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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CALEB BARNETT, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	No. 3:23-cv-209-SPM
)	
KWAME RAOUL, et al.,)	
)	
Defendants.)	

The deposition of SALAM FATOHI, called by the Defendant for examination taken pursuant to the Federal Rules of Civil Procedure of the United States District Courts pertaining to the taking of depositions, before Valerie Calabria, CSR, RPR, taken at 330 North Wabash Avenue, Suite 3300, Chicago, Illinois, on May 22, 2024, at 9:08 a.m.

Page 2

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 * * * * *
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 License No.: 084-003928

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1 (Witness duly sworn.)
 2 SALAM FATOHI,
 3 called as a witness herein, having been first duly
 4 sworn, was examined and testified as follows:
 5 EXAMINATION
 6 BY MR. WELLS:
 7 Q. Could you state your name for the
 8 record, please.
 9 A. Salam Fatohi.
 10 Q. Can you spell it, please.
 11 A. S-a-l-a-m, as in "Mike," F-a-t-o-h-i.
 12 Q. So my name is Chris Wells. We met for
 13 the first time today.
 14 A. Yes.
 15 Q. I'm an attorney with the Illinois
 16 Attorney General's Office, and I represent the
 17 governor of Illinois; the attorney general of
 18 Illinois; and the director of the Illinois State
 19 Police, Brendan Kelly.
 20 Have you testified in a deposition
 21 before?
 22 A. I have provided testimony before, but I
 23 believe this is the first time I'm providing
 24 deposition -- or being deposed, yeah.

Page 6	<p>1 Q. Where have you testified before?</p> <p>2 A. In Oregon for NSSF's challenge to -- I</p> <p>3 think it's Motion 114 or something 114. I forgot</p> <p>4 the exact name, but it was 114.</p> <p>5 Q. Was that in-court testimony?</p> <p>6 A. Yes.</p> <p>7 Q. So although we're not in court today,</p> <p>8 you were just sworn in. So you're under oath.</p> <p>9 A. Yes.</p> <p>10 Q. And it's like you're in court. Do you</p> <p>11 understand that?</p> <p>12 A. I do understand.</p> <p>13 Q. Great. And like in court, we've got a</p> <p>14 court reporter who is here taking down what's being</p> <p>15 said. The challenge, as you may know, is that you</p> <p>16 have to wait for me to finish, and I have to wait</p> <p>17 for you to finish. Because it makes her life a lot</p> <p>18 easier, and it makes the transcript a lot more</p> <p>19 readable.</p> <p>20 So I would ask you to just wait until</p> <p>21 I get the question out and then respond.</p> <p>22 Inevitably, witnesses forget and interrupt, and</p> <p>23 that's okay. I'll remind you again. But if you</p> <p>24 could just try to wait, that would be much</p>	Page 8
Page 7	<p>1 appreciated.</p> <p>2 Your attorney -- you're being</p> <p>3 represented by Mr. Lothson today; is that right?</p> <p>4 A. That's correct.</p> <p>5 Q. He may object. Generally speaking,</p> <p>6 you'll still need to answer the question that I</p> <p>7 ask. If you don't understand the question, please</p> <p>8 let me know. If you answer the question, I will</p> <p>9 assume, and everybody reading the transcript will</p> <p>10 assume, that you understood the question as asked;</p> <p>11 is that fair?</p> <p>12 A. That's fair.</p> <p>13 Q. There may be a circumstance in which he</p> <p>14 objects based on privilege, the attorney-client</p> <p>15 privilege. That touches on conversations that you</p> <p>16 have with your attorneys and privileged</p> <p>17 information. That's the one exception to the</p> <p>18 you-have-to-answer rule. And we'll take that up as</p> <p>19 it comes. I don't anticipate a lot of that today,</p> <p>20 but we'll see, obviously.</p> <p>21 Are you on any medication today that</p> <p>22 would prevent you from giving full, truthful</p> <p>23 testimony?</p> <p>24 A. No.</p>	Page 9
Page 6	<p>1 Q. And you're here today testifying based</p> <p>2 on a notice that I served on the National Shooting</p> <p>3 Sports Foundation, Incorporated, which I'll refer</p> <p>4 to as NSSF. You're familiar with NSSF?</p> <p>5 A. I am familiar.</p> <p>6 Q. NSSF is a nonprofit organization that</p> <p>7 has sued the parties that I represent, so Attorney</p> <p>8 General Kwame Raoul and ISP director Brendan Kelly.</p> <p>9 The name of the lawsuit is Barnett versus Raoul.</p> <p>10 That's No. 23-cv-209 pending in the US District</p> <p>11 Court of Illinois for the Southern District of</p> <p>12 Illinois.</p> <p>13 There are three other cases that have</p> <p>14 been consolidated with the Barnett case: The</p> <p>15 Harrel versus Raoul case, 23-cv-141; Langley versus</p> <p>16 Kelley, 23-cv-192; Federal Firearms Licensees of</p> <p>17 Illinois versus Pritzker, 23-cv-215. All of those</p> <p>18 are pending in the Southern District of Illinois.</p> <p>19 The deposition you're giving today is</p> <p>20 relevant to and may be used in all of those cases,</p> <p>21 fair enough?</p> <p>22 A. That's fair.</p> <p>23 Q. So I've previously handed you what's</p> <p>24 been marked as Deposition Exhibit No. 1. Have you</p>	Page 9

Page 10

1 A. Yes.

2 MR. LOTHSON: And I'll -- only to the extent

3 that we haven't lodged an objection; written that

4 to you, I believe, in an e-mail of May 17, 2024,

5 limited objections, topics 1 and 8.

6 BY MR. WELLS:

7 Q. Correct. So you're prepared to testify,

8 subject to the objections that NSSF served to

9 topics 1 and 8; is that fair to say?

10 A. I'm sorry. Can you repeat that.

11 Q. You're prepared to testify to topics 1

12 through 12, subject to the two objections that NSSF

13 provided us --

14 A. Yes.

15 Q. -- by e-mail?

16 A. Yes.

17 Q. Again, just wait for me to finish.

18 A. I'm sorry.

19 Q. No, I know it's hard.

20 A. I'm making your job harder.

21 MR. WELLS: And can counsel for NSSF please

22 confirm that the witness is designated to testify

23 on behalf of NSSF on the topics, as just described,

24 subject to your objections.

Page 11

1 MR. LOTHSON: The witness is designated under

2 Rule 30(b)(6) on topics that are within the notice,

3 subject to Rule 30(b)(6), of course, and the

4 obligation to reasonably prepare to testify on such

5 topics.

6 BY MR. WELLS:

7 Q. All right. So since you've been

8 designated to testify on behalf of NSSF today, what

9 you say here today will be treated as NSSF's

10 testimony; is that fair?

11 A. That is fair.

12 Q. For the topics that have been

13 identified, and as Mr. Lothson just laid out,

14 you're speaking for NSSF today. Do you understand

15 that?

16 A. I do understand that.

17 Q. Okay. I'm going to cover a couple of

18 pieces of terminology that I think will make our

19 lives easier and perhaps the court reporter's, too.

20 So you're familiar with caliber?

21 A. Yes, I'm familiar with caliber.

22 Q. What is caliber?

23 A. Caliber is the designation for size for

24 the chambering of a firearm.

Page 12

1 Q. Size of what?

2 A. Size of the ammunition that the firearm

3 accepts.

4 Q. And is it the entire cartridge, or is it

5 something else?

6 A. It is the -- typically the diameter of

7 the projectile.

8 Q. Projectile means the bullet?

9 A. Projectile is the bullet.

10 Q. So when I refer to "caliber" today, I

11 may say things like "22." Do you have an

12 understanding of what "22" means in terms of

13 caliber?

14 A. Yes.

15 Q. What is that understanding?

16 A. So .22 is the designation of the size of

17 the bullet diameter from full -- sorry -- full

18 diameter of the bullet being 0.22 inches.

19 Q. And for the sake of the court reporter,

20 you said "point 22." So sometimes people will use

21 the phrase "22" to refer to .22; is that fair to

22 say?

23 A. That's correct.

24 Q. So if I use "22" today in reference to

Page 13

1 caliber, will you understand that I'm referring to

2 .22-caliber ammunition?

3 A. Yes.

4 Q. Similar questions for 5.56. Are you

5 familiar with 5.56-caliber ammunition?

6 A. Yes.

7 Q. And when I say "556," oftentimes folks

8 are referring to 5.56-caliber ammunition, correct?

9 A. It's 5.56-millimeter instead of the

10 inches portion. So it's got NATO designation and

11 the commercial designation. So I understand the

12 two interchangeably.

13 Q. So if I say "556" today, I will

14 generally be referring to 5.56-millimeter NATO

15 caliber; is that fair?

16 A. That's fair.

17 Q. And what does NATO mean?

18 A. A NATO designation, as I understand it

19 here today, is an international standard for a

20 particular type of cartridge parameters.

21 Q. Do you understand NATO to stand for the

22 North Atlantic Treaty Organization?

23 A. I believe that's what it's called. Not

24 having it in front of me today, I believe that's

Page 14

1 what it's called.
 2 Q. If I say "380" in reference to caliber,
 3 will you understand what that means?
 4 A. Yes.
 5 Q. And that refers to .380-caliber
 6 ammunition; is that fair to say?
 7 A. Yes.
 8 Q. Similar question for 7.62. If I say
 9 "762-caliber," will you understand what I'm saying?
 10 A. I understand it's a 30-caliber
 11 projectile, 7.62. But which 7.62 are you talking
 12 about?
 13 Q. So 7.62 by 39 millimeters.
 14 A. Okay.
 15 Q. And what does that mean, 7.62 by
 16 39 millimeters?
 17 A. 7.62 by 39 is a common AK-platform
 18 cartridge.
 19 Q. And the 7.62 refers to what?
 20 A. 7.62 refers to the diameter of the
 21 bullet.
 22 Q. And what does the 39 refers to?
 23 A. 39 is the length of the case.
 24 Q. Also sometimes called the cartridge?

Page 15

1 A. Cartridge case, yes.
 2 Q. Yeah, cartridge case. So if I use "762"
 3 today, unless I say otherwise, I'll generally be
 4 referring to the 7.62 by 39-millimeter caliber; is
 5 that fair?
 6 A. That sounds good.
 7 Q. Are you familiar with the term "MSR"?
 8 A. Yes, I am.
 9 Q. What's your understanding of the term
 10 "MSR"?
 11 A. That MSR means modern sporting rifle.
 12 Q. So at times today I may say "modern
 13 sporting rifle" and I may say "MSR." I'll be using
 14 those terms interchangeably; is that fair?
 15 A. No problem with that.
 16 Q. And NSSF sometimes uses the abbreviation
 17 MSR in its publications, correct?
 18 A. That's correct.
 19 Q. And in its internal correspondence?
 20 A. Yes, common vernacular.
 21 Q. If I say "NFA firearms," are you
 22 familiar with what I'm referring to?
 23 A. I'm familiar with the NFA.
 24 Q. What is the NFA?

