

## **FIREARM FREEDOMS DO NOT END DURING EMERGENCIES**



### **THE FIREARM AND AMMUNITION INDUSTRY IS PART OF THE NATION'S CRITICAL INFRASTRUCTURE AND MUST NOT BE FORCED TO CLOSE DURING DECLARED EMERGENCIES**

During times of national or local crisis, lawmakers must ensure Constitutional rights are protected. The Second Amendment ensures the right to keep and bear arms. When there are emergency situations, such as violent protests, natural disasters, or pandemic outbreaks, Americans must be able to defend themselves, their loved ones, and their property.

Under a federal law signed by President George W. Bush (Public Law 109-295), citizens are protected from federal officials confiscating lawfully-owned firearms during a declared emergency. State and local governments must enact protections for the Second Amendment to

guarantee their constituents do not face a loss of crucial rights when they are most necessary. These protections include laws that ban governments from confiscating lawfully-owned firearms and ammunition, or from preventing the legal manufacture of, commerce in, possession of or transport of firearms and ammunition during a declared state of emergency. Many states already prohibit restrictions on firearms and ammunition during emergencies, including Arizona, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nevada, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, Wisconsin, Wyoming. NSSF will continue to work with legislatures across the country to increase that number and expand protections

for the firearm industry, including making sure these crucial businesses are allowed to remain open during declared emergencies.

### **THE FIREARM INDUSTRY IS COMPRISED OF ESSENTIAL BUSINESSES**

The firearm and ammunition industry is proud to provide the U.S. military and federal, state and local law enforcement agencies with the tools they need to carry out their vital national security and public safety missions. Particularly during times of social instability, it is imperative that we maintain a strong national defense and maintain public order.

The U.S. military acquires virtually all its small arms from domestic commercial firearm manufacturers. All handgun ammunition used by the military is sourced from commercial ammunition manufacturers. The Department of Defense arsenal located in Lake City, Missouri, is operated by a commercial ammunition manufacturer under a federal contract and produces most of the rifle ammunition used by the military. The military also purchases rifle ammunition directly from domestic commercial ammunition manufacturers. It is clear the federal government recognizes the importance of ammunition and firearm manufacturing in times of crisis. During the 2020 COVID-19 pandemic, the firearm and ammunition industry was deemed essential by the Department of Homeland Security's Cybersecurity and Infrastructure Security Agency (CISA).

Retail members of the firearm and ammunition industry provide

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### **IMPORTANCE OF INDUSTRY DURING CIVIL UNREST**

History has demonstrated that law enforcement turns to firearm retailers in times of civil unrest, such as when during the Los Angeles riots in 1992 local law enforcement went to retailers to obtain more effective firearms in order to restore the peace and protect residents and local businesses.

Lawmakers cannot expect law enforcement to do its job of serving, protecting, and defending our communities without making sure they have access to the tools they need and which our industry provides. Our industry's manufacturers, distributors and retailers are a vital part of ensuring public safety.

federal, state, local and tribal law enforcement agencies with the firearms and ammunition products they use to protect our communities and keep the peace. While large law enforcement agencies typically obtain the firearms, ammunition, and related products directly from manufacturers, most law enforcement agencies and their officers obtain firearms and ammunition from their local federally licensed firearms retailers. The industry primarily functions on a traditional two-step distribution system whereby retailers generally acquire firearms from federally licensed wholesale distributors. In addition, many law enforcement officers supplement their income by working at firearm retailers.

## **SECOND AMENDMENT – THE RIGHT TO KEEP AND BEAR ARMS**

Food, water, shelter and adequate medical care are paramount for survival, but so too is the ability for an individual to defend his or herself, their family, as well as their home, business and property.

The firearm and ammunition industry is essential for law-



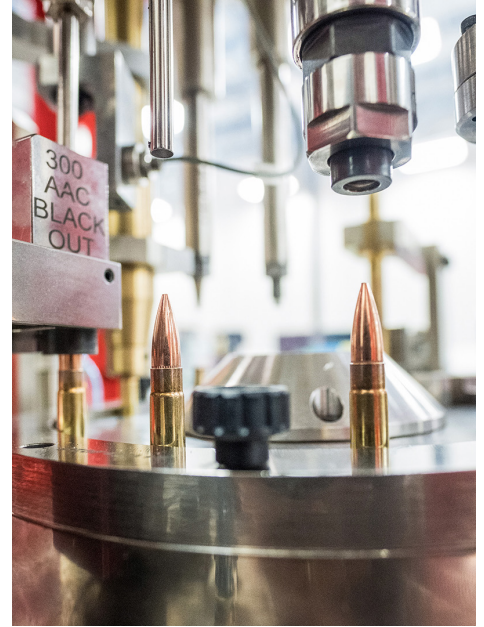
abiding Americans to exercise their Second Amendment right to acquire a firearm and ammunition for personal protection and home defense. During the COVID-19 crisis and subsequent violent protests across America, tens of thousands of citizens lined up at their local federally licensed firearm retailer to purchase firearms (after an industry-supported background check) and ammunition to protect themselves

and family during this uncertain time. Law enforcement resources were taxed and stressed thin. Although violent crime rates appear to have dropped significantly during the pandemic, Americans increasingly understand that they cannot always rely on law enforcement to be there in a time of need. They have a duty to be responsible for their own safety. The Second Amendment protects each law-abiding American's God-given right to self-defense. And, the lawful commerce in firearms and ammunition products is constitutionally protected. Without the firearm industry, the right to keep and bear arms would be a mere illusion.

Unfortunately, as with past major disasters like Hurricane Katrina, some state and local jurisdictions ordered federally licensed firearm retailers to close their stores as "non-essential" businesses. For example, the Santa Clara and Contra Costa counties and the City of San Jose in California quickly ordered firearm retailers to close as part of their COVID-19 shutdown orders. States including New Jersey, Pennsylvania and Massachusetts all attempted to order firearm retailers to close, before court cases encouraged or compelled the states to allow retailers to operate under safe guidelines.

The line of customers outside of firearm retailers across America in the most recent times of crisis is testament to the fact that Americans believe the ability to exercise their constitutional rights protected by the Second Amendment is essential. Law abiding citizens owning firearms for their own protection assists law enforcement and aids in keeping the peace.

Further, the psychological impact of having firearm retailers and manufacturers shuttered should not be underestimated. Americans are concerned that in a time of crisis, they will not be able to protect themselves, their families, or their property. Allowing for retailers to be forcibly shuttered will only serve to fuel this fear unnecessarily. The firearm and ammunition industry is



present in every community. We know first-hand the importance of ensuring that families can focus on what is important during an emergency: following government guidance to keep themselves and their loved ones safe. Even for those who choose to not purchase firearms or ammunition during a crisis, allowing these essential businesses to remain open, while abiding by crisis-specific guidelines, demonstrates that Americans are not going to be deprived of their right to bear arms.

In addition, shooting ranges, both public and private, are also essential to public safety and the exercise of the Second Amendment. Shooting ranges are where firearm safety education is taught to new and inexperienced gun owners. It is also where law enforcement officers typically train to be proficient with their duty weapon. And, members of the military also frequent shooting ranges to train before they deploy to defend our nation.

Whether it is providing firearms or ammunition to military, law enforcement, and law-abiding citizens or ensuring that they have access to shooting ranges for training, the firearm industry is a critical component of our nation's security, public safety, and economic well-being. State and local lawmakers must ensure the industry remains open for business during times of emergency.