TLAIB. Thank you so much.

Mr. Busse, why are Americans afraid?

Mr. BUSSE. I think that is a complex question. They are afraid for many reasons. We have had much societal turmoil in the last 5 1/2, 6 years, for sure.

Ms. TLAIB. Yes. Well, let's get to this. You know, gun manufacturers have sought to boost their sales by promoting their ties to the military and law enforcement. Smith & Wesson referred to this as, quote, "halo effect." In a 2016 earnings call with their investors, the CEO at the time said, and I quote, "It certainly gives your product a lot of credibility if it is used, adapted, and well regarded by that professional community because the consumer does pay attention to that."

You know, Ms. Sampson, could you explain what the so-called halo effect, you know, how it is and how deceptive it is?

Ms. SAMPSON. Yes. Thank you for the question. The halo effect is basically when the company, Smith & Wesson in this case, puts itself under the proverbial halo of the military, because they are so esteemed in society, and basically says if you want to have the firepower that they have you should get our weapon. In the case of Smith & Wesson it was especially absurd for them to do that because they do not actually supply the military at all.

Ms. TLAIB. That is right. Yes. You know, Mr. Daniel, the committee obtained advertisements by your company, used to sell your weapons, which include images of individuals in fully geared military, tactical gear, body armor and your rifle. Are those advertisements intended to increase sales to armed forces or law enforcement? Yes or no?

Mr. DANIEL. Yes.

Ms. TLAIB. Yes or no?

Mr. DANIEL. Yes is the answer.

Ms. TLAIB. Yes. No, you know, the answer is no. These weapons are intended to be sold to civilians. So, the advertisement inherently would not target anyone other than civilians, just like the killer in Uvalde.

Another one of the gun manufacturers this committee has also investigated, Sig Sauer, often employed these tactics as well, and I would like to put one of their ads on the screen if I may.

Do you all see this? This is an ad for Sig Sauer MCX assault rifle. It depicts troops in combat zone with modified assault weapons, including one with a grenade launcher. The text of the ad emphasizes the rifle's, quote, "modularity" or makes it, quote, "ready for every possible mission" and a not-so-subtle reference to their military style and use.

These are not pictures and themes that suggest that the assault rifle is to be used for hunting or sport shooting. Mr. Busse, how is this kind of imagery and rhetoric dangerous when the primary advertising target is civilians with little, if any, military firearms training?

Mr. BUSSE. Well, these are very serious weapons, and it is a very common practice now in the firearms industry—it did not used to be—but it is a very common firearms industry marketing practice now to market to or using special operators or trained military officers or military weaponry, but focus the marketing at consumers, because that is where the larger and profitable marketing segment is.

Ms. TLAIB. You know, Sig Sauer sold the AR-15 style rifle used by the mass shooter to kill 49 people in Pulse nightclub in Orlando, Florida, in 2016. Three of those weapons were used by a shooter in Las Vegas, Nevada, in 2017, to kill 60 people. The company recently, literally, are selling the version of its new rifle, that they have contracted out, their M-14 or whatever, for the U.S. Army, they are selling the same configuration, that is near match to what American soldiers will be using in battle.

We should not be surprised when young men purchase these weapons to be more like soldiers in the picture, and we should not be surprised when they try to act like them either. These dangerous ads must stop, yet they are breeding domestic extremists and putting communities of color, communities that are incredibly vulnerable, especially our children in our schools, and minority groups at grave risk.

So, it is incredibly important that we call this out what it is. They are targeting folks to basically target the most vulnerable by selling it that way. This imagery is not toward soldiers. They are to the lay people, civilians. They are advertising it in a way, again, that depicts it to endanger people's lives.

So, it is incredibly, again, important that we understand this is intentional. The halo effect is real, and it is profit driven, and lives are lost because again, they do not care who dies. They care how many guns they are selling to people, and the more people they can show, that you can be like law enforcement and soldiers that have been trained in military battle, then they are going to be able to, again, expose us to more deaths and more violence.

With that I yield, Madam Chair.

Ms. NORTON. The gentlelady has yielded.

I recognize the gentleman from South Carolina, Mr. Norman. You are recognized for five minutes.

Mr. NORMAN. Thank you, Madam Chair. You know, I think I have heard it all. I have heard my good friends, Democrat friends, asking why people feel unsafe. It is because of the dismantling of the police departments that they feel unsafe. I hear my good friends on the other aisle tell manufacturers how to build a gun when I do not think they have ever had any experience building a gun. I think I have heard my friends on the other aisle talking about concerns for civilians.

What in the world—where is the concern on the 300-per-day youths that are dying from fentanyl, because it is coming across the border unfettered because of this Administration's lack of will to stop an invasion at the border. Where are the hearings about the supply shortage, that people cannot unload a plane? We put a man on the moon, but we cannot unload a ship. You know, what about the 154 cities that have been torn up with no repercussions from those who did it? I mean, the list goes on and on.

You know, I keep hearing gun violence. Gun violence. I was talking to my good friend, Mr. Clyde, and we both agree that we have all had a lot of guns—I have, he has. He has far more than me. I have never had a gun get violent with me. Never in my life have I had a gun get violent with me, but I have seen where people use guns for the wrong reason, just like the Ford that went through the Christmas parade that ran over people. It is by deranged people. It is by mentally unstable people.

It is insane some of the things that my Democratic colleagues want to do—make the gun manufacturers liable? You know, it is unbelievable that you would make the Ford makers of automobiles liable for every wreck, or those who get drunk on Jack Daniels, make them liable, make the Jack Daniels company liable. It does not make sense, but that is just usual with what is going on today in this country, and particularly with this Administration.

Mr. Smith, President Biden has said that gun manufacturers are completely immune from liability of any kind. Is this a correct statement?

Mr. KILLOY. Congressman, I am curious. You directed that to me, Chris Killoy, from Ruger?

Mr. NORMAN. Yes, sir. You can take it, take the question.

Mr. KILLOY. Yes, sir. You know, we are not immune from prosecution. If we make a defective product, you know, certainly we are subject to normal product liability, like everyone else. The Protection of Lawful Commerce in Arms Act, which is typically what we are talking about here, really codifies existing common law. You know, in the average time to crime that the ATF has recently reported is over seven years from when a firearm is first legally sold, on average, if that gun is recovered in a crime, and used in a crime, seven years time to crime. Again, to try to hold a firearms manufacturer liable for that crime or that criminal activity just does not make sense. It does not comport with our jurisprudence in this country, and I respectfully would suggest that that is not the right way to approach this problem.

Mr. NORMAN. OK. I heard my Democrat friends asking about what kind of profit are you making, what is your company making

as far as dollars earned every year. Has any municipality ever returned the tax dollars that support our public education? Has any of the money that your company pays to support our first responders ever been returned? Have any of the municipalities returned the money that goes for law enforcement?

Mr. KILLOY. No, Congressman, it has not.

Mr. NORMAN. So, they take your tax money, yet we have got my Democrat colleagues who are basically trying to say that you are making obscene profits. You compete with other gun companies, don't you? You don't have a monopoly, do you?

Mr. KILLOY. No, sir. We are one of right now about 17,000 federally licensed firearms manufacturers licenses that have been granted.

Mr. NORMAN. So, you compete on the open market. It is called capitalism; and it is what is the meaning of my Democratic colleagues, they are professional politicians, but they have never been in the free market. They have never experienced making money or losing money; and for politicians to tell you how to build a gun, I think I have heard it all. But is the most ludicrous, insane question that I can even think of.

But I want to thank you for appearing today. Thank you for answering the questions, and to each of you, we are going to try not to let them strip the Second Amendment. We are going to fight as much as we can to stop that. Thank you so much. I yield back.

CHAIRWOMAN MALONEY. [Presiding.] The gentleman yields back.

The gentlelady from Ohio, Ms. Brown, is now recognized for questions.

Ms. BROWN. Thank you. For years, gun manufacturers have operated with little to no oversight and have been shielded from accountability by NRA-backed Members of Congress and a conservative Supreme Court. Their irresponsible advertising and sales practices have flooded communities like mine with weapons of war, resulting in loss of life and generational trauma. This history mirrors the unchecked greed of pharmaceutical companies who are only now facing the consequences of the harm caused by their own irresponsible advertising and the role they played in the opioid crisis.

Is far past time for gun manufacturers to face some accountability. So, in an effort to maximize the use of my time, Mr. Daniels, I will be asking you a series of yes-or-no questions. So, Mr. Daniels, are you familiar with the ongoing opioid crisis and the role that irresponsible advertising played in getting millions of Americans, including many Ohioans, addicted to drugs?

Mr. DANIEL. I am somewhat familiar with an opioid problem, but I am not real familiar with the advertising. What is the advertising?

Ms. BROWN. Well, I would encourage you to then look into the well-documented reports about the advertising practices and familiarize yourself with the guilty plea of Purdue Pharma, which has been filed and resulted in billions of dollars of fines that they have been directed to pay as a result of their dangerous advertising.

You will see an ad—Mr. Daniel, I have a photo of some promotional items Purdue Pharma once distributed to promote the purchase and consumption of OxyContin, displayed. As an Amer-

ican, do you have any concerns with the marketing of OxyContin in a way that could have been viewed as trivializing the addiction and deaths that occur from it? Yes or no, please.

Mr. DANIEL. I am not familiar with this advertising, and I am not sure what they are trying to do here.

Ms. BROWN. Well, let me help you. These irresponsible advertisements are not exclusive to the pharmaceutical industry. Your companies have also continued to make irresponsible advertisements for these dangerous weapons. Mr. Daniel, do you understand that firearms your company produces, markets, and sells are deadly and dangerous weapons? Yes or no.

Mr. DANIEL. Congresswoman, we make the best firearms for self-defense—

Ms. BROWN. Yes or no?

Mr. DANIEL. They have to be dangerous to be good for self-defense.

Ms. BROWN. Yes or no? Let me help you. To be clear, the U.S. law does consider a firearm to be a deadly weapon.

So let me ask you another question. Do you believe it is appropriate to market guns in such a manner—and you should see an ad that your company produced—when gun deaths are now the leading cause of child deaths in the country, and a teenager used one of your weapons to kill 19 children just a month ago?

Mr. DANIEL. Ma'am, you have said a lot. What was the question there?

Ms. BROWN. Do you believe it is appropriate to market guns in such a manner, as your advertising has done, when gun deaths are now the leading cause of child deaths in the country, and a teenager used one of your weapons to kill 19 children just a month ago?

Mr. DANIEL. The advertisement—

Ms. BROWN. It is a yes-or-no question.

Mr. DANIEL. This advertisement you are showing is a safety advertisement.

Ms. BROWN. Is it appropriate—this is a yes-or-no question.

Mr. DANIEL. This is an appropriate ad for safety, teaching children—

Ms. BROWN. To advertise—it is a yes or no. Is that a yes?

Mr. DANIEL. This advertisement is about safety.

Ms. BROWN. Reclaiming my time. Mr. Busse, you are familiar with the marketing practices of gun manufacturers. Can you speak to why this kind of advertising is dangerous and which groups this advertising is often directed at?

Mr. BUSSE. I can testify to the fact that advertising practices in the firearms industry have changed radically in the last 10 or 15 years, and I am very concerned about the degree to which there is now irresponsible advertising encouraging or marketing to irresponsible activities.

Ms. BROWN. Thank you. Madam Chair, I represent a community that is facing a gun violence epidemic. Just like during the opioid crisis, irresponsible companies are pumping vast amounts of dangerous products into our community without a care for the lives that have been lost or the inherent lethality of their products.

History is repeating itself and gun manufacturers are playing fast and loose with their advertising. If they do not take responsi-

bility for the weapons of war they are selling to the public, Congress will gladly step in and do so for them.

With that, Madam Chair, I yield back the remainder of my time.

CHAIRWOMAN MALONEY. The gentlelady yields back, and the gentlelady from South Carolina, Ms. Mace, is recognized for five minutes.

Ms. MACE. Thank you, Madam Chair, and I want to thank everyone who is here today, particularly for the families who have experienced enormous grief in their lives. Thank you for having the courage to show up on the Hill today for what is, I am sure, a very difficult day for each and every one of you.

I hail from South Carolina, from South Carolina's First congressional District, and unfortunately, we are no stranger to gun violence or mass shootings. Seven years ago this summer, we had Mother Emanuel, where a white supremacist bought a gun, he should not have been legally able to buy, went down to Charleston, South Carolina in the First congressional District, and murdered nine Black church members at Mother Emanuel.