Page 16

1 A. The National Firearms Act, I believe in
 2 1968. It's a regulation that controls firearms
 3 outside of the Gun Control Act.
 4 Q. So the National Firearms Act, you
 5 understand, is a federal law?
 6 A. Yes.
 7 Q. And it regulates certain types of
 8 firearms; is that fair to say?
 9 A. Yes.
 10 Q. So when I say "NFA firearms" today,
 11 that's what I'll be referring to; is that fair?
 12 A. Yeah.
 13 Q. Could you describe for me your
 14 educational background.
 15 A. I have a bachelor's of business
 16 administration from Wayne State University, and I
 17 have continued education in the fields of research
 18 survey methodology and statistics.
 19 Q. You said research survey methodology and
 20 statistics?
 21 A. That's correct.
 22 Q. And how did you describe that? You said
 23 continuing education?
 24 A. Yes.

Page 17

1 Q. What's the nature of that continuing
 2 education?
 3 A. Seeking out education through AMA. I
 4 believe it's American Management Association. They
 5 are a training organization for different
 6 variations of continuing education. And also
 7 seeking out my own education through LinkedIn and
 8 other sources. LinkedIn Learning and other
 9 sources.
 10 Q. Is the American Management Association
 11 an accredited institution of higher learning?
 12 A. I believe so, but I don't know for sure.
 13 Q. Are you pursuing a degree from American
 14 Management Association?
 15 A. No. It's strictly one-off classes about
 16 different subjects.
 17 Q. What's the format of those classes?
 18 A. Typically posted over Zoom. I have not
 19 attended any in-person with them.
 20 Q. What's the content of the courses that
 21 you've taken from the American Management
 22 Association?
 23 A. Writing, business management. I believe
 24 those are the two I've taken.

Page 18

1 Q. I think you said you've done some
 2 continuing education in survey methods; is that
 3 right?
 4 A. Yes.
 5 Q. Could you describe what that education
 6 is.
 7 A. Yes. Going through LinkedIn Learning.
 8 There's various classes that I've taken that have
 9 continued and expanded my knowledge on those
 10 subjects.
 11 Q. And have you received any degree in
 12 survey methodology?
 13 A. Not a degree.
 14 Q. Are you pursuing a degree in survey
 15 methodology?
 16 A. No.
 17 Q. How about statistics? What coursework
 18 have you done in statistics?
 19 A. At this point in time, I don't recall
 20 the exact courses that I've taken. But just
 21 general learning on LinkedIn Learning for expanding
 22 my current knowledge.
 23 Q. So is it fair to say that for both
 24 statistics and survey methodology, the coursework

Page 19

1 that you've done has been exclusively through
 2 LinkedIn Learning?
 3 A. Yes.
 4 Q. And, generally speaking, what is
 5 LinkedIn Learning?
 6 A. LinkedIn Learning is a platform that
 7 NSSF subscribes to to provide learning material to
 8 employees.
 9 Q. What statistical techniques have you
 10 studied?
 11 A. As I sit here today, I can't recall
 12 specific methods.
 13 Q. Can you describe your career history
 14 since graduating from college.
 15 A. Sure. At the time that I graduated,
 16 which I believe was 2017, I was working for a
 17 mining company in the extent that I was surveying
 18 and drilling for that company. And I then left to
 19 work for a heavy machinery company called Michigan
 20 CAT. And then transitioned to NSSF.
 21 Q. And when you graduated from -- or prior
 22 to graduating from college, did you take any time
 23 off in between graduating from high school and
 24 starting college?

Page 20

1 A. I'm sorry. Can you say that again.
 2 Q. Did you go straight from high school to
 3 college?
 4 A. Oh, yeah, other than the summer in
 5 between graduating and starting in the fall.
 6 Q. So what year did you graduate from
 7 college?
 8 A. I believe it was 2017.
 9 Q. And what year did you graduate from high
 10 school?
 11 A. 2007.
 12 Q. And in between 2007 and when you started
 13 college at Wayne State, what did you do?
 14 A. I was working full-time and going to
 15 school.
 16 (NSSF Deposition Exhibit 2 was
 17 marked for identification.)
 18 BY MR. WELLS:
 19 Q. I'm handing you what has been marked as
 20 Deposition Exhibit 2. Does this information look
 21 familiar to you?
 22 A. Yes.
 23 Q. And what is it?
 24 A. It's a collection of my education and

Page 21

1 work history.
 2 Q. So I can represent to you that this is a
 3 printout of information that's on your LinkedIn
 4 profile. Does this, generally speaking, look like
 5 an accurate representation of the information on
 6 your LinkedIn profile?
 7 A. Yes.
 8 Q. Okay. And I see here that you have a
 9 bachelor of science in business administration and
 10 management from Wayne State. Is that what you were
 11 referring to earlier?
 12 A. Yes.
 13 Q. Do you have any other degrees?
 14 A. No.
 15 Q. Other than a high school diploma?
 16 A. Yes.
 17 Q. Why did you decide to join NSSF?
 18 A. It's an industry and a topic that I'm
 19 passionate in, and I had a lot of personal
 20 experience with firearms, and it was something that
 21 I wanted to pursue.
 22 Q. Why are you passionate about firearms?
 23 A. It's just something that I enjoy doing,
 24 enjoy using.

Page 22

1 Q. How do you use firearms?
 2 A. For recreational purposes, competition,
 3 hunting, and home protection.
 4 Q. How long have you used firearms?
 5 A. Honestly, about 15 or 16 years.
 6 Q. How did you come to develop an interest
 7 in firearms?
 8 A. Exposure through hunting, invitations to
 9 go to the range with friends.
 10 Q. And what types of firearms do you have
 11 experience handling and discharging?
 12 A. How do you want me to answer that? In
 13 platform or...
 14 Q. Let's start by tell me what handguns
 15 you've used, and then tell me what rifles you've
 16 used, and then tell me what shotguns you've used.
 17 A. I think we need a lot of time --
 18 Q. Okay.
 19 A. -- going through every single one, but I
 20 can broadly speak to platforms --
 21 Q. Sure.
 22 A. -- if that's okay.
 23 Q. That's fine.
 24 A. Okay. Handguns; revolvers; rifles;

Page 23

1 shotguns; muzzle-loaders, even though they're not
 2 technically a firearm.
 3 Q. When you say muzzle-loaders are not
 4 technically a firearm, what do you mean?
 5 A. The Gun Control Act does not -- Gun
 6 Control Act and ATF does not recognize them as a
 7 firearm. They're a permitted weapon.
 8 Q. So is federal definitions for firearms
 9 what you look to to define what is and is not a
 10 firearm?
 11 A. Yes.
 12 Q. What is NSSF?
 13 A. The National Shooting Sports Foundation.
 14 Q. What -- is it an organization?
 15 A. NSSF is a trade organization for the
 16 firearm industry.
 17 Q. What does it do? What does NSSF do?
 18 A. We advocate on behalf of the industry,
 19 we create safety programs, we provide research and
 20 resources for our members, and we -- I think I
 21 already said this -- provide resources for our
 22 members.
 23 Q. What types of resources do you
 24 provide -- does NSSF provide for its members?

Page 24

1 A. Reports, training opportunities,
 2 connecting them with different entities in order to
 3 be compliant with, say, ATF regulations.
 4 Q. What's your title at NSSF?
 5 A. Director of research.
 6 Q. What are your responsibilities at NSSF?
 7 A. I run the research department.
 8 Q. How big is the research department at
 9 NSSF?
 10 A. It is three employees.
 11 Q. Who are those employees?
 12 A. It is myself, Dianne Vrablic, and
 13 Courtney Willis.
 14 Q. How long have you worked at NSSF again?
 15 A. It will be four years in June.
 16 Q. So you started in 2020; is that fair to
 17 say?
 18 A. Yeah, June 2020.
 19 Q. During that time, the four years you've
 20 been at NSSF, have you always been the director of
 21 research?
 22 A. No.
 23 Q. What other roles have you had at NSSF?
 24 A. Manager of legislative and policy

Page 25

1 research. And manager of research.
 2 Q. Manager of legislative and policy
 3 research. What did that role entail?
 4 A. Largely administrative functions to
 5 compile, organize data, and update fact sheets.
 6 Kind of doing the nuts-and-bolts work of the
 7 research department.
 8 Q. And it's legislative and policy research
 9 within the research department at NSSF?
 10 A. I'm sorry?
 11 Q. Is the legislative -- is legislative and
 12 policy research a function that falls within the
 13 research department, broadly, at NSSF?
 14 A. It's one of the things that we do, yes,
 15 in research.
 16 Q. So in the research group right now,
 17 among the three employees that you named, is
 18 someone responsible for legislative and policy
 19 research?
 20 A. That would be Courtney Willis.
 21 Q. And do you supervise Courtney Willis?
 22 A. Yes, I do.
 23 Q. And why does NSSF do legislative and
 24 policy research?

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1 A. Because our industry is one of the most
 2 highly regulated industries in the US, and we are
 3 usually the subject of an additional regulation.
 4 Q. Does NSSF advocate for certain
 5 legislation or policy?
 6 A. I know that we have a lobbying group in
 7 our federal and state affairs that does that kind
 8 of work.
 9 MR. LOTHSON: And I'll object just to the
 10 scope of this as outside of the scope of what's in
 11 the notice, as agreed to and not objected to at
 12 this juncture.
 13 MR. WELLS: Understood.
 14 BY MR. WELLS:
 15 Q. I just have one more question on this
 16 topic, which is is the research that's generated by
 17 your group, the research group at NSSF, used for
 18 the legislative advocacy that NSSF does?
 19 MR. LOTHSON: And I'll object just because I
 20 think that's an area of inquiry that's objected to.
 21 BY MR. WELLS:
 22 Q. You can answer.
 23 A. Oh, okay. Our research creates fact
 24 sheets and other resources for our lobbyists and

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1 also for our members to be educated on topics, and
 2 those can be used for a variety of reasons.
 3 Q. Who are NSSF's members, broadly
 4 speaking?
 5 A. Broadly speaking, firearm and ammunition
 6 manufacturers, distributors, retailers. We have, I
 7 believe, some media and natural -- not natural
 8 resources -- conservation groups.
 9 Q. What are some examples of conservation
 10 groups that are NSSF members?
 11 A. I don't want to name any particular one
 12 because I don't want to make it sound like an
 13 endorsement or anything else like that. So I'd
 14 like to not name particular members in that regard,
 15 if that's okay with you.
 16 Q. So you're politely refusing to answer;
 17 is that fair to say?
 18 MR. LOTHSON: I think on the concern of
 19 disclosure of membership identities with
 20 specificity.
 21 THE WITNESS: There are not many conservation
 22 groups, and I don't know if it's appropriate for me
 23 to sit here today and name off the ones that come
 24 to mind and make it seem as if it's an endorsement

Page 28

1 of a particular member.
 2 BY MR. WELLS:
 3 Q. Understood. Are you able to share what
 4 members of -- what firearms manufacturers are
 5 members of NSSF? Not all of them, but examples?
 6 A. I mean, I can definitely name some of
 7 the top manufacturers of firearms. They are
 8 represented in our reports, and I'm happy to go
 9 over that, if you'd like.
 10 Q. Okay. So as we examine the reports, I
 11 would ask that, as we go through it, if there are
 12 particular companies that you know are definitely
 13 not members of NSSF, you know, please let me know.
 14 Because my understanding is that, generally
 15 speaking, a lot of the information that NSSF relies
 16 on comes from manufacturers that are NSSF members;
 17 is that fair to say?
 18 A. Yeah, that's fair. I would be
 19 hard-pressed to find a major manufacturer that's in
 20 our reports that's not a member.
 21 Q. Do you have an understanding as to why
 22 manufacturers are members of NSSF?
 23 A. Typically, it's for access to those
 24 resources and other benefits that I stipulated to

Page 29

1 earlier.
 2 Q. How does NSSF receive revenue?
 3 A. I believe through membership dues.
 4 Q. Any other sources of revenue?
 5 MR. LOTHSON: I'll object; just beyond the
 6 scope of the notice of the deposition.
 7 But to the extent you know, Salam, go
 8 ahead.
 9 THE WITNESS: Membership dues just for being a
 10 member and then also from SHOT Show.
 11 BY MR. WELLS:
 12 Q. What is the SHOT Show?
 13 A. It is our Shooting, Hunting, Outdoor
 14 Trade Show that we host in Vegas annually.
 15 Q. So S-H-O-T --
 16 A. Stands for --
 17 Q. -- stands for Shooting, Hunting, Outdoor
 18 Trade Show; is that fair to say?
 19 A. Correct.
 20 Q. And the acronym SHOT invokes a shot from
 21 a firearm, right?
 22 A. I believe so. I would --
 23 Q. Does it come to mind when you hear --
 24 A. Yes.

<p style="text-align: right;">Page 30</p> <p>1 Q. -- the word "shot"?</p> <p>2 A. Yes.</p> <p>3 MR. WELLS: Fair enough. Okay.</p> <p>4 (NSSF Deposition Exhibit 3 was</p> <p>5 marked for identification.)</p> <p>6 BY MR. WELLS:</p> <p>7 Q. So I've just handed you what's been</p> <p>8 marked as Deposition Exhibit 3. Have you seen this</p> <p>9 document before?</p> <p>10 A. Yes.</p> <p>11 Q. What is it?</p> <p>12 A. These are the answers to the</p> <p>13 interrogatory questions.</p> <p>14 Q. And do you agree with me that on the</p> <p>15 first page in bold it says "National Shooting</p> <p>16 Sports Foundation, Inc.'s, Answers and Objections</p> <p>17 to Defendants' First Set of Interrogatories"?</p> <p>18 A. Yes.</p> <p>19 Q. And directing your attention to the page</p> <p>20 that looks like this, which is the page that</p> <p>21 immediately follows numbered page 9, do you see</p> <p>22 your signature on this page?</p> <p>23 A. Yes, sir.</p> <p>24 Q. So -- and where your signature is</p>	<p style="text-align: right;">Page 32</p> <p>1 rifle (MSR) is an AR- or AK-platform rifle and</p> <p>2 variants thereof and has the same general design</p> <p>3 features of these rifles."</p> <p>4 Did I read that correctly?</p> <p>5 A. Yes.</p> <p>6 Q. And do you agree that that is an</p> <p>7 accurate definition of modern sporting rifle or</p> <p>8 MSR?</p> <p>9 A. That is a accurate definition.</p> <p>10 Q. Are there other definitions?</p> <p>11 A. I believe that it could be expanded or</p> <p>12 narrowed, depending on this scope. But, generally,</p> <p>13 I think that would be a apt definition.</p> <p>14 Q. And sentence two of interrogatory</p> <p>15 response No. 12 here, it says "AR- or AK-platform</p> <p>16 rifle." Do you see that?</p> <p>17 A. Yes.</p> <p>18 Q. What does AR refer to there?</p> <p>19 A. Armalite rifle.</p> <p>20 Q. What is Armalite?</p> <p>21 A. Armalite was the company that</p> <p>22 founded/started the AR design.</p> <p>23 Q. Do you know who specifically at Armalite</p> <p>24 came up with the AR design?</p>
<p style="text-align: right;">Page 31</p> <p>1 underneath a declaration stating that everything --</p> <p>2 that you were testifying to the truthfulness of the</p> <p>3 answers that are in these interrogatory responses;</p> <p>4 is that fair?</p> <p>5 A. Yes.</p> <p>6 Q. All right. I'm going to direct your</p> <p>7 attention to let's see -- page 7. And directing</p> <p>8 your attention to the answer to response number --</p> <p>9 or to interrogatory No. 12, do you see that?</p> <p>10 A. Yes.</p> <p>11 Q. So are you familiar with the contents of</p> <p>12 this answer?</p> <p>13 A. I would like a moment to --</p> <p>14 Q. Sure.</p> <p>15 A. -- go over it, if that's all right.</p> <p>16 Q. Just let me know when you're finished.</p> <p>17 A. I'm finished.</p> <p>18 Q. So I'm going to direct your attention to</p> <p>19 the second sentence of NSSF's interrogatory</p> <p>20 response No. 12. And I'm going to read it to you</p> <p>21 and ask if I read it correctly. Okay?</p> <p>22 A. Okay.</p> <p>23 Q. "Subject to and without waiving these</p> <p>24 objections, NSSF states that a modern sporting</p>	<p style="text-align: right;">Page 33</p> <p>1 A. I'm aware of it. As I sit here today, I</p> <p>2 can't recall the designer's name, but I am aware of</p> <p>3 it.</p> <p>4 Q. Are you familiar with the name Eugene</p> <p>5 Stoner?</p> <p>6 A. Yes. That's one and the same.</p> <p>7 Q. Who was Eugene Stoner?</p> <p>8 A. I'm not sure if he was the owner of</p> <p>9 Armalite at the time, but I know he was integral to</p> <p>10 the design of the AR-15 platform.</p> <p>11 Q. And would you agree with me that the</p> <p>12 AR-15 was designed by Eugene Stoner in the 1950s?</p> <p>13 MR. LOTHSON: I'll object just to the extent</p> <p>14 this is beyond the scope of the notice.</p> <p>15 But to the extent he knows.</p> <p>16 THE WITNESS: I can't recall if it was the</p> <p>17 '50s or the '60s, but it was around that general</p> <p>18 area.</p> <p>19 BY MR. WELLS:</p> <p>20 Q. Do you have an understanding that the</p> <p>21 AR-15 was adopted by the United States military and</p> <p>22 designated the M-16?</p> <p>23 A. Yes.</p> <p>24 Q. What is the typical caliber of an</p>

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1 AR-platform rifle?
 2 A. Typically, it's going to be
 3 .223 Remington/5.56 NATO.
 4 Q. You said .223 Remington/5.56 NATO.
 5 So -- and by "223," you mean .223?
 6 A. Yes, .223.
 7 Q. When you said "slash" -- .223/5.56 NATO,
 8 why the slash? What does that mean?
 9 A. The two cartridges are very similar, but
 10 they are not the same. There are certain external
 11 body dimensions that are different. I believe the
 12 neck angle is one particular dimension that
 13 designates whether it's one versus the other. And
 14 to the best of my knowledge, there are different
 15 loading parameters for the two, one being
 16 commercial and the other one being the NATO spec.
 17 Q. Are there commercially available AR-15
 18 rifles that use the 5.56 NATO spec ammunition?
 19 A. Yes, there are.
 20 Q. Again directing your attention to the
 21 second sentence in interrogatory response No. 12
 22 from NSSF, what does "AK" refer to here?
 23 A. AK platform is a design by -- I forgot
 24 the guy's first name. Last name Kalashnikov. It's

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1 the -- it's a Russian-designed rifle that is very
 2 popular today.
 3 Q. When you say the design is very popular
 4 today, what are you basing that on?
 5 A. That's based off of the vast amount of
 6 AKs that are available, either nationwide and
 7 worldwide. It's a prevalent gun. If you show
 8 someone a -- even nongun person an AK, they know
 9 it's an AK.
 10 Q. And when you're using "AK," are you
 11 referring to semiautomatic, fully automatic, or
 12 both?
 13 A. I'm referring to semiautomatic.
 14 Q. Are there full-automatic versions of
 15 AK-platform weapons?
 16 A. I believe there's full-auto versions of
 17 almost every firearm.
 18 Q. And, generally speaking, when you refer
 19 to an AK-platform firearm, do you understand that
 20 the K is referring to Kalashnikov, the Russian
 21 soldier who designed the original AK-47; is that
 22 fair?
 23 A. Yes.
 24 Q. What is the typical caliber of an

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1 AK-platform rifle?
 2 A. That would be 7.62 by 39.
 3 Q. When you say AR or AK platform in this
 4 interrogatory response, what does "platform" mean?
 5 A. Platform refers to the receiver design
 6 and body design of the particular firearm.
 7 Q. What is the receiver design?
 8 A. So you can have split receiver, nonsplit
 9 receiver. ARs are generally split-receiver
 10 platform, where an AK is a single-receiver with a
 11 top cover. Both gas-operated weapons.
 12 Q. What is a split receiver?
 13 A. Meaning that there is an upper and a
 14 lower receiver.
 15 Q. And what is a receiver?
 16 A. It's the frame of the firearm.
 17 Q. When you say gas-operated in reference
 18 to AR-platform firearms, what do you mean?
 19 A. The firearm is semiautomatic and relies
 20 on the propellant gases from the expelled cartridge
 21 in order to perform a cycle function of the
 22 semiauto action.
 23 Q. I believe you stated that "platform"
 24 also refers to body design; is that correct?

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1 A. For lack of better terms, yes. Not a
 2 super technical understanding of all the ins and
 3 outs, but that would be my jargon that I would use
 4 for it.
 5 Q. What does "body design" mean?
 6 A. So the overall design of the firearm,
 7 the frames. Trying to use vernacular that's
 8 familiar to help your understanding.
 9 Q. What is the body of a firearm?
 10 A. It would be -- I was referring -- in
 11 that response I was referring to the receivers --
 12 or receivers or receiver of the firearm, trying to
 13 help you understand.
 14 Q. Is "body design" a term that NSSF uses?
 15 A. No. That's simply me trying to
 16 communicate with you right now.
 17 Q. By "body design," do you mean how the
 18 firearm looks?
 19 A. No. Its construction.
 20 Q. Are there common attributes that
 21 AR-platform rifles have externally?
 22 A. What do you mean?
 23 Q. So, for instance, are you able to
 24 determine, from looking at a manufacturer's

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1 website, just based on a picture of a firearm,
 2 whether or not it's an AR-platform firearm?
 3 A. Yeah.
 4 Q. How do you do that?
 5 A. So it's knowing what an AR receiver set
 6 looks like; knowing that it usually has a hand
 7 guard, knowing it usually has a stock of some kind,
 8 usually has a grip, a rail for an optic.
 9 Q. When you say "grip," what do you mean?
 10 A. An interface for someone to hold the
 11 gun.
 12 Q. What about a flash suppressor? Is that
 13 a common feature for an AR-platform rifle to have?
 14 A. Yeah. It's pretty standard equipment
 15 that comes on an AR-platform firearm.
 16 Q. What other standard equipment comes on
 17 an AR-platform firearm?
 18 A. You can have varying degrees of hand
 19 guards; adjustable/nonadjustable stocks; you can
 20 have collapsible/noncollapsible stocks, which are
 21 adjustable/collapsible, collapsible meaning that it
 22 can collapse to the side, not collapse
 23 telescopingly. Different degrees of grips. I'm
 24 not sure if I covered this a second ago, but you

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1 can have a thread-in muzzle. You can have a muzzle
 2 break. You can have a flash hider. You can have a
 3 compensator.
 4 Q. How would you describe an AK-platform
 5 firearm's body design?
 6 A. An AK is typically a single receiver,
 7 not split; with a top cover; gas-operated rifle
 8 with a hand guard; and either a fixed, telescoping,
 9 or collapsible stock. Sometimes no stock.
 10 (NSSF Deposition Exhibit 4 was
 11 marked for identification.)
 12 BY MR. WELLS:
 13 Q. So I'm handing you what's been marked as
 14 Deposition Exhibit 4. Have you seen this document
 15 before?
 16 A. I've never reviewed this document in
 17 detail.
 18 Q. Can you read the title of the document
 19 in the upper right corner.
 20 A. "Annual Firearms Manufacturing and
 21 Exportation Report (AFMER) Under 18 USC Chapter 44,
 22 Firearms."
 23 Q. Based on that title, do you have a
 24 belief as to what this document is?