Just a few months ago, on April 26, there was another shooting in a parking lot next door to a little league baseball game, where over 30 shots were fired, and the video showing the terrified children crawling off the baseball field and their parents in fear, in Pepperhill, in North Charleston.

We have seen these spikes in crime, spikes in shootings, but it is not just crime with firearms. It is women who have been raped. Rapes are up. Assaults are up. Aggravated assaults are up. Mental health issue are up in this country over the last two years. Political crime is up. We saw someone who showed up on the steps of a Supreme Court Justice, basically, armed and dangerous and ready to kill.

I have seen political crime in my own neighborhood. I had someone come up to my house and spray-paint it. I have had my car keyed. I have had my life threatened. Someone threatened to hang me two weeks ago. So, we are seeing an increase in violence all across the country, regardless of political spectrum.

But right now, this hearing today, there is shouting into the microphones. There is vilifying of gun manufacturers. There is debate on a particular bill we might vote on this week, that we are not going to be able to vote on right now because it is not progressive enough. But what we are talking about today is not getting at the heart or the root of the problem; and we are going to have this hearing. It is going to be theater. It is going to be a performance today for the cameras that are here, and we are not going to solve the problem of violent crime, or violent crimes with firearms.

We have got folks on this committee that want to defund the police. Well, the reason Democrats cannot have a vote on banning certain types of firearms this week is because there is other legislation out there does not go far enough, that funds police—it does not defund them—and we cannot have a real conversation about what is getting at the root of the problem.

We had Highland Park, devastatingly, a few weeks ago, where seven people were killed. Well, just last weekend, just a few days ago in the city of Chicago, 65 people were shot, five people were killed, and this is every single weekend in the city of Chicago,

where they have gun control measures, and they are not working. This is a very emotional subject. It is personal to me. It means a lot in my district; and we have got to get to the root of the problem.

Many things that we could be talking about today—the active shooter alert we passed out of the house a few weeks ago, one step in the right direction. But what I learned in my research, trying to figure out gun crimes in this country, is most of the legislation that we are tackling at the Federal and state level will not address the issue whatsoever.

Ms. Sampson, I have a few questions, and Ms. Okafor, I have a few questions with the little bit of time that I have left. Ms. Sampson, my first question for you today is, does a gun commit a crime?

Ms. SAMPSON. Individuals with guns commit crimes.

Ms. MACE. Thank you. Is there any other industry in the country where we punish the manufacturer of a product that is made legally, purchased legally, that might then be later used to break the law? Do we punish manufacturers of alcohol or cars or knives, for crimes that may be committed with those products later?

Ms. SAMPSON. So, the distinction there—thank you for that question because there has been a conflation. We are not trying to hold manufacturers accountable for other people's activities. We are trying to hold manufacturers accountable for their activities in fueling the market, and when it comes to that we do that. So, the example would be—

Ms. MACE. OK. I am going to reclaim my time just real quick because I have a couple more questions, but thank you, and I would argue that my colleagues on the other side of the aisle are making it more about that than the other.

So recently we passed legislation up here that would ban certain firearms under the age of 21. Did you know that Dylan Roof, who killed the Mother Emanuel nine, he was 21 at the age when he bought his gun? He was also 21 when he committed that crime.

Ms. Sampson, do you know the percentage of folks across the country who are picked up with firearms illegally? Do you know what percentage are maybe charged with a crime and/or convicted?

Ms. SAMPSON. I do not.

Ms. MACE. OK. It is hard to get that data. In fact, in the state of South Carolina, when we had this vote on this bill a couple of weeks ago, I learned that the vast majority of crimes committed with guns in the state of South Carolina—and I am sure states are different, but the vast majority are going to be the same—over 3,000 last year alone. But the vast majority of crimes with guns are committed by people over the age of 21.

Thank you, and I yield back.

CHAIRWOMAN MALONEY. The gentlelady yields back.

The gentlewoman from Florida, Ms. Wasserman Schultz, is recognized.

Ms. WASSERMAN SCHULTZ. Thank you, Madam Chair. I would like to talk about how gun manufacturers market weapons of war to young people today. In 2012, the editor of Junior Shooters magazine wrote, and I quote, "Each person who is introduced to shooting sports and has a positive experience is another vote in favor of keeping our American heritage and freedom alive," unquote. He

continued, quote, “They may not be old enough to vote now but they will be in the future.”

My first question is to Mr. Daniel. Mr. Daniel, do you agree that getting young people interested in firearm ownership is positive for the industry’s long-term profits and viability? Yes or no.

Mr. DANIEL. Congresswoman, we actually started a foundation to help train young children to learn how to use firearms safely.

Ms. WASSERMAN SCHULTZ. OK. Reclaiming my time. My question is, do you agree that getting young people interested in firearm ownership is positive for the industry’s long-term profits and viability? Yes or no.

Mr. DANIEL. Congresswoman, gun safety is important is important to our country, and—

Ms. WASSERMAN SCHULTZ. I was not asking—reclaiming my time—I am not asking about gun safety. I am asking about whether or not you agree that getting young people interested in firearm ownership is positive for the industry’s long-term profits or viability? Can you please answer my exact question? Yes or no.

Mr. DANIEL. Yes. Parents buy guys for their children all the time.

Ms. WASSERMAN SCHULTZ. Yep. I asked because gun manufacturers employ various strategies to zero in on young people, and this marketing and mainstreaming of weapons of war in children’s hands shows up in shocking and disturbing places. In the world’s tourist mecca of Orlando, Florida, and even in my own community of Miami, firing weapons of war is marked as a fun tourist attraction, even to visitors as young as 10 to 13 years old, as we can see from this promotional package from the Lock & Load Miami Machine Gun Experience, as you can see right here.

Mr. Daniel, you have included children in your advertisements and social media marketing. Correct?

Mr. DANIEL. Congresswoman, if you are referring to the ad that was just shown—

Ms. WASSERMAN SCHULTZ. I am asking you if you included children in your advertisements and social media marketing. Yes or no.

Mr. DANIEL. Yes, but we are not marketing to the children.

Ms. WASSERMAN SCHULTZ. OK. It is a simple question. You have included children in your social media market. I am reclaiming my time. In fact, you post images of pop stars, like Post Malone, posing with a machine gun, and hashtags like #gunporn and #pewpew. Yes or no?

Mr. DANIEL. Ma’am, the gun that Post Malone was posted—

Ms. WASSERMAN SCHULTZ. Did you or did you not—reclaiming my time—reclaiming my time. Excuse me, sir. I am reclaiming my time.

Mr. DANIEL [continuing]. Automatic—

Ms. WASSERMAN SCHULTZ. Did you post—Mr. Daniel, I am trying to ask you a question. Did you post a social media post with Post Malone posing with a machine gun and the hashtag #gunporn and #pewpew? Yes or no.

Mr. DANIEL. No, ma’am, we did not.

Ms. WASSERMAN SCHULTZ. I can produce the social media post if you would like.

Mr. DANIEL. That is fine if you would like to, but the gun was not a machine gun. It was a semiautomatic firearm.

Ms. WASSERMAN SCHULTZ. OK. We are splitting hairs. We are splitting hairs. Clearly the gentleman is acknowledging that they posted something, and we are splitting hairs over whether you called the weapon a machine gun.

This strategy basically turns killing machines into social media thirst traps for young people who will see these weapons as sexy, hip, and alluring. The gentleman acknowledged that they have children in their social media, they had a social media star that is appealing to children, post with a machine gun, and hashtags #gunporn and #pewpew. I mean, it really boggles the mind.

Mr. Daniel, are you even remotely worried that these youth-focused marketing tactics appeal to impulsive teens who we recognize cannot even be trusted to buy cigarettes or beer when they are under 21? Are you worried about that at all?

Mr. DANIEL. Congresswoman, we are focused on teaching young people to use guns responsibly and safely.

Ms. WASSERMAN SCHULTZ. OK. Reclaiming my time. The social media and marketing that you do to children is not remotely focused on safety nor is it trying to do anything other than having guns be more appealing to children.

And just as I lose my time, Ms. Sampson, have there been any studies that correlate how the marketing tactics used by Mr. Daniel and other companies are related to incidents of gun violence among kids and adolescents?

Ms. SAMPSON. Yes, and they are in my written testimony.

Ms. WASSERMAN SCHULTZ. I am sorry?

Ms. SAMPSON. Yes, and they are in my written testimony. But basically it has to do with the fact that young people are susceptible, especially susceptible to messages from advertisers. So, when you tell children that these guns will give them more adrenaline, or you use first-person shooter games to promote firearms, things of that nature, it draws in young people who are more vulnerable and maybe not able to sort out reality from fiction.

Mr. COMER. Time is expired.

CHAIRWOMAN MALONEY. The gentlelady's time is expired.

Ms. WASSERMAN SCHULTZ. Thank you, Madam Chair. I appreciate the opportunity. I yield back.

CHAIRWOMAN MALONEY. OK. I just want to remind members that the chair has been evenhanded while allowing members on both sides of the aisle latitude with respect to their five minutes today, and I would ask that recognized members not be interrupted except by the chair.

So now, Mr. Fallon, you are now recognized, from Texas.

Mr. FALLON. Thank you, Madam Chair. Witnesses and colleagues, I appreciate the opportunity to examine a critical industry that helps protect the freedom of American citizens every day. Ms. Okafor, I just want to say it is great to see you again. Denton County Strong. Good to see you.

Ms. OKAFOR. Good to see you too.

Mr. FALLON. It seems strange to me that this committee has decided to bring in some of the largest firearm manufacturers in the country but not the Attorney General, who is actually in charge of

enforcing our gun laws, and who conducts oversight on the ATF, the FBI, and other pertinent agencies, or why this committee has not brought in city and state attorneys who are refusing to uphold the law in a lot of these Democratic areas. And why on earth are we not discussing the scourge of violent crime in those same democratically controlled areas?

The fact of the matter is that more gun laws and restrictive gun laws do not lessen crime. I have to restate the last thing I said in our previous Second Amendment infringement hearing, that if you look at countries, for instance, like El Salvador, Jamaica, Venezuela, Honduras, that have some of the most restrictive gun laws in the world, they are also the most dangerous countries in the world with the highest homicide and violent crime rate.

But it should not escape our notice that Democratically controlled cities in our country, with the most restrictive gun laws, and our Nation, have actually higher murder rates than those aforementioned countries. St. Louis has a higher murder rate than El Salvador, and so does Baltimore, and it is actually safer to visit and live in Venezuela than it is to live and visit Detroit, Michigan.

Fifty years ago, there were 180 million guns in this country and the murder rate was 9.6 per 100,000. And just before COVID there were almost 400 million guns in this country and the murder rate was 6 per 100,000. Again, more gun laws does not equal less crime.

Mr. Busse, I have got a quick question for you. You are a gun owner and you were a firearms executive for decades. Is that correct?

Mr. BUSSE. Yes, sir.

Mr. FALLON. Do you own, let's say, five guns, personally?

Mr. BUSSE. Yes, I own five.

Mr. FALLON. Do you own more than 10?

Mr. BUSSE. Yes, I do.

Mr. FALLON. OK. So fair to say that you know a lot about different types of guns.

Mr. BUSSE. I know some about some types of guns.

Mr. FALLON. All right. Civilian AR-15, is that a fully automatic weapon?

Mr. BUSSE. No, sir.

Mr. FALLON. OK. Then there are several states that have so-called assault weapons bans. Is that correct?

Mr. BUSSE. There are some, yes, sir.

Mr. FALLON. And are they uniform? Are they exactly the same or are they different, each state?

Mr. BUSSE. I am not an expert on each state law. I do not know.

Mr. FALLON. So, you do not know if they are exactly the same, cookie cutter?

Mr. BUSSE. I do not.

Mr. FALLON. OK. They are not, and I think it is because maybe, just maybe, we cannot even seem to define what an assault weapon is, and that is a vague term and left up for interpretation.

Ms. Busse, you also are on record, if I am not mistaken—please correct me—that you are calling guns weapons of war. I just heard one of my colleagues say it as well.

Mr. BUSSE. Calling which—I am not sure of your question there, sir.

Mr. FALLON. All right. Have you called firearms weapons of war?

Mr. BUSSE. I have not called all firearms weapons of war, no.

Mr. FALLON. You have called some weapons of war?

Mr. BUSSE. Yes. Some firearms are weapons of war. Yes, sir.

Mr. FALLON. When you were a firearms executive, did you market the Browning 1911?

Mr. BUSSE. I marketed and sold 1911-style pistols. Yes, sir.

Mr. FALLON. Those 1911s were the firearm of the United States military from World War I to Vietnam, over 50 years?

Mr. BUSSE. They were the defensive handgun of choice for most military operations. Yes, sir.

Mr. FALLON. They were a weapon of war.

See, what I find offensive by that term is—and my colleague just said it as well—is I own an AR-15, and it is not a weapon of war, and I do not want to hurt anybody. It is a defensive weapon. It is a tool to allow me to protect my property, but far more importantly, my family, my children and my wife. And I am glad I am not giving it up, no matter what, and some of these laws that we are talking about, whether they are grandfathered or not, are going to make good, law-abiding citizens criminals, and by definition criminals do not follow the laws anyway. That is why I own one.

So, we have a bill, from our colleague from Rhode Island, Mr. Cicilline, it is H.R. 1808, an assault weapons ban, which makes it a crime to import, sell, manufacture, or possess semiautomatic weapons. To put it plainly, this is an outright ban on all semiautomatic weapons, and this bill is political theater, and it is a complete farce. The American people do not support it. I am sure there are many Democrats across the country in rank and file that do not support it. It is an actual joke, and it is a disservice to our Constitution.

Thank you very much, Madam Chair. I yield back.

CHAIRWOMAN MALONEY. The gentleman yields back.

The gentleman from Vermont, Mr. Welch, is now recognized for five minutes.

Mr. WELCH. Thank you. Madam Chair, Vermont is a rural state and we have had a tradition of responsible gun use. But things have changed. Things have changed deeply in Vermont. The day after the Parkland shootings, we came within an eyelash of having a mass shooting at a school in Fairhaven, Vermont, where a young man, who had purchased weapons, bragged that he was going to have a higher body count than anyone else before him. It was only because of the extraordinary work of our local and state police and our school officials that that was stopped.

In the night after that incident, where the near-death of those kids almost came about, there was a school meeting, and as a good a job as our police had done and our school folks had done, parents were expressing some anger and concern. What it was, it is the apprehension that every parent has in this country now that the security that they had when they put their child on the bus or left their child off at the schoolhouse, that they would come home safe.

That has been shattered, and it is not just a one-off incident in Parkland, but we are seeing it time after time, and it is the AR-15 that is the weapon of choice. And, by the way, that weapon of choice, it is not accidental. Eighteen-year-olds can buy that, and

they cannot buy a beer? It is a weapon of choice because of the marketing. "Be a man. Get this. On the road to manhood. This is the way you can show how you big a person you are." It is marketing this to vulnerable people who have wild expectations of what it means to be a man.

So, Mr. Busse, how much marketing do you do? Is this worth it?

Mr. BUSSE. Maybe could you restate the question, sir? Are you asking how much marketing—

Mr. WELCH. How much marketing are you doing?

Mr. BUSSE. I am no longer in the firearms industry, sir, so I am not doing any marketing.

Mr. WELCH. Mr. Daniel?

Mr. DANIEL. Yes, sir. Repeat the question, please.

Mr. WELCH. How much marketing are you doing?

Mr. DANIEL. We are marketing very much like we have been for the past 15—

Mr. WELCH. I am interrupting. I apologize. But the marketing that is being done is much like Joe Camel, where the cigarette companies were marketing cancer and disguising it as how to be a man, how to be a big shot. I mean, is it worth it? Do you have any thoughts about what your weapons are being used to do, that has killed children? Do you have any expectation that people should look to you to address this?

Mr. DANIEL. Thank you for your question, sir. I believe we should address this. I think the way to address it is just as you said, local law enforcement working with the schools and working at a local level to figure out how to stop murder from—

Mr. WELCH. But you are saying there are no gun manufacturers—I mean, I listen to Mr. Fallon, you know, gun manufacturers do not have anything to do with it, just like cigarette manufacturers had nothing to do with people dying of cancer, because it was a voluntary choice.

But let me ask you about Mr. Fallon's line of questions. He needs the AR-15s to protect his family, and obviously he means that. But don't we need a society where we can expect our law enforcement folks to be reliable enforcers, or is it every man, woman, and child for himself and herself, and each one of us needs an AR-15 to settle our disputes and defend ourselves against insults?

Mr. DANIEL. Congressman, as I understand it, many of your constituents are over an hour away from the police. Yes, the police are very important, and they are our first responders, but until they get there, sir, the American citizen is the first responder.

Mr. WELCH. Right. So, what you have is a culture that you support to arm everybody so they can defend themselves while they are waiting for the police. So, our civic society, our civil society depends on everybody being armed and having a more powerful, longer-range weapon than their neighbor.

Mr. DANIEL. I believe that American citizens have the right and the responsibility to take their firearms that they have bought for self-defense and defense themselves and their families until the police arrive. Yes, sir.

Mr. WELCH. And you are glad to manufacture those and sell them. I yield back.

Mr. DANIEL. Yes, sir.

CHAIRWOMAN MALONEY. The gentleman's time has expired. The gentleman from Kentucky, the distinguished ranking member, Mr. Comer, is recognized for five minutes.

Mr. COMER. Thank you, Madam Chair. Ms. Okafor, you are a certified firearms instructor who specializes in training women. You have stated that already. What would you say to people who want to restrict the purchase and use of guns, like AR-15s?

Ms. OKAFOR. I would say for all this talk about manhood, et cetera, again that the stats show that of the 8 million new gun owners that we had just in the last couple of years, almost half of them are women. So, we are talking about women here. We are talking about women who are also AR-15 gun owners as well; and because, I have seen in my experience as an instructor and as a woman as well, that it is far easier to hold and use an AR-15 without having to worry about the recoil that comes with having a smaller, hand-held firearm. So, it has been able to absorb a lot of that impact and it has been, therefore, something that a lot of my female students are happy to have.

Mr. COMER. In your opinion, would gun control policies to prevent the sale or possession of AR-15 rifles impact everyone equally, or are there some groups who would be more impacted than others?

Ms. OKAFOR. As we found in history, over and over again, whether it is legitimately because they are trying to put forth laws that are explicitly against, for example, African Americans. You can look at history from slave codes, to Black codes that restricted African Americans from even having a firearm to, in just the last couple of decades even, or the last century, rather, from the civil rights era, Jim Crow laws, that we have found that whether it is explicitly African Americans, or explicitly minority groups, or explicitly those who are unable to afford a firearm and the restrictions that come with it, that it primarily impacts those communities that are the most vulnerable and defenseless, for a number of reasons, and need some type of firearm but are unable to because of the financial restrictions and training barriers that come with gun restrictions.

Mr. COMER. Thank you very much. Madam Chair, I yield the balance of my time to Representative Clyde.

Mr. CLYDE. Thank you, Ranking Member. We are here today because Democrats on this committee are bound and determined to politicize the horrible, tragic events that occurred in Uvalde, Texas. Immediately following the shooting, Democrats demanded information on the, quote, "manufacture, marketing, and sale of deadly weapons used in mass shootings," end quote. Since this request on May 26 by Democrats, all of the companies to which these letters were sent have been very responsive to the chair's requests, and as I understand, producing over 3,500 pages of documents.

So, we are here today because Democrats want to somehow blame gun manufacturers for violent crime. While Democrats did not see fit to drag auto manufacturers before this committee to blame the Waukesha Christmas parade massacre, citing car violence or SUV violence for the murder of six people and the injury of 62 others in a violent criminal act. Democrats have coined the term "gun violence," and determined that guns, which are inani-

mate objects and unable to commit any crime or act of violence, should be banned.

I take issue with that term as I have never known a gun to be violent. I have known people to be violent but never an inanimate object like a firearm. I have owned thousands of firearms in my lifetime and have never met, owned, or handled a violent gun. People are the origin of violence, and they use all sorts of tools to perpetuate their violence. We should be holding the criminals accountable. Firearms are simply tools and can be used for good or evil by the person behind the tool.

The Democrats want to blame the existence of the Second Amendment, which the Founding Fathers enshrined in the Constitution because they understood the first step toward tyranny is disarming the citizenry. They want to blame the Second Amendment for all the violence that occurs in this country.

Let me be clear. Gun manufacturers do not cause violence, and the Second Amendment is not to blame for violence in this country. Criminals are the ones who engage in violence and who commit crime.

I have been a Federal firearms licensee for 30 years, and I realized early on that every firearms business, whether a manufacturer, an importer, or a dealer is a true, constitutional business, because without them most citizens would not be able to exercise their Second Amendment rights, which have been so vital in achieving and maintaining our freedoms for now 246 years.

I believe a good model for our Nation's firearms industry would be we enable individual participation in the preservation of liberty and that, as we know, is what the Second Amendment does. It helps preserve our liberty because it allows individuals to defend themselves against unlawful aggression, whether it is defending against someone committing a crime or against a government bent on tyranny and eliminating our liberty.

Since Federal firearms licensees are constitutional businesses, it makes it even more imperative that the government use every tool at our disposal to protect these types of businesses so they can continue to serve law-abiding and free citizens. Governments are instituted among men, as our Declaration of Independence says, that to secure these rights——

CHAIRWOMAN MALONEY. The gentleman's time is expired.

Mr. CLYDE [continuing]. Deriving their just powers from the consent of the governed.

Thank you, and I yield back.

CHAIRWOMAN MALONEY. The gentleman's time is expired.

The gentleman from Illinois, Mr. Davis, is recognized for five minutes.

Mr. DAVIS. Thank you, Madam Chairman, and I also want to thank all of our witnesses, and especially the families who have come who have been impacted negatively by gun violence. Gun manufacturers would have us to believe that they are helpless to stop mass shootings. They want us to forget the assault rifles that are designed to kill people quickly and efficiently; and with the right parts, including high-capacity magazines, these weapons can shoot hundreds of rounds in a matter of seconds.

One of the gun makers here with us today famously came up with the very idea of banning high-capacity magazines more than 20 years ago, in the lead-up to the 1994 assault weapons ban, William Ruger, a founder of Sturm. Ruger reportedly told Tom Brokaw in an interview that, and I quote, "no honest man needs more than 10 rounds in any gun." Mr. Ruger then lobbied every Member of Congress to put in place, and I quote again, "a simple, complete, and unequivocal ban on large-capacity magazines." But after he retired the company took a turn. Mr. Ruger began to lobby against restrictions on large-capacity magazines and now sells them for profit.

Mr. KILLOY, does your company current make guns that accept magazines with more than 10 rounds?

Mr. KILLOY. Yes, Congressman, we do.

Mr. DAVIS. Mr. Daniel, same question to you.

Mr. DANIEL. Yes, sir.

Mr. DAVIS. Mr. Daniel?

Mr. DANIEL. Yes.

Mr. DAVIS. Thank you. Mass shooters have used legally purchased, high-capacity magazines in some of the worst killings this country or any country has seen. A shooter in the Las Vegas massacre was able to fire 100 rounds in 10 seconds because he used a high-capacity magazine. The Uvalde shooter carried more ammunition into Robb Elementary School than a United States soldier carries into combat. Ten states and the District of Columbia have banned high-capacity magazines, but they are not illegal everywhere, and these dangerous accessories have spread to all areas of the country.

Ms. Sampson, why is banning high-capacity magazines at the Federal level necessary?

Ms. SAMPSON. Thank you for the question. It is important to ban high-capacity magazines at the Federal level because we are a country that is connected. States do not exist on an island, and we also hear people, for example, raise the city of Chicago as an example as to why laws do not work. But Chicago exists within Illinois, which exists in the United States, and it is an example of where guns have come from—the state of Indiana, for example. So, even if we have a high-capacity magazine in one state that does not mean that individuals in that state who want to do harm cannot go to another state and get around it. So, we need Federal solutions because we are a nation of states that are united.

Mr. DAVIS. So, there is no way to really get at the issue and deal with the problem effectively unless we have a national ban, unless there is unity across the country that these weapons of mass destruction really are not to be available to regular, everyday, ordinary people to do what with? Nothing but kill. I mean, it is amazing that an individual can walk around with a weapon that you can fire off 30 rounds in 30 seconds, 100 rounds before you even know what is happening.