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1 A. This would be what a manufacturer fills
 2 out to report their AFMER reporting for the year.
 3 Q. So is it fair to say you're aware of the
 4 existence of this form and its function?
 5 A. Yes. I've just never reviewed this
 6 particular form.
 7 Q. Have you ever reviewed any example of
 8 this form before?
 9 A. Not in great detail. I typically work
 10 with a report that comes from these forms, not the
 11 individual forms.
 12 Q. All right. If I could direct your
 13 attention to the last page of this Deposition
 14 Exhibit 4.
 15 A. I'm sorry. You said the last page?
 16 Q. Yeah. I'm directing your attention to
 17 No. 5 where it says "Types of Firearms."
 18 A. Yes.
 19 Q. I would ask you to just read the pistol,
 20 revolver, and rifle examples. And let me know when
 21 you're done.
 22 A. Okay.
 23 Q. Are those definitions familiar to you of
 24 pistol, revolver, and rifle?

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1 A. Yes.
 2 Q. What's your understanding of what those
 3 definitions are?
 4 A. What do you mean?
 5 Q. Where do they come from?
 6 A. Those are regulations provided by ATF to
 7 manufacturers. Possibly the original source, I
 8 think, might be the Gun Control Act.
 9 Q. Are these the types of definitions that
 10 you rely upon in your work at NSSF?
 11 A. Yes.
 12 Q. Focusing specifically on the rifle
 13 definition, I'm going to read it to you. It says
 14 "A weapon designed or redesigned, made or remade,
 15 and intended to fire from the shoulder and designed
 16 or redesigned and made or remade to use the energy
 17 of the explosive in a fixed cartridge to fire only
 18 a single projectile through a rifled bore for each
 19 single pull of the trigger and shall include any
 20 such weapon which may be readily restored to fire a
 21 fixed cartridge. Having barrels at least 16 inches
 22 in length and at least 26 inches in overall
 23 length."
 24 Did I read that correctly?

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1 A. Yes.

2 Q. And does NSSF rely on that definition of

3 rifle in its business or in its regularly conducted

4 activities?

5 A. We have to, yes.

6 Q. Why do you have to?

7 A. Because we have a heavily regulated

8 industry, and we have to comply with all of the

9 regs by ATF.

10 Q. And does this definition of rifle

11 include caliber?

12 A. In this definition that you're having me

13 read, there is no portion on caliber.

14 Q. Is caliber part of the definition of a

15 rifle?

16 A. In this definition of rifle, I don't see

17 a portion on caliber.

18 Q. In interrogatory response 12, directing

19 your attention back to that -- and that's the

20 interrogatory response that you verified, correct?

21 A. Yes.

22 Q. Is there any reference to caliber?

23 A. I don't see one, unless you want me to

24 look at a particular portion.

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1 Q. Does the definition of NSS -- does the

2 definition of modern sporting rifle that NSSF uses

3 in its activities rely on caliber as part of the

4 definition?

5 A. No. To the best of my knowledge, I

6 don't believe we do.

7 Q. Do you have an understanding as to why

8 not?

9 A. I can only, you know, give you my

10 opinion on that. I believe that because, while

11 most of these platform firearms are centerfire,

12 there's also a lot of rimfire variants. As

13 popularity of these MSRs grows, manufacturers will

14 offer, you know, training, plinking versions of

15 these firearms but in a more affordable cartridge.

16 They could be in rifle cartridges, pistol

17 cartridges, rimfire.

18 Q. Generally speaking, are centerfire 5.56

19 and .223-caliber AR-platform rifles more prevalent

20 than .22-caliber AR-platform rifles?

21 A. .22 being rimfire?

22 Q. Yes.

23 A. .22 being rimfire, I would assume the

24 vast majority -- or the best of my knowledge, the

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1 vast majority of ARs out there come in .223.

2 Q. Would you agree with me that a modern

3 sporting rifle does not include handguns?

4 A. I would agree with you that it doesn't

5 include handguns.

6 Q. So the category "modern sporting rifle"

7 does not include handguns?

8 A. Correct.

9 Q. So the category "modern sporting rifle"

10 does not include pistols, correct?

11 A. No. You said handgun.

12 Q. Okay. What is the difference between a

13 handgun and a pistol?

14 A. So a pistol can be a handgun. A handgun

15 doesn't have to be -- I'm sorry. A pistol doesn't

16 have to be a handgun, but a handgun can be a

17 pistol.

18 Q. What are examples of pistols that are

19 not handguns?

20 A. If you have an AR or AK platform as an

21 MSR platform firearm that comes in a pistol format

22 that is within the regulations of ATF that is, as

23 far as I know, very popular platform and variant

24 of, that would be regulated as a pistol per ATF.

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1 Q. So you're relying on ATF's

2 classification of pistol to determine whether a

3 particular AR-style pistol is a handgun or not?

4 A. No. I rely -- I don't rely on anything.

5 The manufacturers rely on ATF's regulations of what

6 is a pistol and what is a rifle, revolver, shotgun,

7 et cetera. Handgun is just a term for -- as far as

8 I understand, a handgun is just a term for a

9 pistol. But -- pistol -- a handgun is not

10 regulated as a particular platform. A pistol is.

11 Q. I see. Okay. So does the category

12 "modern sporting rifle" include pistols?

13 A. It can.

14 Q. How can a pistol be a rifle?

15 A. Because it can absorb and include AR-

16 and AK-platform MSRs. And for the purposes of

17 counting those platforms, you can capture pistols,

18 rifles, and frames that have yet to be built, which

19 is undeterminable at the time of production and

20 reporting what those would, for lack of better

21 words, grow up to be.

22 Q. When you say "you can capture," who can

23 capture?

24 A. In the ATF AFMER, as they're being

<p style="text-align: right;">Page 46</p> <p>1 reported, what those will be designated as.</p> <p>2 Manufacturers are regulated, in the form that you</p> <p>3 handed me with the AFMER sheet, to designate if</p> <p>4 it's a pistol, rifle, et cetera.</p> <p>5 Q. So are you saying that a manufacturer of</p> <p>6 a modern sporting rifle may include pistols in its</p> <p>7 ATF AFMER data that are modern sporting rifles?</p> <p>8 A. Can you say that again.</p> <p>9 Q. Sure. Is it your understanding that</p> <p>10 manufacturers, when completing the ATF AFMER form,</p> <p>11 there are some modern sporting rifles that they're</p> <p>12 listing in the pistol category?</p> <p>13 A. They can list them in pistol, rifle, or</p> <p>14 in the frames category.</p> <p>15 Q. How would they make that determination</p> <p>16 where to list that category?</p> <p>17 A. They are not reporting that in the</p> <p>18 AFMER. That is a determination that they make that</p> <p>19 we would have in conversations.</p> <p>20 Q. When you say "in conversations," who's</p> <p>21 having the conversations?</p> <p>22 A. That NSSF research would have with</p> <p>23 manufacturers if we ask them, in industry</p> <p>24 reporting, what of your catalog may be under this</p>	<p style="text-align: right;">Page 48</p> <p>1 specific number, but I know it's in the dozens.</p> <p>2 Q. And when you say NSSF has conversations,</p> <p>3 what's the format of those conversations? Are you</p> <p>4 calling them on the phone?</p> <p>5 A. Sometimes it's a phone call. Sometimes</p> <p>6 it may be an e-mail. And those are under strict</p> <p>7 confidentiality, knowing that when we ask the</p> <p>8 question, we provide them that any information that</p> <p>9 they provide will be kept confidential.</p> <p>10 Q. Where is the confidentiality agreement</p> <p>11 with the manufacturers documented?</p> <p>12 A. It's either communicated through e-mail</p> <p>13 or it's told over the phone. I'm not aware of any</p> <p>14 particular document in our files that says</p> <p>15 "confidentiality agreement."</p> <p>16 Q. Is it fair to say it's just something</p> <p>17 that NSSF indicates to the manufacturers, that</p> <p>18 their -- the information they provide in response</p> <p>19 to your inquiries will be kept confidential?</p> <p>20 A. Yes. And our manufacturers are told</p> <p>21 from the onset, anytime that we're trying to get</p> <p>22 information, that any and all communications -- or</p> <p>23 any and all answers to questions that we may have</p> <p>24 will be aggregated and then destroyed after</p>
<p style="text-align: right;">Page 47</p> <p>1 designation. They either tell us a factor or tell</p> <p>2 us a number, and we provide that.</p> <p>3 Q. So how often does NSSF have</p> <p>4 conversations with manufacturers about whether</p> <p>5 there are modern sporting rifles included in its</p> <p>6 pistol AFMER reporting?</p> <p>7 A. We don't directly ask that question.</p> <p>8 Q. Who asks that question?</p> <p>9 A. So we ask about how many MSRs are being</p> <p>10 produced. We don't ask about the designation of,</p> <p>11 hey, how many of your pistols are MSRs, how many of</p> <p>12 your rifles are MSRs, how many of your frames are</p> <p>13 MSRs that you produced in the other category. We</p> <p>14 just ask about MSRs.</p> <p>15 Q. You say "we" ask. Who is asking?</p> <p>16 A. The research department.</p> <p>17 Q. And who are you posing that question to?</p> <p>18 A. Directly to manufacturers.</p> <p>19 Q. Which manufacturers?</p> <p>20 A. Anyone that we designate may have</p> <p>21 production of MSRs through independent research.</p> <p>22 Q. How many manufacturers are in that</p> <p>23 category that you just described?</p> <p>24 A. As we sit here today, I don't know a</p>	<p style="text-align: right;">Page 49</p> <p>1 aggregation so that no individual response will be</p> <p>2 identified.</p> <p>3 Q. So does NSSF destroy the information it</p> <p>4 collects from manufacturers that has been</p> <p>5 designated as confidential by the manufacturers?</p> <p>6 A. Some. It depends on the situation.</p> <p>7 Q. What are the criteria that NSSF uses to</p> <p>8 destroy data received from manufacturers?</p> <p>9 A. We will have had to make the promise to</p> <p>10 them that it would be aggregated, and then we would</p> <p>11 have to have finished our analysis.</p> <p>12 Q. So for some -- what is the timeline</p> <p>13 under which NSSF will destroy the information that</p> <p>14 it receives from manufacturers?</p> <p>15 A. It greatly varies. Sometimes we might</p> <p>16 be working on a particular project and have the</p> <p>17 capacity to aggregate information and get rid of</p> <p>18 it. Other times we are very swamped, and we may</p> <p>19 hold onto something for an extended period of time</p> <p>20 until we're done with a particular project,</p> <p>21 everything is confirmed, and then we get rid of it</p> <p>22 at that point.</p> <p>23 Q. Does NSSF, when it receives information</p> <p>24 from manufacturers before it's destroyed, maintain</p>