So let me thank all of our witnesses for their answers. The solution is really simple. We must ban these weapons of war and get them off our streets.

I thank you, Madam Chair, and yield back the balance of my time.

CHAIRWOMAN MALONEY. The gentleman yields back, and the gentleman from Wisconsin, Mr. Grothman, is recognized for five minutes.

Mr. GROTHMAN. Well, I would like to thank you for having the hearing, but the topic always irritates me. First of all, I am old enough to remember when I was a child all they did was talk about pistols. It was all about handguns. We do not worry about long guns. You know, whatever, 98 percent of murders in the country or whatever are committed by handguns, and we do not care about long guns. Now if long guns are in the news, it is we do not care about handguns, we only care about long guns, which shows what I think we are really trying to get at. People do not want American citizens to have guns, or law abiding. They want to restrict it to the type of citizens who do not obey the law, and the government, which I find a little bit offensive.

What I also find offensive is that one more time we are talking about a pathology in this country, and we do not address the structure of the family. I think like so many other things there are areas in society where you have almost no murders and there are areas where you have a lot of murders, and I think they largely correspond with areas in which we have weak families and strong families. One more time I am attending a hearing here, and I get the same thing in the Education Committee, we just ignore this big elephant in the room, the structure of the family.

But I would like to yield the remainder of my time to Mr. Clyde.

Mr. CLYDE. Thank you to my colleague from Wisconsin.

Mr. Daniel, I want to ask you a couple of questions here and reiterate something that has been mentioned already. President Biden made the claim that gun manufacturers are, quote, "the only industry in America that is exempt from being sued by the public, the only one."

Madam Chair, I would like to ask unanimous consent to submit this article, published by AP News on February 9, 2022, that says despite Biden's claim, gun makers can, indeed, be sued.

CHAIRWOMAN MALONEY. Without objection.

Mr. CLYDE. Thank you.

Mr. CLYDE. Is it not true that your company still remains liable under the law for any potential design or manufacturing defect that leads to injury or property damage or a breach of contract or warranty of a product or facilitating a known transfer to a prohibited person? Is this not all laid out in the Protection of Lawful Commerce and Arms Act, enacted in 2005? Can you still be sued by the public for any of these kinds of breaches?

Mr. DANIEL. Yes, sir, we can.

Mr. CLYDE. Thank you. I just want everyone to know that the firearms industry is not exempt from being sued by the public for a myriad of things.

Now Mr. Daniel, does Daniel Defense sell AR-15 rifles to police departments, to sheriff's offices, and to other law enforcement agencies?

Mr. DANIEL. Yes, sir. Average about 30 agencies a month.

Mr. CLYDE. Thirty agencies a month. That is pretty impressive. Do you have any idea of how many of your company's firearms are

in the hands of law enforcement, protecting and defending the peace so that our citizens can live in freedom?

Mr. DANIEL. No, sir. I do not have that off the top of my head.

Mr. CLYDE. I would imagine that at 30 agencies a month that is probably a lot, though, would you not think?

Mr. DANIEL. Yes, sir.

Mr. CLYDE. So why do law enforcement agencies choose to use Daniel Defense firearms?

Mr. DANIEL. Sir, we are very dedicated to building the very best firearms in the world, and the products that we build are dependable, and we take good care of our customers and treat them the way we want to be treated, and we think these are the reasons why people choose our products.

Mr. CLYDE. Thank you. As someone who has obviously had tremendous experience in the firearms industry and seen the highs and lows of sales, would you agree that the firearms industry is very sensitive to government overregulation or the fear of increased government restriction on a constitutional right?

Mr. DANIEL. Yes, sir.

Mr. CLYDE. So, tell me what happens to sales when additional restrictions are a potential on the horizon. Do they go up or down or do they stay about the same?

Mr. DANIEL. Our sales fluctuate wildly based off of the politics and the conversations about firearms bans.

Mr. CLYDE. OK. Does that also happen when crime and uncertainty is on the rise? Do sales increase?

Mr. DANIEL. Yes, that is correct.

Mr. CLYDE. OK. So, when the Democrats who have carried the mantle and promoted the idea of defunding the police and Democrat cities around the country started to cut the budgets of their police departments to fall in line with the defunding of the police narrative, people have feared for their safety, and so firearms dealers saw an increase in sales. Would you agree?

Mr. DANIEL. Yes, sir. Unprecedented in the last two years of new firearms owners buying firearms that have never owned them before.

Mr. CLYDE. Thank you. I would submit that people are voicing their opinions with their pocketbooks, and I think that is a very, very strong opinion across the Nation.

Thank you, and I yield back.

CHAIRWOMAN MALONEY. The gentleman yields back.

The gentlewoman from Massachusetts, Ms. Pressley, is recognized for five minutes.

Ms. PRESSLEY. Thank you, Chairwoman Maloney, for convening today's hearing.

While the gun industry rakes in hundreds of millions of dollars, choosing profit over people, selling weapons of war to anyone who wants them, impacting communities across the country who are forced to deal with the consequences of their greed. Bloodshed, pain, the trauma of a loved one being seriously injured or killed due to gun violence. So, in communities disproportionately impacted—Black, brown, AAPI, the LGBTQ community—from Buffalo to Orlando to El Paso and Atlanta.

This, of course, is both a devastating and expected result when companies employ marketing tactics that spread white supremacy and embolden far-right extremist groups. For example, shortly after the 2017 white supremacist march and attack in Charlottesville, Virginia, the National Shooting Sports Foundation promoted an advertisement encouraging people to buy assault weapons to use against unnamed protesters, unarmed protesters.

Mr. Busse, you referenced this advertisement in your remarks. Can you please explain why advertisements like these are dangerous?

Mr. BUSSE. Thank you for the question, and to clarify, that is not a National Shooting Sports Foundation ad. That is an advertisement from an AR-15 company that was displayed at the National Shooting Sports Foundation shot show in 2018. That is an ad, in my opinion, that is encouraging and celebrating the idea that civil unrest and attacking protesters is a potential business model of profit for firearms companies, and I believe that to be a very distressing and irresponsible path of advertising.

Ms. PRESSLEY. Thank you, and although the slide has moved—if we could bring it back for a moment—it is hard to see but they also named Boston, a city that I represent, right in the upper left-hand corner there. Recently my community has experienced firsthand the far-right, white supremacist organization Patriot Front in action. They have held multiple demonstrations of intimidation and fear in Boston to spread their racist bigotry and attack folks on the street.

Let me be clear. As Congresswoman for the Massachusetts Seventh I am going to do everything in my power to keep my constituents safe and stand up against white supremacy whenever and wherever it shows up. It should also be a baseline commitment of the NSSF, but instead the organization promoted this malicious advertisement.

Mr. Daniel, as a board member of NSSF, will you use your position to stop them from allowing ads like this one, naming Boston, and promoting assault weapons? Yes or no.

Mr. DANIEL. Ma'am, this was not an NSSF ad.

Ms. PRESSLEY. Will you use your position as a board member in any way to stop these sorts of advertisements promoting assault weapons? Yes or no?

Mr. DANIEL. I do not understand the question. This is—

Ms. PRESSLEY. OK. That is OK. Mr. Killoy, same question to you since you are also on the board. Will you commit to ending the practice of allowing harmful ads like this at events? Yes or no.

Mr. KILLOY. Congresswoman, respectfully, the NSSF does not advertise firearms for any of its member companies. They host a trade show annually, in January, and that is where I believe that ad was seen by a company who may have been displaying there.

Ms. PRESSLEY. I will reclaim my time because I think the point still remains. As long as gun manufacturers have immunity to sell their weapons of war using harmful marketing tactics, Black and brown communities will continue to be targeted, and that has got to change. In the face of white supremacy, my neighbors and I are undeterred in the pursuit of healing and the true justice, and we

will not let gun makers incite violence against us with impunity. I yield back.

CHAIRWOMAN MALONEY. The gentlelady yields back.

Mr. Flood, a new member of our committee from Nebraska, welcome. You are now recognized for five minutes.

Mr. FLOOD. Thank you, Madam Chair, and thank you all for your testimony today.

I want to turn the attention to exactly why we have seen a rise in guns sales in America. According to FBI statistics, specifically those related to lawful purchases of handguns and other types of guns through background checks, nationally 75 percent has been the increase that we have seen from 2019 to 2020. In Nebraska, we have seen a 78 percent increase in background checks related to gun purchases just in my home state. National research has also shown roughly 70 percent of gun owners are citing personal protection as their major reason for purchasing a firearm.

Unfortunately, over the last two years, violent crime across America has dramatically increased. A crime wave has affected my district. In Lincoln, Nebraska, for example, violent crime is increasing and citizens are concerned.

Ms. Okafor, I appreciate your prior testimony today where you called yourself an accidental activist. I know you train gun owners on proper etiquette. I am really interested in knowing, from those who you work with, particularly women, what reasons do they cite for purchasing a gun, and what does having ownership of a gun do for them personally, and is it related to what we have seen as an increase in violent crime?

Ms. OKAFOR. Studies have shown nationally that for women the No. 1 reason they buy a firearm is for self-defense, and in my time, my personal time with my female students most of them are like me, survivors of crime. They are survivors of domestic violence, survivors of sexual assault, et cetera. So, they essentially come to me because they want to make sure they are never a victim again, and that is why they want to be able to learn how to use a firearm and use it safely.

Mr. FLOOD. Some would have you believe that banning AR-15s is going to make America a safer place. Talk about what your students are saying about using the AR-15 and what is their opinion as to whether or not, if you can testify to this, a ban would do?

Ms. OKAFOR. Well, it really comes down practically of what an AR-15 does, particularly a rifle, for a woman especially, or those who have any type of physical disability. They give you the upper hand in that situation. And the fact that most people, probably a criminal, might have a handgun, but if you are working with an assailant that has multiple assailants in that situation, then an AR-15 is necessary, obviously, as a way to have the upper hand in that situation, particularly for a female.

Like I said before in my testimony about AR-15s, they are able to mitigate the recoil much better than you would with a handgun. And so that is why a lot of people prefer to have that upper hand by having an AR-15.

Mr. FLOOD. Was it your prior testimony today that of all the weapons that your female students have sampled that the AR-15 was routinely one of their most, you know, favorite?

Ms. OKAFOR. Yes. That is what I routinely get is that other women tend to already have this preconceived idea of what an AR-15 is, what an AR is, and because of a lot of advertising and rhetoric saying that, you know, they should not have a firearm of that capacity, that they think it would be something that they would not enjoy until they actually shoot one. They realize it is actually a benefit to them, and it is easier for them to hold and to actually enjoy shooting. So, they can train and defend themselves if they ever have to use that in an unfortunate circumstance.

Mr. FLOOD. We do not have much time left but could you just briefly speak to the peace of mind that owning a weapon like this would give to one of those female students that you have instructed with firearms?

Ms. OKAFOR. Yes, the peace of mind is, I believe, similar to anybody, but again, particularly in America I know there is a lot of talk, there has been a lot of talk about weapons of war, et cetera, and the difference, as if the Constitution is not explicit and that we have a right to keep and bear arms, and that includes all arms. Yes, even, quote/unquote "weapons of war." At the end of the day, it is to make sure that we have the ability to defend against an oppressive, tyrannical government, and there is no restriction particularly with the Second Amendment that says that there is a distinction between a civilian and someone in the military.

So, it comes down to an individual's right to defend themselves and to figure out what is best for them to defend themselves in that situation, and that is it.

Mr. FLOOD. Thank you for your testimony. I yield back.

CHAIRWOMAN MALONEY. The gentleman yields back.

The gentleman from Maryland, Mr. Sarbanes, is recognized for five minutes.

Mr. SARBANES. Thank you, Madam Chair. Before I proceed to my line of questioning, I just wanted to clarify. Ms. Sampson, can you again, just for the record, clarify whether gun manufacturers enjoy legal immunity?

Ms. SAMPSON. Thank you. Gun manufacturers do not necessarily enjoy complete immunity, but what they do have is an unnecessary level of protection from PLACA that makes it much more difficult for victims of their misconduct to hold them accountable in court. What that means is that for most other industries if an individual is harmed by their misconduct, they can file a claim and then, in a court of law, they can decide whether or not that claim has merit.

With PLACA, what gun manufacturers are able to do is get in front of the courthouse door and say you have to get over a hurdle before you can get to the merit. That is not asking for anything that would be especially punishing to gun manufacturers. All we are asking is that gun manufacturers be held to the same standards as everyone else, and that is especially important because they do not even face consumer oversight.

Mr. SARBANES. So, they receive special treatment when it comes to the way manufacturers generally have to face legal liability for their products. Thank you for that.

Let me get to why I think they might have some special treatment here. We know that it has been very hard to get legislation passed in Congress that would address gun violence. We finally,

last month, were able to achieve some bipartisan legislation to help stem the tide of gun violence in our country. The reason it has been so difficult is because for decades there has been this powerful grasp with special interest which has stymied progress on even the most common-sense gun reforms.

I am going to put some numbers out here. According to lobbying data, gun rights groups spent a staggering \$190 million, nearly \$200 million on lobbying between 1998 and 2022. According to public records, the NRA itself spent \$5.3 million on lobbying from 2021 to 2022, while the National Shooting Sports Foundation, a lobbying organization representing gun makers, distributors, and retailers—and, by the way, upon whose board of Governors Mr. Daniel sits—spent over \$1 million on Federal lobbying just in the first three months of 2022. We also know that in 2015 and 2016, Ruger gave the NRA over \$12 million in cash payments, which is a staggering sum.

These sums of money have their effect. They have a very pernicious effect on our democracy. Mr. Busse, you are a gun owner and a former firearms executive. Do you agree that the views of the NRA, as an organization, where they put their lobbying dollars—not necessarily every rank-and-file member of the NRA because they are very responsible gun owners among that group—but the NRA, as an organization, their views do not represent the views of the majority of Americans, including the majority of responsible gun owners like yourself. Would you agree with that?

Mr. BUSSE. Yes, sir. I certainly agree with that.

Mr. SARBANES. Thank you. Sixty percent of gun owners actually support raising the age for Americans to purchase AR-15s from 18 to 21. The NRA clearly does not speak for the majority of Americans. They do not even speak for the majority of ordinary gun owners. Ever since the Supreme Court's devastating decision in *Citizens United*, groups like the NRA have been ever more empowered to drown out the voices and the votes of everyday Americans by funneling dark money into our political process.

In 2016 alone, the NRA spent upwards of \$54 million on independent expenditures to candidates and parties, nearly double the amount it spent during the 2014 midterm elections and more than double the expenditures during the 2012 election cycle. Much of this amount, \$34 million, was routed through the NRA's Institute for Legislative Action, the organization's lobbying arm, which is not subject to donor disclosure laws. These funds were used to support the election of pro-gun politicians and systematically blocked legislative actions that crack down on gun trafficking and straw purchasing or strengthening background checks and enacting red flag laws.

Now fortunately, these reforms were enacted as part of the bipartisan Safer Communities Act last month, but even now the grip of the gun lobby and the dark money that funds its efforts continues to threaten the progress of further efforts to address America's gun violence epidemic. If we are able to comprehensively address this crisis, it will depend on getting dark money out of our political system and make democracy responsive to everyday Americans. Those are the steps we must take to address these insidious factors of big

money, special interest, and these particular industries like the gun lobby.

With that I yield back my time.

CHAIRWOMAN MALONEY. The gentleman yields back. The gentleman from Ohio—

Mr. COMER. Madam Chair, I request unanimous consent to wave on Representative Buddy Carter from Georgia for today's hearing.

CHAIRWOMAN MALONEY. Without objection.

Now the gentleman from Ohio, Mr. Gibbs, is recognized for five minutes.

Mr. GIBBS. Thank you, Madam Chair. You know, I am really amazed how the other side of the aisle keeps going after the gun manufacturers and the guns, like the guns have brains. It just amazes me. I look at what happens in Chicago every weekend and around our cities where we have murders and shootings.

Ms. Okafor, would you concur that the people that are committing these crimes, in Chicago and elsewhere, are criminals, they are illegal gun ownership? Is that why some of the people you train want to get arms to defend themselves because they are fearful of that, other type of people, the shootings in Chicago and elsewhere?

Ms. OKAFOR. The women that I train tend to be fearful of anybody, regardless of where they live, where they are going to do a criminal act toward them.

Mr. GIBBS. But the people that they are fearful of are the people that are committing crimes. They have ownership illegally of firearms, and that is kind of typical. As a broad-brush it, that is kind of typical, right?

Ms. OKAFOR. Yes. So, whether it is illegal or legally, the fact of the matter is that they are doing something illegal—

Mr. GIBBS. Well, the real answer here is, let's prosecute these people and lock them up. You know, I know unfortunately for our colleague from New York, Lee Zeldin, it was not a firearm—he was assaulted last Friday—but he was assaulted with a deadly weapon. And what did the state of New York do? They released that person. Fortunately, the Federal Government arrested that person, but they released that person. What kind of message does that send? You know, there are ways to do violence, not just with guns. But I do not know why we take so much time talking about guns when we have got an element out here we are not addressing, the critical activity and prosecuting those people.

That just sends the wrong message, and to go after law-abiding citizens that want to defend themselves under the Second Amendment, it is just really incredible to me that we are not focused on that, Madam Chair, what is really going on in this country, that you send a message to criminals out there that, hey, don't worry. We are going to let you go and you are not going to get prosecuted. That just sends the wrong message. So, we really need to deal with that and not attack our Second Amendment rights.

I yield the rest of my time to Representative Clyde.

Mr. CLYDE. Thank you. Thank you very much to my colleague.

Mr. Busse, in your statement you said that guns pretty much are at the center of radicalized domestic terrorist. Is that right?

Mr. BUSSE. I made a statement similar to that. Yes, sir.

Mr. CLYDE. OK; and then you also said, "In my last month as an industry executive I snapped photos like this," with a photo. "It is a tactical advertisement over the entrance of the Shot Show that weirdly combines Revolutionary War soldiers, a modern AR-15, and the promise of daily gunfights as a business proposition. Then on January 6, 2021, less than a year after I took this photo, these exact components coalesced into a violent mob just a few hundred yards from here."

Were there any AR-15s taken into the Capitol by rioters on January 6th?

Mr. BUSSE. Yes. I believe there was documentation of AR-15s in the mob. I am not sure where they were, location-wise.

Mr. CLYDE. In the Capitol?

Mr. BUSSE. Not to my knowledge, but I have not—

Mr. CLYDE. Not in the Capitol. That is correct.

Mr. BUSSE. Not to my knowledge.

Mr. CLYDE. Were any guns taken into the Capitol, to your knowledge?

Mr. BUSSE. I do not know the answer to that.

Mr. CLYDE. I think the answer to that would be no, there were not. So, I do not really understand how you say these exact components, when you talk about firearms, coalesced into a violent mob just a few hundred yards from here. I cannot quite understand how you get there in talking about firearms and January 6th, where there were no firearms whatsoever in the Capitol, taken into the Capitol by rioters.

Now for Ruger, I would like to ask a question to our good friend, Mr. Killoy, the CEO of Ruger. Thank you for being here today. I understand that you are a West Point graduate and a veteran of the U.S. Army.

Mr. KILLOY. Yes, sir, that is correct. I graduated in 1981, then spent five years on active duty and 15 in the Army Reserve.

Mr. CLYDE. Well, thank you for your service to our Nation, sir. That is quite an impressive record.

Can you tell me, does Ruger sell firearms to law enforcement agencies?

Mr. KILLOY. Yes, Congressman, we sell to quite a few law enforcement agencies directly as well through our network of law enforcement distributors, and Ruger firearms are particularly popular as off-duty or backup guns for many law enforcement sworn officers.

Mr. CLYDE. Thank you; and I want to thank you and your company for being a leader in the gun manufacturing industry. I also want to thank you for being a constitutional business and for the work that Ruger does to make quality firearms affordable to all economies of citizens so they can protect themselves, especially during this time of increasing crime across our Nation. So, thank you to Ruger and its employees.

CHAIRWOMAN MALONEY. The gentleman's time has expired.

The gentlelady from Illinois, Ms. Kelly, is recognized.

Ms. Kelly of Illinois. Thank you, Madam Chair, and the witnesses.

Since 1976, the gun industry has been exempt from oversight by the Consumer Product Safety Commission, despite over 45,000

Americans dying from gun-related injuries in 2020, and over 25,000 so far this year. A teddy bear has more safety oversight than guns do.

Mr. Busse, why would including guns on the Consumer Product Safety Act make them safer?

Mr. BUSSE. I am not an expert on the Consumer Product Safety Act. I am sorry, Congresswoman.

Ms. Kelly of Illinois. But do you think they should be included, like teddy bears and cribs and almost everything else you can name, and guns are exempt?

Mr. BUSSE. I believe that all freedoms, especially the freedom to own guns and the freedom to manufacture and sell guns must be balanced with the commensurate amount of regulation and responsibility, and I think it is up to legislators like you and the other folks on this committee to decide that.

Ms. Kelly of Illinois. Well, I have a bill that would do just that, just this. The Firearms Safety Act would remove the gun industry's exemption under the Consumer Product Safety Act. Having strong safety standards on firearms is critical, and there is no good reason for firearms to be the only consumer product not under the supervision of the CPSC.

I want to shift our focus to gun trafficking. The city of Chicago is often highlighted as an example of why strict gun laws do not work. But what people fail to realize, time and time again, is that over 60 percent of crime guns come from out of state. This happens in other cities as well.

New York City's mayor Eric Adams testified before this committee that the NYPD has taken over 3,000 illegal guns off the street in 2022 alone, many of which were trafficked through the so-called "iron pipeline." Gun manufacturers are often contacted by the ATF to aid in their tracing investigations, following the path of a gun from the manufacturer to the crime scene.

Mr. Killoy, does Ruger take any steps to identify problematic pattern of dealers, or stop shipments of firearms to dealers who sell a disproportionate amount of crime guns?

Mr. KILLOY. Congresswoman, in the case of Ruger we distribute our firearms in what we call a two-step distribution process. We sell to a network of 15 fairly large wholesalers who, in turn—they are all federally licensed firearms licensees. They then sell to the individual retailers, who are also licensees.

So, we do not have visibility into those individual dealers. We sell to that much smaller network of our 15 wholesalers.

Ms. Kelly of Illinois. Thank you.

Mr. Daniel, does Daniel Defense take any steps to identify problematic patterns of dealers or stop shipments of firearms to dealers who sell a disproportionate number of crime guns?

Mr. DANIEL. Congresswoman, we are federally licensed by the ATF to manufacture firearms and we sell our products through federally licensed dealers. We are very good at our ability to make sure that our firearms are transferred legally through legal dealers. If there is a pipeline of guns coming into your district the people who bring those in illegally, that is a crime and those people should be prosecuted.

Ms. Kelly of Illinois. I do not disagree.

Ms. Sampson, in your view do these companies do more to stop illegal gun trafficking, and if so, what could they do?

Ms. SAMPSON. Yes, they could. For starters, manufacturers could be much more vigilant around the distributors and dealers that they sell to. So even if they do not necessarily go directly to a dealer, if they go to a distributor and they realize that that distributor is working with dealers who are selling crime guns over and over again, that should trigger an investigation and perhaps change their business practices.

Another thing that manufacturers could do is change the way that they design their guns. You mentioned consumer product safety. That is a large part of what manufacturers have control over, that dealers and distributors do not have control over. They could do things like chamber load indicators or some of the procedures that would make it harder for someone to use a weapon that does not belong to them, and that would also go a long way to stopping gun crime.

Ms. Kelly of Illinois. Thank you; and last, one last question for Mr. Killoy and Mr. Daniel. We have heard today support for abolishing the ATF. Do you support abolishing the ATF?

Mr. KILLOY. Speaking on behalf of Ruger, no, we do not. We work closely with our regulators and we do not support that.

Ms. Kelly of Illinois. Thank you. Mr. Daniel?

Mr. DANIEL. Yes, I agree with Mr. Killoy. We are licensed manufacturers and we are regulated by the ATF, and we are not in support, at this time, of eliminating the ATF. The ATF is—

CHAIRWOMAN MALONEY. The gentlelady's time has expired.

Ms. Kelly of Illinois. Thank you so much. Thank you to the witnesses.

CHAIRWOMAN MALONEY. The gentleman from Texas, Mr. Sessions, is now recognized.