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1 custody of the information received from
 2 manufacturers?
 3 A. I don't understand the question.
 4 Q. Is that information that you receive
 5 from manufacturers before it's destroyed, is it
 6 kept on NSSF's network?
 7 MR. LOTHSON: And I'll object just to the
 8 extent this is beyond the scope of the notice and
 9 to the extent that, you know, potentially calls for
 10 legal analysis and conclusion about what is
 11 possession, custody, control, that sort of thing.
 12 Go ahead and answer to the extent you
 13 know.
 14 THE WITNESS: We would hold onto the answers
 15 in at least a form until we get rid of them.
 16 BY MR. WELLS:
 17 Q. And "we" being NSSF?
 18 A. "We" being NSSF.
 19 Q. Would you agree with me that the term
 20 "modern sporting rifle" does not include shotguns?
 21 A. I would not agree with you on that, no.
 22 Q. Why not?
 23 A. Because there are AK-variant rifles that
 24 are chambered in shotgun calibers.

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1 Q. When you say "shotgun calibers," what do
 2 you mean?
 3 A. 12-gauge, 20-gauge, variants thereof.
 4 Q. What is a 12-gauge?
 5 A. 12-gauge is a cartridge -- is a shotgun
 6 cartridge.
 7 Q. What is a shotgun cartridge? How does
 8 it differ from a rifle cartridge?
 9 A. It is not metallic ammunition that is
 10 fed into a shotgun firearm. So you have metallic
 11 cartridges and you have nonmetallic cartridges.
 12 Shotguns are largely nonmetallic cartridges. They
 13 have a plastic hull with a brass, metal, bimetal
 14 base.
 15 Q. Is there a difference in the
 16 projectiles -- number of projectiles between a
 17 shotgun cartridge and a typical rifle cartridge?
 18 A. Yes.
 19 Q. What is that difference?
 20 A. So you can have a shotgun slug, which is
 21 a single projectile, or you can have varying types
 22 of shot that all vary by size, from triple-aught
 23 buck all the way down to 9, which all varies in
 24 size. And the size then designates how many of

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1 those projectiles can be held in that shotgun
 2 cartridge.
 3 Q. Does the category "modern sporting
 4 rifle" include bolt-action rifles?
 5 A. No.
 6 Q. Why not?
 7 A. MSRs are typically, by definition, a
 8 semiautomatic firearm.
 9 Q. By whose definition?
 10 A. By the definition that we provide in
 11 this interrogatory answer.
 12 Q. So by NSSF's definition; is that fair to
 13 say?
 14 A. We provided it in the answer, so I
 15 believe that would be fair. Since we were asked to
 16 provide a definition, we provided one.
 17 Q. You said MSRs, or modern sporting
 18 rifles, are typically semiautomatic. Are they
 19 always semiautomatic?
 20 A. I say typically just because, as I sit
 21 here today, I don't want to speak for the totality.
 22 But as my understanding as the director of
 23 research, it would be a semiautomatic platform if
 24 it's an MSR.

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1 Q. Okay. If a civilian legally owned a
 2 fully automatic M-16 that was manufactured before
 3 1986 and they had all the required paperwork under
 4 federal law for that firearm, would that firearm be
 5 a modern sporting rifle?
 6 A. No. That would be a machine gun.
 7 Q. So is it your testimony that the
 8 category of modern sporting rifle does not include
 9 machine guns?
 10 A. Correct.
 11 Q. Are there machine guns -- are there
 12 fully automatic firearms that are not machine guns?
 13 A. I don't understand the question.
 14 Q. So is the term "machine gun" equivalent,
 15 in all circumstances, to a fully automatic firearm?
 16 A. Yes. And that's actually provided in
 17 the definitions you provided me before.
 18 Q. Would a pump-action rifle be included in
 19 the category of modern sporting rifle?
 20 A. I can't totally speak to it, but I do
 21 believe there actually might be some firearms out
 22 there that utilize an AR platform and integrate a
 23 manual operation instead of a semiautomatic
 24 operation. But even though they use the -- you

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1 know, a different action type, they're just
 2 utilizing the platform, changing out the
 3 operational system, and it's kind of a gray area.
 4 Q. So a pump-action rifle may or may not be
 5 a modern sporting rifle; is that what you're
 6 saying?
 7 A. As I sit here today, it would be hard
 8 for me to take a hard line on a manually operated
 9 AR-platform firearm and designate what it goes
 10 into. I'd probably have to go back and do some
 11 research. If you want me to, I can go back and
 12 look into that, find some detail for you.
 13 MR. LOTHSON: Let me object just to the
 14 extent, what do you mean by "pump"? Are you
 15 talking about, like, true pump?
 16 MR. WELLS: Yes.
 17 MR. LOTHSON: Okay.
 18 THE WITNESS: Oh, not like side-charging?
 19 BY MR. WELLS:
 20 Q. No.
 21 A. Oh.
 22 Q. I'm talking about like a -- what you
 23 would normally see on a pump-action shotgun but
 24 applied to a rifle.

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1 A. I swear that someone makes a pump-action
 2 AR-15. I don't know how prevalent they are or how
 3 many. I don't know if it got out of concept. I
 4 vaguely remember seeing one on, like, YouTube.
 5 Q. And would that firearm be included in
 6 the definition that you provided in response to
 7 interrogatory 12?
 8 A. That's definitely a gray area. I'd have
 9 to go back and look at it and provide you a
 10 response at another time, if you'd like me to
 11 investigate that.
 12 Q. What firearms that are rifles are not
 13 modern sporting rifles?
 14 A. What firearms that are rifles are not
 15 sporting rifles -- modern sporting rifles?
 16 Q. Correct.
 17 A. Bolt-action rifles, lever-actions, for
 18 example.
 19 Q. Is it fair to say that there's a lot of
 20 bolt-action hunting rifles on the market?
 21 A. Yes, that's fair.
 22 Q. And there are actually quite a few
 23 lever-action rifles on the market; is that fair to
 24 say?

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1 A. Yes. They are rising in popularity.
 2 Q. Do you have an understanding as to why
 3 lever-action firearms are rising in popularity?
 4 A. There's a carveout to more modern
 5 variations of lever-actions instead of the
 6 traditional cowboy ones with wood and just
 7 chambered in 30-30, different type of rifle
 8 ammunition. They could be chambered in something
 9 more modern, readily available, and possibly
 10 applied more -- less recoil and more modularity for
 11 usability.
 12 Q. Are .50-caliber rifles included in the
 13 definition of modern sporting rifles?
 14 A. I'm not aware if they are, as I sit here
 15 today.
 16 Q. Do you have a -- go ahead.
 17 A. I'm not sure. I can go back and
 18 investigate if there are MSRs that come in
 19 .50-caliber.
 20 Q. Do you believe that the category of
 21 modern sporting rifle should encompass .50-caliber
 22 rifles?
 23 A. I don't think I should provide my
 24 opinion.

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1 Q. Why -- what -- why would a .50-caliber
 2 rifle not be a modern sporting rifle? What
 3 differentiates it from the category of modern
 4 sporting rifle as is described in interrogatory 12?
 5 A. Strictly based off of the size of the
 6 cartridge of a 50 -- like a .50-caliber
 7 all-encompassing, most people think .50 BMG. But
 8 there are other .50-caliber cartridges, like
 9 .50 Beowulf, that work in an AR-platform firearm.
 10 So it's hard to draw a line in the sand and say one
 11 way or the other, knowing that there are other
 12 .50-caliber cartridges outside of .50 BMG.
 13 Q. What does BMG stand for?
 14 A. Browning machine gun.
 15 Q. How -- can you compare for me the size
 16 of a .50-BMG-caliber cartridge compared to a
 17 5.56-millimeter NATO cartridge.
 18 A. I could only arbitrarily do it. A
 19 .50 BMG, sitting on this table, would be taller
 20 than this glass, just about. And a .223, you can
 21 easily just hold in your hand. It's a small
 22 centerfire cartridge.
 23 Q. And let the record reflect that the
 24 witness was gesturing to a glass that's probably

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1 8 or 9 inches tall; is that fair to say?
 2 A. Maybe your 8 or 9 inches. I would not
 3 say that.
 4 MR. LOTHSON: I'll object to that. We can get
 5 a ruler out. We can get a ruler out.
 6 BY MR. WELLS:
 7 Q. How tall do you think that glass is?
 8 A. Somewhere around 6 inches.
 9 Q. Fair enough. In your response to
 10 interrogatory No. 12, you said that MSRs, meaning
 11 modern sporting rifles, typically have a
 12 semiautomatic action; is that correct?
 13 A. Yes.
 14 Q. So the examples we talked about, the
 15 gray areas of bolt-action, other things, you know,
 16 fully automatic, when you say "modern sporting
 17 rifle," most people are going to think of a
 18 semiautomatic rifle; is that your testimony?
 19 A. Yes.
 20 Q. Does the term "modern sporting rifle"
 21 include any NFA firearms?
 22 A. I think it goes back to that
 23 handgun/pistol argument. You can have a non-NFA
 24 MSR and then create an NFA item with it. I think

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1 it would still fall under, you know, the MSR
 2 platform, but it is not an MSR in the regulations
 3 of rifle and pistol. It is an NFA item. Just like
 4 a machine gun is not, like, in one tight little
 5 category. It's an expansion thereof.
 6 Q. When you say you could create, what do
 7 you mean?
 8 A. So you can -- do you know what a Form 1
 9 is?
 10 Q. No.
 11 A. A Form 1 is a ATF form that you can use
 12 to manufacture a silencer, a short-barreled rifle,
 13 a short-barreled shotgun. So if I, as Joe Citizen,
 14 have a 16-inch AR MSR and I want to create a
 15 short-barreled rifle and I want to buy an upper
 16 that would then make it a -- make my rifle a
 17 short-barreled rifle, I would have to apply through
 18 the ATF process of submitting a Form 1.
 19 They would then either approve or
 20 disapprove. If they approve it, then I would have
 21 to go under the guidance of the regulation, which
 22 then would say, all right, now you can manufacture
 23 it, but you have to register it, serialize it --
 24 you know, get it serialized -- and go through the