Mr. SESSIONS. Madam Chairman, thank you very much, and I appreciate you holding this hearing today. I want to thank all five or six of our witnesses that are here today to offer testimony to allow us to get closer to these questions, questions about not just the profits of gun manufacturers but the practices. And the way I see it is, I am delighted that each one of our manufacturers have taken part in today's hearing because, in my opinion, they provide proper elements, things that I grew up with as a young man, hunting, fishing, things that I have chosen to have as a sport, and I am delighted that they are in the United States of America, not just Smith & Wesson, which I carry, but also Ruger is a great product.

Mr. Busse, you have presented yourself as a tried-to-be, and I believe that there is truth to this, you are looking for reasonable opportunities for people to use a gun, as you had stated, but to be consistent with values of not just the law but also of common sense. And I want to thank you for pointing that out. What I want to ask you is if in your analysis of this as an expert before us today, why are so many people buying guns?

Mr. BUSSE. I think there is a myriad of reasons, sir. I think the spike in firearms ownership, if that is what you are referring to, in the last couple of years, has been driven by an uptick in fear, worry in society about conspiracy theory that is driving much of the firearms sales. My particular place of expertise or concern is

the degree to which firearms companies and the political entities that firearms companies are very entwined with are constructing that conspiracy theory and driving it through political messaging.

Mr. SESSIONS. OK. So, there is no reality basis for people seeing or hearing, or seeing in their neighborhood children who are killed by others, people who are robbed, raped, murdered by criminals?

Mr. BUSSE. No, sir. I do not believe that. I think that there are certainly justifiable reasons to purchase a handgun, or, you know, a gun, and to defend yourself. I believe—

Mr. SESSIONS. We are talking about the spike.

Mr. BUSSE. I was talking about much of the spike, yes, and I believe, as with all rights, we are talking about policymaking in the gray area. There is a balance between responsible gun ownership and what becomes irresponsible, and I believe that some of the actions encouraging the things that have driven gun sales have crossed over that line in the last few years.

Mr. SESSIONS. OK. All right. That is a great place to start, and what I would say to you is I believe that the vast number of people who carry, including myself, do so because we believe that we have a God-given right to protect ourselves, which is one of the reasons why I became a life member of the National Rifle Association. I try and conduct myself with training. I try and conduct myself with proper licensing, as I have held that concealed permit license for a number of years and had to be responsible about that.

So, do you think we are talking about criminals or well-balanced people that are improperly, perhaps, as you suggest, maybe not using these weapons that properly?

Mr. BUSSE. I think it is a combination, and I think you bring up a very good point about your concealed carry license. I salute you for adhering to the regulation for that concealed carry license, and I regret the fact that that is no longer necessary for you to obtain.

Mr. SESSIONS. Well, perhaps. I think it is in everybody's best interest to make sure that they are responsible, as you and I both agree here. But I will tell you that I have been driven, and hundreds of my friends, including mostly women, who have been driven to, and perhaps even here as the National Director of Women's Outreach, they would recognize that they do not want to be victims in their own home, and their ability to protect themselves is important.

So, Ms. Okafor, can you please discuss with me why your members purchase firearms?

Ms. OKAFOR. Speaking directly to women, women buy firearms because of self-defense. That is an overwhelming study that that is the reason why most women, particularly women in the last couple of years, buy firearms. It is for self-defense.

And talking more so in regards to the constitutional carry, which is what you were talking about, permit-less carry in Texas, women have found that actually even a better of a policy because now they know that if they decide to get a permit and they want to go through the training involved in that, that they can, but that actually keeps them from having to do so when time permits, when you cannot wait the 60 to 90 days to get a permit from the state to tell you you are able to have—

CHAIRWOMAN MALONEY. The gentlelady's time has expired.

Ms. OKAFOR [continuing]. Concealed carry.

Mr. SESSIONS. I appreciate the gentlewoman helping, but I would say this to the chairwoman.

CHAIRWOMAN MALONEY. The gentleman's time has expired.

Mr. SESSIONS. I want to thank you for having this, what seemingly is a balanced opportunity, and I yield back my time.

CHAIRWOMAN MALONEY. Thank you. I now ask unanimous consent that Representative Schneider be allowed to participate in today's hearing. So ordered.

The gentleman from California, Vice Chair Gomez, is recognized for five minutes.

Mr. GOMEZ. Thank you, Madam Chair. My Republican colleagues say that they are pro-life, yet for nearly three decades they have obstructed any kind of meaningful action to save lives. Where were these so-called pro-life politicians when children were being shot and killed at school? Where were they after Sandy Hook? Where were they after Stoneman Douglas High School? Where were they after Uvalde? They were oftentimes not siding with the children and the victims. They were siding with the killers, and they were siding the gun manufacturers, often voting to try to give blanket immunity to these manufacturers and block renewal of any assault weapons ban. As a result, deaths by gun violence nearly tripled—nearly tripled. Let that sink in.

My Republican colleagues claim to be the party of individual freedom and the protectors of individual freedom when it comes to gun rights, yet not when it comes to abortion, same-sex marriage, contraception, or other individual rights. All of a sudden, it becomes a states' rights issue. And even when they claim to be about states' rights, they do not live up to that when it comes to guns. You know, they oppose any kind of regulation at the state level or at the local level. When they say we cannot impose any kind of restrictions on background checks, on requiring individuals to lock up their guns, to have trigger locks, then they say we cannot do anything to hold gun manufacturers accountable, pretty much giving us no way to reduce gun deaths in this country except by their idea of everybody should have a gun and that is how you reduce gun violence in this country.

We have done it before, when it came to automobiles, when it came to cars. When all of a sudden you see car accidents soar, Congress and states enacted lifesaving safety measures, requiring seat belts, airbags, antilock brakes in new vehicles. And what did you see? Car accident deaths decreased dramatically while gun deaths soared. These gun makers before us today, and Republicans, have done worse than nothing in response. They actually help add fuel to the fire by advertising guns, AR-15s and other weapons, to white supremacists and children. This is what we are dealing with.

Mr. Daniel, you have told my colleagues earlier today that you oppose Federal regulation on gun safety and see gun violence as an issue to be solved locally. So, does that mean you support state laws like those passed in California that ban marketing guns to children and allow residents to sue those who violate state safety standards, produce and sell weapons of war?

Mr. DANIEL. Sir, children cannot buy guns, and I was speaking to the local community taking responsibility of all the people who are involved—

Mr. GOMEZ. So that is a no. So, you basically believe that guns should be marketed toward children.

Mr. DANIEL. We market our guns to adults, law-abiding adults for lawful purposes.

Mr. GOMEZ. Mr. Daniel, I will take back my time.

Mr. Busse, from your experience, if the gun industry thinks their products are not the cause of gun violence, why have they consistently lobbied to exempt themselves from liability and common-sense gun safety regulations, and why have they succeeded, and at what cost when it comes to death and violence?

Mr. BUSSE. Thank you for the question, Congressman. I am greatly distressed at the degree to which the firearms industry has funded a powerful political machine that has fought common-sense, Federal gun regulation at every turn, that is broadly supported by the American public. These things include universal background checks, they include raising the minimum age on the purchase of long guns to 21, and many other things.

The reason that it has been fought is because cranking up the political pressure in this country is a profitable business model for the NRA and other groups that use this topic as a way to divide our society.

Mr. GOMEZ. Thank you. Gun violence is being normalized in our country at the expense of children and families. I have had constituents killed. One was killed in Las Vegas, in the mass shooting. You know, this is something that we have to fight against, because this is not normal. It is not OK, where we have to be in fear of our lives, for our friends and families that go to church, school, a parade. This is something that is not reasonable, and we must—

CHAIRWOMAN MALONEY. The gentleman's time has expired—

Mr. GOMEZ [continuing]. Take steps to lesson gun violence.

Thank you so much. I yield back.

CHAIRWOMAN MALONEY. OK. The gentlelady from New York, Ms. Ocasio-Cortez, is recognized.

Ms. OCASIO-CORTEZ. Thank you, Madam Chair. I would like us to just dive right into it. I have a photo that I would like to pull up for the committee and our witnesses to be able to see. Can we get that pulled up? It is on. OK, perfect.

Mr. Daniel, you are CEO of firearm manufacturer, Daniel Defense. This photograph is from an advertisement featured for your company. I would like to draw your attention to that red tattoo featured in your company's advertisement. Do you know what that tattoo is, Mr. Daniel?

Mr. DANIEL. Madam Congressman, Congresswoman, I am not sure this is our ad. Can you show the whole ad? Is this our ad or someone else's?

Ms. OCASIO-CORTEZ. Yes, this is your ad, Mr. Daniel. This is an advertisement for your company, Daniel Defense.

Mr. DANIEL. Why is the branding not in the photo, ma'am.

Ms. OCASIO-CORTEZ. No worries. No worries. So, this is featured prominently in your advertisement, that tattoo. You have indicated

that you do not know what it is. Ms. Sampson, as an expert in this area, can you briefly tell us what that tattoo is?

Ms. SAMPSON. That is a Valknot and it's a symbol that has been increasingly embraced by white supremacists.

Ms. OCASIO-CORTEZ. So, Mr. Daniel, you may or may not know but your company's advertisements prominently displays iconography associated with white supremacist movements. You can also find it in this other photo that I will be pulling up right now. Right there, from January 6th, you can see the Valknot right there on this gentleman's chest.

Mr. Daniel, yes or no. Are you aware that your advertising department uses imagery affiliated with white supremacist movements in its marketing materials?

Mr. DANIEL. No, ma'am. I do not think we do. I do not—

Ms. OCASIO-CORTEZ. Reclaiming my time. Thank you. I apologize. I just have to move quickly to fit these questions in.

Mr. DANIEL [continuing]. Show me the whole ad—

Ms. OCASIO-CORTEZ. Mr. Busse you are a former—reclaiming my time. Mr. Busse, you are a former firearms executive. Do you think that the use of this kind of imagery is welcomed and encouraged in marketing for the firearms industry, as a former executive yourself?

Mr. BUSSE. I do not think it is welcomed and encouraged but I think it is looked away from, and I think that there is an aura and an approach in the industry where any single gun customer is good, no matter how detestable their views or their actions may be. I saw dozens of examples through my career of the acceptance or looking away from racist things. I think that is different than seeking it out, but I do not think it is properly controlled or addressed.

Ms. OCASIO-CORTEZ. So, in your experience you believe that a lot of gun manufacturers may turn a blind eye to these kinds of instances.

Mr. BUSSE. Yes, Congresswoman, that is correct. I think they turn a blind eye because the industry has, within its DNA now, the belief that any single new gun owner is good, no matter what they do or how they market. That is why you heard earlier the representatives from Ruger and Daniel Defense, both of them have sat on the NSSF board, would refuse to condemn the ads.

Ms. OCASIO-CORTEZ. Thank you, Mr. Busse. The toxic marketing does do enormous harm. We have seen the results with white supremacists using these weapons to target and kill Black Americans shopping for groceries in Buffalo, attending church in Charleston, targeting Jewish communities in Tree of Life.

And Mr. Daniel, once again, as the CEO of Daniel Defense, yes or no, do you believe that members of identified extremist hate groups such as the Proud Boys or Oath Keepers should be able to purchase the AR-15 style rifles that your company sells?

Mr. DANIEL. Congresswoman, we are regulated by the ATF, through laws which you passed. We are very good at only—

Ms. OCASIO-CORTEZ. Thank you. I apologize. I just have a limited amount of time. Thank you.

Turning it to you, Mr. Killoy, you are a board member, a CEO of Sturm, Ruger & Company. You are a board member of the National Shooting Sports Foundation. Mr. Daniel, you are also a

board member of the NSSF. Mr. Killoy, Palmetto State Armory is a firearms company that is a member of the NSSF. Now I would like to pull up another photo. As member of the foundation that you are in, right here, Palmetto State Armory has used imagery clearly designed to appeal to the FBI-identified far-right domestic terrorist threat, Boogaloo Bois, with products such as this AK-47 style pistol designed in the same floral pattern that is often used by these group members to identify one another.

Mr. Killoy, as a board member of the NSSF, do you condemn marketing firearms to identified extremist groups such as the Proud Boys or Oath Keepers or Boogaloo Bois? Yes or no, do you condemn your industry explicitly marketing materials to domestic terror threats?

Mr. KILLOY. Congresswoman, the National Shooting Sports Foundation does not control individual member companies or their ads, and I take exception—

Ms. OCASIO-CORTEZ. This is a member of your foundation, Mr. Killoy.

Mr. KILLOY [continuing]. But I take exception to the fact that, you know, I can assure you we do not tolerate racism or white supremacy, in anything we do—

Ms. OCASIO-CORTEZ. Do you condemn marketing these materials—do you condemn marketing these materials to the Proud Boys, Oath Keepers, or Boogaloo Bois? That is all, Madam Chair. Simply a yes or no.

Mr. KILLOY. Congresswoman, I did not know that that was—I had never seen that ad before and I did not realize that is what it was tied to. I am not an expert in that field, and it is not our ad.

Ms. OCASIO-CORTEZ. So, you do not have an answer.

CHAIRWOMAN MALONEY. The gentlelady's time has expired.

Ms. OCASIO-CORTEZ. Thank you.

CHAIRWOMAN MALONEY. The gentleman from California, Mr. DeSaulnier, is recognized for five minutes.

Mr. DESAULNIER. Thank you, Madam Chair, and thank you for your leadership on this.

Starting with Sampson and then Mr. Busse, if you could comment on the extraordinary cost to Americans for gun violence in this country. First I want to refer to a GAO report from last year that the chair asked for, that has been covered, including an article in *The New York Times*. It estimated that cost of gun violence is over \$1 billion, at the very least, just in terms of medical costs to Federal taxpayers. Sixty percent of these medical costs are paid for through Medicare, Medicaid.

Then on another just recent, by Everytown Research, the numbers are really sort of staggering to a broader study, titled "The Economic Cost of Gun Violence"—\$557 billion annually, comparable to 2.6 percent of U.S. gross domestic product.

So, compare those numbers for me, based on \$3 billion worth of profits, and I take it that is after-tax profit, as reported by Trace, for gun manufacturers. To me, this is a huge subsidy in addition to the horrible pain and suffering, but just from a financial standpoint.

So first, Ms. Sampson, particularly for the Everytown report but also the GAO and other reports, could you add your comments to the cost of gun violence to American taxpayers?

Ms. SAMPSON. Thank you, Congressman. I think, as you called it, it is a sort of subsidy because at the same time that American taxpayers are bearing not just, obviously, the emotional costs in terms of trauma and death, but also financial costs of gun violence, the gun violence epidemic. The gun industry is continuing to make profit, and then they use the violence that they, in part, facilitate to market to people to tell them that they need to have even more weapons.

So, as we hear a lot of talk about self-defense, for example, well, a lot of people want to defend themselves because they are afraid of being shot by people who should not have weapons. And rather than making sure that make the industry accountable for allowing people to have weapons that they should not have, they just continue to fuel that market. So, they are able to evade responsibility, they are able to evade transparency, and they are able to evade oversight, all while putting the costs of that on American taxpayers and on Americans themselves who die as a result of that misconduct and irresponsibility.

Mr. DESAULNIER. Thanks, Ms. Sampson. Mr. Busse?

Mr. BUSSE. I think that most responsible gun owners want to be a part of the solution and do not want to be a part of the problem, and we need to rebalance those scales. So, to the degree to which irresponsible activities or insufficient regulation is leading toward costs of gun violence. I believe through my own experience that responsible gun owners want to play a part in being a solution to that.

Mr. DESAULNIER. Mr. Busse, I want to talk to you a little bit about having been in elected office in California for a long time and very active in violence prevention programs from a public health standpoint. There is a survey in *The New York Times* recently about just comparing states with evidence-based research, gun violence prevention, and the collective effect they have. So, in California, our laws, some of which I have authored at the local and state level, you are 25 percent less likely to be a victim of gun violence. If you are a young person, you are 35 percent less likely to be involved in a school shooting.

So, the gist of that to me in the evidence-based research that, particularly, we have funded in California, at the University of California at Davis and their Violence Prevention Program, not just guns, but also, in this instance, these policies work, and you are less likely to be harmed by guns if we have these initiatives. Giffords has done a wonderful job, I think, of comparing that internationally. Could you speak to that and anything you would like to add in the time I have got left, Mr. Sampson?

Mr. SAMPSON. Thank you, Congressman. I think that you are correct, and I would like to take issue with some of the statements I have heard here from other representatives today telling us that gun laws don't work or that they won't be applied to anybody but criminals. I would like to take your example and apply it to two recent shootings: the Uvalde shooting and the Buffalo shooting. In both of those cases, the shooters waited until they were 18 to pur-

chase the guns. They didn't purchase them when they were 16-and-a-half. They didn't purchase them when they were 17 and three-quarters. They waited until they were 18. Why is that? Because the law said they couldn't purchase them until they were 18. So, to your point in California and to those cases, the fact is that the laws impact the way people purchase and use guns, and we need to, as a responsible society, and you, as a governing body, need to take that into account.

CHAIRWOMAN MALONEY. The gentleman's time has expired.

Mr. DESAULNIER. I yield back, Madam Chair.

CHAIRWOMAN MALONEY. Thank you. The gentlelady from California, Ms. Jackie Speier, is recognized for five minutes.

Ms. SPEIER. Thank you, Madam Chair. I find this hearing to be both edifying and very painful. Mr. Killoy, in your testimony, you made the assertion that modern sporting rifles are not inherently more dangerous than other popular firearms. Is that true? Is that what you said?

Mr. KILLOY. I think that is paraphrasing, but, yes, Congresswoman.

Ms. SPEIER. So, I don't know if you took the time to listen to the hearing we had on Uvalde and the families that appeared, and the pediatrician who went to school at Robb Elementary and is very committed to the community. He went into that morgue. Not the morgue. He went into that emergency room, and one of the children was decapitated. The other child's body was in shreds and could hardly be identified. How can you say that that is a sporting rifle?

Mr. KILLOY. Congresswoman, respectfully, obviously the events in Uvalde are tragic on so many levels, but to blame the firearm, it is a semiautomatic firearm. Semiautomatic firearms have been around since 1885 when they were first invented, many of them in larger calibers than the .223 caliber that is used in modern sporting rifles typically. Again, it is an inanimate object used by a wicked—

Ms. SPEIER. All right. But it is a weapon of war, Mr. Killoy, and no matter how you want to sugar coat it, it decapitates people. It shreds their bodies. It is not a gun you use as, you know, a sporting rifle to shoot a deer.

Let me move on. The Protection of Law Commerce in Arms Act, PLCAA has really had the effect of robbing the American people of a mechanism to ensure the gun industry is protecting American consumers. We pass laws all the time to protect consumers that manufacturers find distasteful or costly, whether it is airbags or seatbelts. If a product is unsafe or could easily be made safer, we take action. Now, Ms. Sampson, how many Americans die in accidental firearm accidents every year?

Ms. SAMPSON. There are about nine per day. I am not sure what that adds up to in a year.

Ms. SPEIER. Nine per day of deaths that could be avoided with any kind of safety mechanism applied. How many of those deaths are children?

Ms. SAMPSON. I am not sure. I think it is nine children per day. I am sorry about that.

Ms. SPEIER. Nine children per day that are tragically killed because they were playing with a firearm that was loaded. Correct?

Ms. SAMPSON. Yes.

Ms. SPEIER. The SEC filing for Ruger says that firearm preference can be “driven by deeply personal views” and “many pistol shooters do not like magazines that have a disconnect feature.” In fact, even when you make handguns with magazine disconnects, they are easy to circumvent. There are multiple guides on how to remove the magazine disconnect. Mr. Busse, what do you make of the argument that a consumer’s personal views about how a handgun feels should trump the risk that a child might accidentally shoot herself?

Mr. BUSSE. Well, these are the questions that legislative bodies, such as this, need to wrestle with for the good of society. There is a use for a handgun obviously, and there is a need for things to be safe. As you noted, we have wrestled with these things in cars, and cigarettes, and everything else through the history of our country.

Ms. SPEIER. I am going to show you this pink AR rifle, obviously being promoted for girls, I guess, to use. There appears to be a systematic effort under way by many of you as manufacturers to promote having children get engaged in wanting to have guns. Is that your newest market? Any of you can answer that. Do you see that as a market that is untapped?

Mr. KILLOY. Congresswoman, I think what is appropriate in the topic of firearms and children is properly training and educating children at age-appropriate levels to handle firearms safely, to understand that used improperly, they are danger to themselves and others, and to leave it alone and not let their curiosity get the best of them. That is one of the reasons Ruger has supplied over 25 million locks in the last few decades—

CHAIRWOMAN MALONEY. The gentlewoman’s time has expired.

Mr. KILLOY [continuing]. To keep our firearms out of unauthorized hands, like children.

Ms. SPEIER. Thank you. My time has expired.

CHAIRWOMAN MALONEY. The gentlelady from Michigan, Mrs. Lawrence, is recognized for five minutes.

Mrs. LAWRENCE. Thank you, Madam Chair. My colleague on the other side used a term that I hear frequently when we start talking about gun violence in America, and he said, “my God-given right.” I was raised in the church, I attend church, and I read my Bible personally. I would welcome any person to find the scripture where God said you shall own a gun. I would welcome anyone to show me where God declared that owning a gun is your right. I do pray for my colleagues.

To own a gun in America is a constitutional right, but just like any other situation that arises in America, when we get to the point of it being a pandemic, an epidemic, where the death of children in America, the No. 1 cause is a gun, my goodness, aren’t we intelligent enough in America to embrace this challenge? If I hear another hypocrite stand up and say “my thoughts and prayers” while parents are grieving, and standing, and bearing children. And we have this debate about abortion, “oh, I care about the children,” but you embrace, promote, and make money off of guns that

are killing our children. Can you at least have a conversation about your right to own a gun and gun violence in America?

Mr. Busse, gun manufacturers, can they buy advertisement on social media platforms like Twitter or Facebook? “Yes” or “no.”

Mr. BUSSE. I believe there are varying rules from those social media platforms, but gun companies do advertise aggressively through social media platforms through their normal posting accounts.

Mrs. LAWRENCE. The answer is, no, they are not supposed to, but you are correct, the gun manufacturers use social media to sell their product. So, even though these companies are not allowed to advertise directly on the platform, they have social media accounts that they can use to promote their products. The now infamous Daniel Defense ad depicting a child holding a semiautomatic weapon was posted on Twitter. The company has since deleted the picture after an uproar, after the Uvalde massacre; and the picture I post here, they use this, a gun manufacturer. I want to ask Mr. Daniel, why did your company remove this post from Twitter?

Mr. DANIEL. Congresswoman, this ad is about parents teaching children gun safety, teaching them—

Mrs. LAWRENCE. Why did you take it down, sir?

Mr. DANIEL [continuing]. Teaching what a gun is, and when they—

Mrs. LAWRENCE. Why did you take it down, sir? Answer the question, please.

Mr. DANIEL. Yes, ma’am. We took this ad down, although it had a good message. We took it down because children had just been killed and we didn’t think it was appropriate to—

Mrs. LAWRENCE. It wasn’t appropriate. Isn’t that ironic that you, who used this picture on social media personally as a company, decided it was inappropriate? The next thing I want to ask you, Mr. Daniel, there is never a right time to post a photo like this, and the fact that the photo should have never been taken. This is not a traditional advertisement, but in 2022, social media posts are indeed advertisements. Mr. Sampson, why is gunmakers’ use of social media concerning to you? “Ms.,” I am sorry.

Ms. SAMPSON. Those posts are important because firearms are a consumer product, and so consumers are going to be susceptible to advertising, and the messages impact them. One of the biggest messages that we haven’t talked about yet is gun manufacturers’ claims that guns will make people safer. We have heard a lot about self-defense, for example, when, in reality, bringing a gun into your home makes it more likely that you or someone in your home will be harmed by that gun rather than using it to defend yourselves.

So, Americans are looking for answers as to how to keep themselves safe, and these social media posts that suggest, for example, that if you want safety, you should bring a firearm into your home, or if you want safety, you should walk around the streets armed with an AR-15 can mislead the public. That is why it is important.

Mrs. LAWRENCE. Thank you. We at a time, we had the Wild, Wild West where every American walked around with a gun. And supposedly through education, through compassion, and experience, we learned that this was not. In our Constitution, it is clear

that we did not have a police department. We did not have an organized, funded body that is in place to protect us. So again——

CHAIRWOMAN MALONEY. The gentlewoman's time has expired.

Mrs. LAWRENCE [continuing]. I want to give a Bible to every one of my colleagues and have a prayer session with all of them. Thank you. I yield back.