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1 process of the manufacturing system.
 2 Q. So is it fair to say that there's a lot
 3 more regulatory paperwork and burden associated
 4 with an NFA firearm?
 5 A. Yes.
 6 Q. Directing your attention back to
 7 interrogatory response 12, so the fourth sentence
 8 here. And it says "MSRs are modular and can be
 9 customized for various applications and body types.
 10 The ready-made retail parts without the need for
 11 specialized tools or expertise is part of what
 12 makes these rifles popular."
 13 Did I read that correctly?
 14 A. Yes.
 15 Q. So do you agree that one of the things
 16 that's appealing about modern sporting rifles, that
 17 there's no need for specialized tools or experience
 18 to use them?
 19 A. I would agree that there's no
 20 specialized tools necessary, depending on the
 21 modification that's being applied. Certainly,
 22 there could be some specialized tooling needed if
 23 you're doing a barrel change, for example.
 24 And then can you repeat the other

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1 portion of your question that I need to answer.
 2 MR. WELLS: Can you read it back, please.
 3 (Record read as requested.)
 4 THE WITNESS: The modular portion is yes, that
 5 an advantage of the MSR platform is that -- the
 6 MSRs is that you can adjust them to varying body
 7 type, sizes, and applications.
 8 BY MR. WELLS:
 9 Q. So the lack of need for specialized
 10 tools or expertise means than an untrained person
 11 can make modifications to the firearm?
 12 A. There's varying degrees of
 13 modifications. But there are some modifications
 14 that you don't need specialized tools. You can use
 15 general hand tools.
 16 Q. Would you agree that it's fairly easy to
 17 disassemble a modern sporting rifle?
 18 MR. LOTHSON: Object to the form, vague.
 19 BY MR. WELLS:
 20 Q. If you understand, you can answer.
 21 A. Can you expand on what you mean by
 22 "disassemble."
 23 Q. Sure. So, for instance, like separating
 24 the receiver from the barrel from the other

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1 attachments to the firearm.
 2 A. No. So there's varying degrees there
 3 you stated. If you wanted to separate the upper
 4 receiver from the lower receiver, it's two pins,
 5 comes right off. But if you wanted to do a barrel
 6 swap, you now have to get hand tools to remove the
 7 hand guard; use or remove the gas system; take off
 8 the barrel, put a new barrel on, put it back on
 9 with some knowledge so that it works safely; gas
 10 system; muzzle device; hand guard again.
 11 Q. So the degree of difficulty depends on
 12 the level of modification; is that fair to say?
 13 A. Yes. If you wanted to swap an upper,
 14 sure. If you wanted to do something more complex,
 15 I would disagree with your statement.
 16 Q. In your definition of modern sporting
 17 rifle here in response to No. 12, there's a
 18 citation to Miller v. Bonta. Do you know what
 19 Miller v. Bonta is?
 20 A. I know there was a law case.
 21 Q. Does NSSF use Miller v. Bonta citations
 22 in its internal documentation referring to MSR's?
 23 A. As I sit here today, I'm not aware just
 24 because I don't work in the litigation stuff, even

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1 though I sit here today. But I'm personally not
 2 privy to all of the documentation that we might
 3 have discussing legal work and the frameworks
 4 thereof.
 5 Q. I'm directing your attention to the
 6 sentence that says "MSR's are useful for more than
 7 just sport." Do you see that?
 8 A. Yes, I do. Four lines from the bottom.
 9 Q. Why was that sentence important to
 10 include in the response to interrogatory 12?
 11 MR. LOTHSON: And I'll object just to the
 12 extent that, obviously, legal citation and lawyer
 13 involvement and the assistance of counsel in
 14 preparing the answers, I think, is self-evident
 15 here.
 16 So to the extent that there's a
 17 question that wouldn't touch on what attorneys may
 18 or may not be thinking in utilizing a citation to a
 19 court case from California, I think, is probably
 20 beyond the scope of the deposition, but also
 21 probably beyond the scope of the personal knowledge
 22 of the witness, as well.
 23 BY MR. WELLS:
 24 Q. Do you agree with that statement that

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1 MSR's are useful for more than just sport?
 2 A. Yes.
 3 Q. Just going further in the definition, it
 4 says "MSR's are accurate, reliable, rugged,
 5 versatile, modular, adaptable, customizable, easy
 6 to use, and have relatively low recoil and, for
 7 those reasons, are used by millions of Americans
 8 for recreational target shooting and shooting
 9 competitions, hunting, and for home and
 10 self-defense."
 11 Did I read that correctly?
 12 A. Yes, you did.
 13 Q. So do you agree that modern sporting
 14 rifles are easy to use?
 15 A. Yes. I would say for a general person
 16 with firearm training and awareness of, you know,
 17 say, regular shooting, safety with shooting, it
 18 would be an easy platform to use.
 19 Q. Would a modern sporting rifle be easy to
 20 use if it's the first gun that someone has bought?
 21 A. It could be.
 22 Q. So if there's an 18-year-old who's never
 23 used a gun before, would it be easy to use? Would
 24 a modern sporting rifle be easy to use for that

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1 18-year-old?
 2 A. It certainly could be.
 3 Q. It says here that modern sporting rifles
 4 have relatively low recoil. Relatively low recoil
 5 compared to what?
 6 A. So if you were looking at -- earlier we
 7 were speaking about the commonality of .223 MSR's.
 8 So AR's, AK -- or AR's, in general, primary
 9 chambering being .223, that is a small caliber or
 10 intermediate caliber -- I forgot which one it
 11 actually is -- that is -- that doesn't have a lot
 12 of recoil. It's generally going to be fine for
 13 someone that's recoil-sensitive, depending on how
 14 that firearm is outfitted and how they're shooting
 15 it.
 16 Q. Do modern sporting rifles have
 17 relatively low recoil compared to a 9-millimeter
 18 pistol?
 19 A. That depends. Are you saying
 20 9-millimeter MSR versus 9-millimeter carbine -- or
 21 I'm sorry -- 9-millimeter MSR versus 9-millimeter
 22 handgun? Because the MSR that's chambered in
 23 9-milliliter, having that much more mass, will be
 24 much more -- less recoil than a 9-millimeter

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1 handgun.
 2 Q. So I'm asking you to compare a
 3 5.56-millimeter NATO caliber modern sporting rifle
 4 to a 9-millimeter non-MSR pistol, like, for
 5 instance, a Beretta.
 6 A. Handgun.
 7 Q. Handgun. Which one has more recoil?
 8 MR. LOTHSON: And I'll object just because
 9 it's not an apples-to-apples comparison. So in
 10 that sense, I think it's kind of a confusing
 11 question without much, if any, foundation.
 12 Go ahead and answer.
 13 THE WITNESS: So it largely depends on the two
 14 platforms that you're using. So if you've got a
 15 standard-configuration MSR, chambering .223/5.56,
 16 like you stated, versus a 9-millimeter handgun,
 17 then depending on the configuration of the handgun
 18 and the MSR, they can be just about the same.
 19 MR. WELLS: And I just ask that counsel keep
 20 the objections to form and avoid coaching the
 21 witness.
 22 BY MR. WELLS:
 23 Q. So when you said relatively low recoil
 24 in the statement that you testified to under oath

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1 in response to interrogatory 12, what were you
 2 comparing modern sporting rifles to?
 3 A. Other rifles -- other rifles and other
 4 cartridges. A .223, being a small cartridge
 5 relative to the vast majority -- the vast
 6 cornucopia of cartridges available, you can go
 7 anywhere from a .223 MSR. You can go all the way
 8 up to -- I believe there's even .30-06 MSRs. And
 9 they have varying degrees of bullet weight,
 10 cartridge size, and it really just kind of depends
 11 on what platform you're shooting, the configuration
 12 of that platform. And then that would transfer,
 13 then, to its comparison.
 14 Q. How does recoil affect the performance
 15 of a firearm?
 16 A. Can you rephrase that.
 17 Q. Sure. So does recoil impact accuracy?
 18 A. To an extent. But training is also a
 19 factor in that.
 20 Q. How can recoil impact accuracy?
 21 A. So if you have a very-high-recoiling
 22 cartridge, say like a long-action magnum cartridge,
 23 it is going to be inherently more difficult to
 24 shoot than a smaller, more forgiving, lower-recoil

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1 cartridge.
 2 Q. And is it fair to say that recoil has a
 3 particular impact on subsequent shots after the
 4 first?
 5 A. I imagine it does, depending on the
 6 platform.
 7 Q. So if you're firing multiple shots, you
 8 want low recoil?
 9 A. I wouldn't agree with that statement.
 10 It just kind of depends on what you're doing. Why
 11 are you -- why are you sending those shots, what is
 12 the application, what are you doing.
 13 Q. If you're wanting to shoot as much as
 14 quickly as possible and be accurate, do you want
 15 more recoil or less recoil?
 16 MR. LOTHSON: I'll object. Just this is
 17 beyond the scope of the deposition.
 18 But go ahead.
 19 THE WITNESS: I would again say it really
 20 depends on the application. Are you shooting in
 21 competitions where you're just trying to hit paper?
 22 Are you hog hunting from a helicopter? Are you
 23 trying to take out game with the ammunition that
 24 you're expelling, or are you just trying to punch

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1 paper? It really just depends.
 2 BY MR. WELLS:
 3 Q. Okay. So if you're firing multiple
 4 shots with a firearm that has lower recoil compared
 5 to another firearm that has a higher recoil, would
 6 you expect the lower-recoil firearm have more
 7 accuracy for subsequent shots after the first?
 8 A. Speaking at a high level, if there is
 9 low recoil and recoil mitigation is less of a
 10 factor in follow-up shots, then it could lead to
 11 easier follow-up shots if there is a lower-recoil
 12 cartridge.
 13 Q. Does NSSF maintain a complete list of
 14 the modern sporting rifles that are currently being
 15 manufactured?
 16 A. No.
 17 Q. Why not?
 18 A. Because that's an ever-expanding and
 19 changing list that we don't have the capacity to
 20 maintain and track.
 21 Q. Is it fair to say that NSSF uses a
 22 categorical definition for modern sporting rifle?
 23 A. I would say that we have an
 24 understanding of what MSR is.

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1 Q. And would you agree that NSSF uses a
 2 definition of modern sporting rifle that's based on
 3 it being a rifle with specific characteristics?
 4 A. I would say it has a -- there's a
 5 firearm for certain specifics, characteristics.
 6 Q. And you corrected my use of the word
 7 "rifle." Why?
 8 A. Because for other applications of that
 9 use, for my awareness of NSSF's usage, we might
 10 even call a frame receiver an MSR, even though it
 11 hasn't grown up to be a fully functioning firearm.
 12 MR. WELLS: So I think we've been going about
 13 an hour and 20 minutes. Obviously, if you need a
 14 break or anything, you can let me know.
 15 MR. LOTHSON: Now is a good time.
 16 (Short recess.)
 17 BY MR. WELLS:
 18 Q. So we're back on the record. It's
 19 10:44.
 20 Salam, did you speak to anyone while
 21 you were on break?
 22 A. Yes, I did.
 23 Q. Who?
 24 A. These folks. My counsel.