CHAIRWOMAN MALONEY. The gentlelady yields back. The gentleman from Georgia, Mr. Carter, is now recognized.

Mr. CARTER. Thank you, Madam Chair, for allowing me to waive on to this committee, and thank all the witnesses here. You know, it is real easy to profile and just say, oh, you are a gun manufacturer, you are an awful person, terrible person, but that is not always the case. In fact, that is never the case. I just want to make sure you understand, Daniel Defense is one of the major employers in my district that I have the honor and privilege of representing in the 1st congressional District of Georgia. They provide many jobs, many well-paying jobs in our community, and they are great jobs, great jobs that provide people with the opportunity to produce a great product, and to be reimbursed for that product and for the fine work that they do. Mr. Daniel, before I get into a couple of questions, I noticed that you have been asked time and time again during this hearing about some ads involving children, and you haven't really had the opportunity to respond to them about the intent. I want to just give you that opportunity if you wanted to comment on some of those ads, and what exactly you had in mind when you were doing that.

Mr. DANIEL. Thank you, Congressman. This photo was taken by a parent who was teaching their child what a gun was. As you notice in the photo, the parent's hand was right in the photo. The gun was unloaded. This child was being taught that you can't touch a gun without an adult. This is personal responsibility that I have been trying to talk about. Parents must teach your children how to handle firearms properly. Just as you would teach child not to get behind the driver's seat of a car, and crank it, and drive away, we must teach children to be safe with firearms.

Mr. CARTER. Mr. Daniel, as I know all too well, your company has been very involved in the community and in our district. In fact, I believe you sponsor a number of high school teams, shooting teams, and you are involved in youth groups like that. Is that true?

Mr. DANIEL. Yes, sir. We actually started a foundation called Double D Foundation. The purpose of the foundation is to help train young people how to use firearms safely and how to compete with firearms.

Mr. CARTER. It would be easy to just profile, as I said earlier, and label you as an awful person who is just trying to get guns into the hands of kids, but quite the opposite. You are trying to teach safety and actually helping young people. Wouldn't you agree?

Mr. DANIEL. Yes, sir.

Mr. CARTER. Well, let me ask you this. You bought this company. Is that right?

Mr. DANIEL. What was the question, sir?

Mr. CARTER. How did this company get started? Daniel Defense.

Mr. DANIEL. Sir, I started shooting with an AR-15 and a handgun in the late 90's as I had grown up hunting, but never done any

self-defense training. I had an AR-15 and a handgun, and I started training for self-defense, and I realized how effective the AR-15 was for self-defense. I wanted some parts for the guns that I had that nobody made, and I talked to the company, and they would not make the four parts that I needed. I talked them into making a hundred, and I would have to sell 96 to get the four parts I wanted. Those were the first parts we sold in 2001, and then we sold the very first gun that we made in 2009.

Mr. CARTER. And how many people do you employ now in your business?

Mr. DANIEL. About 400 people, sir.

Mr. CARTER. So it went from a company that you started in your garage, from what I understand, to where you are providing for 400 families.

Mr. DANIEL. Yes, sir. That is correct.

Mr. CARTER. Not only that, but also teaching safety to children, to young people, and giving them the opportunity to compete, and to learn, and to really grow. Is that true?

Mr. DANIEL. Yes, sir, and to become responsible adults and know how to handle firearms.

Mr. CARTER. Well, tell me very quickly, what does a job at Daniel Defense look like? I mean, tell me about the typical job at Daniel Defense.

Mr. DANIEL. We are vertically integrated, so we manufacture almost every part in the gun. So, there are all types of manufacturing jobs, all types of engineering jobs, all types of manufacturing engineering jobs. You know, we do everything here, assembly jobs. We are very diverse in the jobs that we offer, and we are one of the highest-paying employers. We are the highest in our county and one of the highest in our region.

Mr. CARTER. Well, thank you, Mr. Daniel, for your commitment in our community, and thank you for being a witness here today, and I yield back.

CHAIRWOMAN MALONEY. The gentleman yields back. The gentleman from Illinois, Representative Schneider, is now recognized.

Mr. SCHNEIDER. Thank you, Chairwoman Maloney, and thanks to the committee for allowing me to waive on to this committee today. We are having this very important hearing. Before I start, let me just ask a couple of questions. Maybe I will start with Mr. Daniel real quickly. What does "M&P" stand for?

Mr. DANIEL. Excuse me, sir?

Mr. SCHNEIDER. What does "M&P" stand for?

Mr. DANIEL. Are you talking about for Smith & Wesson or—

Mr. SCHNEIDER. Yes. In marketing, when we are talking about a gun, what does "M&P" represent?

Mr. DANIEL. I think Smith & Wesson uses "M&P" for "military and police."

Mr. SCHNEIDER. Thank you. Mr. Busse, maybe I will ask you this question. I am not a hunter, but a followup shot in hunting, what is that typically when someone is deer hunting?

Mr. BUSSE. A followup shot in hunting, well, a followup anywhere is a second shot on something.

Mr. SCHNEIDER. Yes, and if you are deer hunting, if you are lucky, how many shots might you get at a deer? If you hit it or miss the first time, how many followup shots are you going to get?

Mr. BUSSE. Well, you shouldn't miss, but, I mean, a typical deer hunter may get one more maybe.

Mr. SCHNEIDER. All right. So, the idea of a gun that can fire 83 shots in just a couple of seconds for deer hunting, that doesn't make a lot of sense.

Mr. BUSSE. Not only doesn't it make a lot of sense, in many states that is prohibited by law.

Mr. SCHNEIDER. All right. As I understand it, in fact, in some places, you can only have 3 or 5 bullets in your gun when you are deer hunting.

Mr. BUSSE. That is correct, yes.

Mr. SCHNEIDER. So, I am not only here as a representative, but I am a resident of Highland Park, which as you know and we talked about it today, had a horrible mass shooting at the 4th of July parade. Like many residents, I joined thousands of families as we waited for the Independence Day parade, when a single deranged man climbed a ladder to a rooftop and monstrosly opened fire on the crowd from above. In less than a minute, he fired 83 shots from an AR-style Smith & Wesson M&P 15 semiautomatic rifle military and police—not hunting—military and police rifle, murdering seven and wounding dozens more. What should have been a joyful celebration ended in tragedy and trauma for an entire community, and his intent was to kill many more.

Mr. Daniel, in your testimony, you mentioned that these shooters go after soft targets. Our parade ground was not a soft target, per se. It wasn't a gun-free zone. The police were there. First responders were there. In fact, they were heroes. But the shooter was able to fire off his bullets so fast, that they couldn't even identify from where they were coming from. We heard from some of those victims today about how their families were shaking, their friends were injured, and their sense of safety, our safety, was forever broken. I want to thank the many victims who shared their story, and I commend their bravery for speaking out. Without an assault weapon, the shooter in Highland Park would likely not have inflicted the extreme carnage we experienced.

The "M&P" stands for, as you said, "military and police," and yet Smith & Wesson markets and sells these weapons of war to civilians, like the monster who murdered seven people. His intent was to kill many more. These weapons were designed to massacre. For that reason, I have been talking to my colleagues about the importance of voting for H.R. 1808, a bill that would reinstate the Federal ban on selling these assault weapons. While I would like to address Smith & Wesson brands on their role in the Highland Park shooting today, unfortunately they are not here.

Mr. Daniel, let me turn to you. Your company, Daniel Defense, as you mentioned, has grown. It is one of the leading voices in marketing assault weapons to civilians. In one of your ads, you use the slogan, "Use What They Use," showing that you know these weapons are designed—"they," I assume, being the military—that they are designed for war, but using them in a civilian role, all the

same. You posted that photo we have talked about of the toddler holding a gun. I understand why you took it down.

But, you know, I have a degree in business from Kellogg School at Northwestern, a marketing school. We know the power of marketing, especially the power of marketing to young people, whether it is cereal, or cigarettes, or, in this case, guns. Given that you apparently are knowingly marketing to young people and you know that these young people, in particular, their weapon of choice is the assault weapon, the AR-15, why do you think companies should be shielded from liability if a weapon marketed to a young person and is used by young person to massacre a community, whether it is Uvalde, Buffalo, Highland Park, or any of the other countless names that have already experienced these tragedies?

Mr. DANIEL. Congressman, we market and sell our products to law-abiding citizens who are adults. We cannot sell firearms to children.

Mr. SCHNEIDER. So— but the marketing to young people creates the market. We know marketing works. That is why companies spend millions and billions of dollars selling everything from make-up to cereal, as I talked about, to cars, and imagery matters; and the connection to the military for these young people, it is not for hunting. You don't take these weapons to go and hunt deer or do fowl hunting.

CHAIRWOMAN MALONEY. The gentleman's time has expired. The gentleman may answer the question.

Mr. DANIEL. What was the question?

Mr. SCHNEIDER. It was more of a comment, so I yield back the balance of my time.

CHAIRWOMAN MALONEY. The gentleman yields back. Before we close, I want to offer the ranking member an opportunity to offer any closing remarks he may have. Ranking Member Comer, you are now recognized.

Mr. COMER. Thank you, Madam Chair, and I want to thank our witnesses who are here today. I especially want to thank Ruger and Daniel Defense who are here today for manufacturing, and employing, and making an investment in the United States. That is an issue that we are trying to focus on in Congress, trying to keep manufacturing in the United States.

You know, the Democrats talk a lot about the hundreds of mass shootings in America committed by criminals who are either immediately arrested or killed on the spot, but they say nothing about the 100,000 people who have died of fentanyl overdoses, overdoses that came at the hands of illegals who crossed our unsecured border. Liberals have passed the most strict gun laws in America in cities like Chicago, New York, and Washington, DC, yet these cities continue to have the highest rates of gun violence.

Banning guns from law-abiding citizens is simply not the answer. Republicans will never turn our back on the Second Amendment. So, let's focus where there is consensus among both parties because you can't legislate against evil. If you could, I think this would be 535 votes in favor of legislating against evil. But we can focus and fund better security at our schools, we can fund and focus on better mental health awareness and detection, and for goodness sakes, we can fund our police.

Hopefully, the American people are seeing what happens when we have lax prosecutors. I think we have seen what happens in places like San Francisco, which is probably the most liberal city in the United States. They had a recall of their local prosecutor because the American people will not tolerate letting criminals out in the name of criminal justice. So, I think there are many areas where both parties can come together to focus on achievable solutions, and I am willing to do that, Madam Chair. With that, I yield back.

CHAIRWOMAN MALONEY. The gentleman yields back, and I recognize myself for a closing statement.

Today, for the first time in recent history, gun industry executives testified to Congress about their business practices. I was sincerely hoping that they would use this opportunity to acknowledge their role in the violence plaguing our Nation, to apologize to the families who are here with us today who have been devastated by their products, and to agree to stop selling the most dangerous weapons. Sadly, they refused.

Mr. Daniel, the CEO of Daniel Defense, blamed gun violence on the decline of what he called personal responsibility, but when I asked about his own responsibility for selling guns to mass murderers, he claimed that these shootings are just a local problem. The CEO of Ruger, Mr. Killoy, was asked if his company would take the basic step of tracking the crimes that are committed with the guns he sells like other manufacturers. His answer was, "That is not my job." The third one that we invited didn't even bother to show up. That is why I intend to seek additional documents from that company by subpoena.

It is no secret why gun CEOs are so desperate to avoid taking responsibility for the deaths caused by their products. Our investigation found that these companies made over a billion dollars selling assault weapons in the last decade. They are choosing their bottom line over the lives of their fellow Americans. Since it is clear that the gun industry won't protect Americans, Congress must act. We must ban weapons of war from our communities. We must repeal the immunity from lawsuits that gunmakers enjoy, unlike every other industry in America, and we must finally hold the gun manufacturers to account.

This hearing is not the end. Our committee will continue our investigation, and I will keep fighting for commonsense gun safety laws. This is a fight we must and will win, and I yield back.

I now recognize myself for a closing adjournment.

I want to thank our panelists for their remarks. I want to thank the families that are here with us today, too. I want to commend my colleagues for participating in this important conversation.

With that, without objection, all members have five legislative days within which to submit extraneous materials and to submit additional written questions for the witnesses to the chair, which will be forwarded to the witnesses for their response. I ask our witnesses to please respond as promptly as you are able.

CHAIRWOMAN MALONEY. This meeting is adjourned.

[Whereupon, at 3:40 p.m., the committee was adjourned.]