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1 Q. Okay. Prior to the break, we were
 2 discussing the definition of modern sporting rifle.
 3 A. Yes.
 4 Q. Would you agree that, as that discussion
 5 indicated that whenever you have a definition for a
 6 particular category of firearm, there's going to be
 7 gray area?
 8 A. Yes.
 9 Q. And that is true for modern sporting
 10 rifles, as any other type of firearm?
 11 MR. LOTHSON: I'll object to the form.
 12 MR. WELLS: Okay. I'll withdraw that one.
 13 (NSSF Deposition Exhibit 5 was
 14 marked for identification.)
 15 BY MR. WELLS:
 16 Q. All right. I have just handed you
 17 what's been marked as Exhibit 5. Have you seen
 18 this document before?
 19 A. Yes.
 20 Q. And just for the record, it's Bates
 21 number NSSF 002338. Do you see that on the bottom
 22 right corner of the document?
 23 A. Yes.
 24 Q. What is Deposition Exhibit 5?

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1 A. This is a summary document of the 2021
 2 AFMER.
 3 Q. And how are you familiar with this
 4 document?
 5 A. Can you expand on that.
 6 Q. Sure. When is the first time you saw
 7 this document?
 8 A. Likely sometime last year when it got
 9 published.
 10 Q. Why would you have been reviewing this
 11 document at that time?
 12 A. As a course of regular execution of my
 13 duties as director of research, we regularly track
 14 the federal reporting by ATF of our industry's
 15 manufacturing export.
 16 Q. So you use the information in Deposition
 17 Exhibit 5 in your work?
 18 A. Partially. This is only a summary
 19 document. This is great to know about. But we use
 20 the detailed file that they provide on top of this
 21 to actually go into some of our reporting.
 22 Q. So you said this is a summary document.
 23 You referenced a detailed file. What is the
 24 detailed file that you're referring to?

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1 A. So the detailed file is a breakdown of
 2 platform -- aka, pistol, revolver, rifle,
 3 shotgun -- by manufacturer.
 4 Q. When you said pistol, revolver, shotgun
 5 as platforms, where did you get those categories
 6 from?
 7 A. Those are categories that ATF creates.
 8 Q. And are there any other categories that
 9 ATF has created that are reflected in Exhibit 5?
 10 A. Miscellaneous.
 11 Q. What's in the miscellaneous category?
 12 A. Largely, frames and receivers. That's
 13 to the best of my knowledge.
 14 Q. When you say to the best of your
 15 knowledge, why do you say that?
 16 A. My understanding is that they're largely
 17 frames and receivers. But sitting here today, I
 18 don't know for an absolute fact if there's anything
 19 other than frames or receivers in that
 20 miscellaneous category.
 21 Q. Would you agree that modern sporting
 22 rifle is not a category that ATF uses?
 23 A. That's correct. Modern sporting rifle
 24 is not a designation of firearm type on this

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1 report.

2 Q. Are there any ATF reports that you are

3 aware of that use the designation "modern sporting

4 rifle"?

5 A. As I sit here today, I don't recall if

6 there was. I vaguely want to -- something tells me

7 I don't want to say no to that just because I don't

8 know if there's some reporting from ATF in one of

9 their large reports on firearms in our industry

10 that might have that vernacular inside of it. But

11 as far as the AFMER is concerned, MSR is not part

12 of this.

13 Q. As you can see on the summary document,

14 Exhibit 5, the ATF AFMER summary for 2021, you

15 would agree that pistol calibers are tracked by ATF

16 in the AFMER?

17 A. Yes. Pistols are on here as a category.

18 Q. What does AFMER stand for?

19 A. Oh, it's Annual Firearms Manufacturing

20 and Export Report.

21 Q. And is it -- is that what you just

22 described at the top of Exhibit 5?

23 A. Yeah. It's right at the top of the

24 title of the report -- or the summary document

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1 report.

2 Q. Do you have an understanding as to why

3 ATF, in the AFMER data, tracks pistol caliber?

4 A. I'm pretty sure there's a regulation

5 that we started requiring AFMER reporting of our

6 industry's manufacturers back in 1990, or possibly

7 before. But the reporting started in 1990, and

8 that's when the AFMER reports kicked off annually.

9 Q. And do you have an understanding as to

10 why different pistol calibers were included at that

11 time?

12 A. I don't.

13 Q. Do you see on the left-hand side of

14 Exhibit 5 where it says "to .22" and "to .25";

15 "to," meaning the word T-O?

16 A. Yes. I got that.

17 Q. What does "to" mean, as used here?

18 A. As my understanding, it means up to

19 .22-caliber for the first one. Say, for

20 9-millimeter as an example, if there is a possible

21 in-between between like .380 and 9-millimeter,

22 you'd put that in the designated spot in the box

23 when you fill out the AFMER form that you put in

24 front of me in Exhibit 4, as a manufacturer.

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1 Q. So the "to" reflects the fact that there

2 may be some calibers that fall in between .380, for

3 instance, and a little less than 9-millimeter, but

4 not quite 9-millimeter; is that fair to say?

5 A. Yes. Yes.

6 Q. Just looking at the 9-millimeter

7 category for pistols, in particular, you agree

8 that's the largest category, by far?

9 A. 9-millimeter is the largest category of

10 pistols, by far.

11 Q. And do you have an understanding as to

12 the rough proportion of the 4,301,814 listed in the

13 "to 9-millimeter" category that are actually

14 9-millimeter, as opposed to something on the

15 slightly-under side?

16 A. I would have to venture to guess that

17 the vast majority would be 9-millimeter. I mean,

18 I'm aware of certain cartridges like, say,

19 9-millimeter Makarov, that it's not something

20 that's widely used and widely known, but somebody

21 could be making it and put it in the 2021 AFMER or

22 another one. Then that would be -- as far as I

23 understand, that would fall between that .380 and

24 9 mil, and that would be captured in that

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1 9-millimeter.

2 Q. So is it fair to say, then, your

3 understanding is that the substantial majority of

4 the 3.4 million figure in "to 9-millimeter" is

5 actually 9-millimeter?

6 A. Yes. I would say that the vast majority

7 are actual 9-millimeter chambers.

8 Q. You would agree with me that ATF AFMER

9 data does not include data about rifle caliber?

10 A. That's correct. Rifles are not broken

11 down by caliber. Neither are shotguns or

12 miscellaneous firearms.

13 Q. And you would agree that there's no

14 caliber-based subcategories for rifles in the ATF

15 AFMER data?

16 A. I'm sorry. Could you restate that.

17 Q. There's no caliber-based subcategories

18 for rifles in the ATF AFMER data?

19 A. They're not on this sheet. I don't

20 recall if it's been updated and that they include

21 that now.

22 Q. Do you know whether ATF AFMER data

23 tracks rifles by caliber category?

24 A. I believe they just track by the

<p style="text-align: right;">Page 78</p> <p>1 designation of rifles, and subsequently, shotguns 2 and miscellaneous. 3 Q. When you said designation as a rifle, 4 you mean designation as a rifle as defined by ATF? 5 A. Yes. 6 Q. And as we looked at earlier, that 7 definition of rifle from ATF does not include 8 caliber, right? 9 A. That's correct. 10 Q. And is it fair to say that NSSF relies 11 on ATF AFMER data in conducting research? 12 A. Yes. 13 Q. How would you characterize that 14 reliance? Is it a lot? A little? 15 A. We heavily rely on it because it is 16 federal reporting of our industry's mandated 17 transparency reporting of our activity. 18 Q. What is actually included in the ATF 19 AFMER data, at a high level? 20 A. At a high level, it gives a breakdown of 21 every firearm manufacturer that produced one of 22 these categories of firearms. 23 Q. Where does the data come from? 24 A. Self-reporting by industry, which is</p>	<p style="text-align: right;">Page 80</p> <p>1 Q. You would agree that ATF AFMER data does 2 not capture how many firearms are legally purchased 3 in the United States each year? 4 A. I believe the last question confirmed 5 that. This does not track sales. 6 Q. The difference was I used the word 7 "legally." 8 A. Oh, okay. It doesn't capture sales of 9 any kind. 10 Q. Legal or illegal? 11 A. Yes. 12 Q. You would agree there are illegal sales 13 of firearms in the United States each year? 14 A. I know that there are criminals, and 15 they commit criminal acts. 16 Q. Do you agree with the statement that 17 there are illegal sales of firearms in the 18 United States each year? 19 MR. LOTHSON: I'll object; just outside the 20 scope. 21 THE WITNESS: There are certainly criminal 22 acts that include illegally purchasing firearms. 23 BY MR. WELLS: 24 Q. Does NSSF track information about</p>
<p style="text-align: right;">Page 79</p> <p>1 mandated. 2 Q. Self-reporting by industry to ATF? 3 A. To ATF. That is mandated. 4 Q. And is it through that form that we 5 looked at earlier in Deposition Exhibit 4? 6 A. That's my understanding. 7 Q. Are there limitations to ATF AFMER data? 8 MR. LOTHSON: Object to the form. 9 THE WITNESS: In what way? 10 BY MR. WELLS: 11 Q. So, for instance, would you agree that 12 ATF AFMER data does not capture firearms that are 13 manufactured outside the United States? 14 A. That's correct. This is manufacturing 15 that is in the United States by manufacturers that 16 are here. 17 Q. So ATF AFMER data only captures firearms 18 manufactured in the United States, correct? 19 A. That's my understanding. 20 Q. And ATF AFMER data does not capture how 21 many firearms are purchased in the United States 22 each year? 23 A. That's correct. This is a manufacturing 24 and export report. It is not a sales report.</p>	<p style="text-align: right;">Page 81</p> <p>1 illegally purchased firearms? 2 MR. LOTHSON: Objection; beyond the scope of 3 the deposition. 4 THE WITNESS: We have a program called Don't 5 Lie For the Other Guy. And that is a collaboration 6 between NSSF industry and ATF and is a program that 7 we use to highlight the actions of straw 8 purchasing, which is an illegal purchase. And, 9 subsequently, any type of, you know, activity that 10 is in there, we try to make retailers aware, hey, 11 this is a thing that people do. It's a criminal 12 action. We want you to be aware of it, look out 13 for it when you are conducting your transfers. 14 BY MR. WELLS: 15 Q. Does ATF AFMER data include firearms 16 that are ultimately purchased by law enforcement? 17 A. As I sit here today, I'm not positive. 18 Q. So -- 19 A. I can certainly go back and investigate 20 that, and I can ask our partners at ATF, and 21 they'll be probably happy to tell me. 22 Q. So, for instance, if a police officer 23 purchases a weapon, a firearm, a pistol, a 24 9-millimeter pistol, for instance, and purchases</p>

<p style="text-align: right;">Page 82</p> <p>1 that pistol for use as a duty weapon, would that 2 firearm -- would the manufacturer of that firearm 3 be captured in the AFMER data? 4 MR. LOTHSON: I'll object just to incomplete 5 hypothetical. 6 THE WITNESS: We've already established that 7 this is manufacturing. This is not sales. 8 BY MR. WELLS: 9 Q. Right. I'm asking once the firearm is 10 manufactured -- 11 A. Yes. 12 Q. -- I want you to assume -- 13 A. Maybe I misheard you. I'm sorry. 14 Q. Right. So a firearm that is 15 manufactured, a 9-millimeter firearm that is -- 16 pistol that is manufactured and reported in ATF 17 AFMER data -- 18 A. Yes. 19 Q. -- that manufactured pistol could 20 ultimately be purchased at retail by a law 21 enforcement officer who is going to use that pistol 22 as a duty pistol; is that fair to say? 23 A. Thank you for clarifying. Yes, we do 24 know that some law enforcement agencies will go to</p>	<p style="text-align: right;">Page 84</p> <p>1 underlying firearm, correct? 2 A. Yes. For your example of a 9-millimeter 3 pistol produced on this -- produced and captured in 4 this report by ATF, self-reported by industry, 5 these firearms could very realistically go to a 6 distributor, go to a retailer, and local law 7 enforcement can then go and transfer that, purchase 8 that, at a retail location. 9 Q. Do you know who created the term "modern 10 sporting rifle"? 11 A. I don't know. 12 Q. Do you know -- what was the first modern 13 sporting rifle? 14 A. I'm not really sure. I would have to 15 assume it's the AR that was from Eugene Stoner back 16 in the '50s or '60s. 17 Q. Can you give any other examples of early 18 modern sporting rifles? 19 A. The AK was also established around that 20 same time frame. 21 Q. Why are the AK and AR grouped together 22 in the definition of modern sporting rifle? 23 A. They have a lot of similar features. 24 They're not the exact carbon -- they're not carbon</p>
<p style="text-align: right;">Page 83</p> <p>1 their local firearm retailer in order to acquire a 2 firearm for duty use. 3 Q. So in addition to the agencies, do you 4 have an understanding that individual law 5 enforcement officers may also go to a retailer to 6 purchase a 9-millimeter pistol that is reported as 7 manufactured in the ATF AFMER data? 8 A. I think that they could do it both -- 9 are you talking about in the capacity of their job 10 or capacity of their individual habits outside of 11 their job? 12 Q. So I'm representing -- I'll represent to 13 you that, for instance, that the, like, Chicago 14 Police Department officers actually purchase their 15 own duty weapons, and they have certain categories 16 of duty weapons that they can purchase. So an 17 officer in that category who is going to purchase a 18 duty weapon from a retailer, that would have been 19 manufactured, and that manufacturer would have been 20 reported in ATF AFMER. 21 A. Yes. 22 Q. And you agree with that, that that would 23 be captured -- that situation would be captured in 24 the ATF AFMER data for the manufacturer of the</p>	<p style="text-align: right;">Page 85</p> <p>1 copies, by any means, but they have very similar 2 operations and features. 3 Q. Which companies today are leading modern 4 sporting rifle manufacturers? 5 A. Of who makes the most, I'd have to go 6 back and look at some of our records and do some 7 investigation of who would be the top. But of 8 those that make rifles, we have that in our 9 reports, and I can talk to you about our charts 10 that track top manufacturers. 11 Q. Would Ruger be included? 12 A. They may be. 13 Q. Springfield Armory, do they make modern 14 sporting rifles? 15 A. I believe they do. 16 Q. Does Smith & Wesson make modern sporting 17 rifles? 18 A. I believe they do. 19 Q. Does SIG SAUER make modern sporting 20 rifles? 21 A. I believe they do. 22 Q. Does Daniel Defense make modern sporting 23 rifles? 24 A. I believe they do.</p>

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1 Q. And are all those companies that I just
 2 listed, are those NSSF members?
 3 A. I believe so. I don't have a current
 4 list of all members and their current status, but I
 5 believe those are all members.
 6 (NSSF Deposition Exhibit 6 was
 7 marked for identification.)
 8 BY MR. WELLS:
 9 Q. I'm handing you what has been marked as
 10 Deposition Exhibit 6, which is Bates range
 11 NSSF 000035 to 52. Do you recognize this document?
 12 A. Yes. This is our 2023 IIR.
 13 Q. Does this appear to be a true and
 14 accurate copy of the document you just named?
 15 A. I do need a second to go through it. If
 16 this is the exact copy that we produced in our
 17 document production, then yes. I am, just high
 18 level, going through it making sure all the pages
 19 are included.
 20 Q. I can represent to you that, yes, it's
 21 the -- Bates stamp on the bottom right, it's NSSF
 22 produced this document.
 23 A. Yes, I agree that this is the document.
 24 Q. You used the term, I think, IIR?

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1 A. Yes.
 2 Q. What does that mean?
 3 A. Industry intelligence report.
 4 MR. WELLS: And let the record reflect that
 5 the witness just pointed to the top of NSSF 35.
 6 BY MR. WELLS:
 7 Q. What is an industry intelligence report?
 8 A. This is a report of firearm production
 9 from our industry's activity.
 10 Q. Are all industry intelligence reports
 11 about firearm production?
 12 A. No, they're not.
 13 Q. Are there other categories of industry
 14 intelligence reports?
 15 A. Yes.
 16 Q. What are those?
 17 A. I believe that we had one back from
 18 either 2017 or 2018 that specifically looked at
 19 optics for firearms. But that is not represented
 20 here today.
 21 Q. And the term or the kind of acronym IIR,
 22 is that an acronym that NSSF uses in internal
 23 documentation?
 24 A. Yes.

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1 Q. And is that acronym, when it's used,
 2 referring to this report and others like it?
 3 A. It particularly looks at the production
 4 report. Folks call it the production report, the
 5 IIR. There's a couple different names. It's got a
 6 very long title that's never been optimized, as far
 7 as I know.
 8 Q. What is the very long title? Not the
 9 industry intelligence reports part, but the other
 10 part.
 11 A. "Firearm Production in the United States
 12 With Fire Export and" -- I'm sorry -- "With Fire
 13 Import and Export Data, 2023 Edition."
 14 Q. So that's the very long title you're
 15 referring to?
 16 A. Yes.
 17 Q. So how is it referred to internally at
 18 NSSF?
 19 A. So it can be called the production
 20 report, it can be called the IIR, it could be
 21 called the industry intelligence report, variants
 22 thereof.
 23 Q. And all of those names generally refer
 24 to this report that's marked as Deposition

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1 Exhibit 6?
 2 A. Correct.
 3 Q. And I note that Deposition Exhibit 6 is
 4 listed as the 2023 edition. Are there other
 5 editions of the "Firearm Production in the
 6 United States" report?
 7 A. Yes. This is an annual report that I
 8 believe goes back to early 2000s, as far as my
 9 awareness.
 10 Q. Were you involved in the creation of
 11 Deposition Exhibit 6?
 12 A. Yes. I supervised the creation of this
 13 and had a direct hand in making some of the papers.
 14 Q. Which -- we'll get into that. Who
 15 else -- you said you supervised. Who did you
 16 supervise that was associated with this report?
 17 A. Dianne Vrablic, who is our manager of
 18 industry research. And she did a lot of the
 19 administrative nuts and bolts of this.
 20 Q. When you say administrative nuts and
 21 bolts, what do you mean?
 22 A. So we have a number of documents, and I
 23 believe we produced all of them. Files, Excel
 24 files, different graphs, charts, that we will use

Page 90	<p>1 the ATF AFMER in order -- the ATF AFMER, USITC, and</p> <p>2 different reports that we plug into the next year</p> <p>3 in order to create the next series of reporting for</p> <p>4 that next-year edition.</p> <p>5 Q. So is it fair to say that, in the backup</p> <p>6 documentation for this report, there are living</p> <p>7 documents that get sort of added to each year when</p> <p>8 new data becomes available?</p> <p>9 A. That's correct.</p> <p>10 Q. You mentioned Dianne Vrablic. Vrablic?</p> <p>11 A. Vrablic.</p> <p>12 Q. Who else was involved in the creation of</p> <p>13 Deposition Exhibit 6?</p> <p>14 A. Our creative services team, largely to</p> <p>15 make the edits that we produce. So if there's,</p> <p>16 say, for this first bullet here for key findings,</p> <p>17 the production of firearms in the US was</p> <p>18 5.7 million, not reading off the entire number.</p> <p>19 The last-year edition would have a different number</p> <p>20 there. Then we would overwrite that, highlight it.</p> <p>21 Creative services would then take it and go, oh,</p> <p>22 cool, we'll format that. And it's done.</p> <p>23 Q. So is it fair to say that you and</p> <p>24 Ms. Vrablic generate the content, and the creative</p>	Page 92	<p>1 MR. LOTHSON: Objection; outside the scope.</p> <p>2 THE WITNESS: Thank you.</p> <p>3 MR. WELLS: Sorry, Justin.</p> <p>4 THE WITNESS: Yeah.</p> <p>5 BY MR. WELLS:</p> <p>6 Q. So before -- does NSSF publish</p> <p>7 Deposition Exhibit 6?</p> <p>8 A. Do we publish this report?</p> <p>9 Q. Yes.</p> <p>10 A. Yeah. We put it on our member portal.</p> <p>11 Q. What is your member portal?</p> <p>12 A. Our member portal is a area for our</p> <p>13 members to log into to acquire resources or look at</p> <p>14 our other research reports, get in touch -- not get</p> <p>15 in touch, but get access to various resources and</p> <p>16 resource that we provide.</p> <p>17 Q. Before NSSF publishes the -- I'll call</p> <p>18 Deposition Exhibit 6 the 2023 production report.</p> <p>19 A. Sure.</p> <p>20 Q. Before NSSF publishes the 2023</p> <p>21 production report, who would be the highest person</p> <p>22 at NSSF who has to sign off on it before it's</p> <p>23 published?</p> <p>24 A. Probably Larry Keane.</p>
Page 91	<p>1 services team formats it?</p> <p>2 A. That's correct.</p> <p>3 Q. Is there anyone else at NSSF that is</p> <p>4 involved in the production of Deposition Exhibit 6?</p> <p>5 A. Outside of the production, no. We do do</p> <p>6 a general spell-check and other stuff to our other</p> <p>7 team members where, before we publish it, we'll</p> <p>8 kick it off to our other staff members and say,</p> <p>9 hey, this is done. We've been looking at it for</p> <p>10 months. Can you please just go through with a</p> <p>11 fine-tooth comb and see if there's any spelling</p> <p>12 errors or anything that we highlighted that we</p> <p>13 didn't clear out so we just don't have egg on our</p> <p>14 face.</p> <p>15 Q. Why would you have egg on your face?</p> <p>16 A. Oh, just putting out something that has</p> <p>17 a typo, it looks bad.</p> <p>18 Q. I hate typos.</p> <p>19 A. Me too.</p> <p>20 Q. Who is on the creative services team?</p> <p>21 A. Deb Moran and Justin -- what is Justin's</p> <p>22 last name? This is embarrassing. I'm sorry. I</p> <p>23 forgot Justin's last name.</p> <p>24 Q. That's okay.</p>	Page 93	<p>1 Q. Who is Larry Keane?</p> <p>2 A. He's our VP of our -- or senior VP of</p> <p>3 government affairs and general counsel. He's my</p> <p>4 boss. And so after my team is done with this,</p> <p>5 everyone's had a chance to go through it for typos,</p> <p>6 we kick it to him, and he'll do just a general</p> <p>7 scroll-through to make sure there's nothing, you</p> <p>8 know, that stands out. And then after he goes,</p> <p>9 cool, I skimmed through it and nothing looks wrong,</p> <p>10 let's do it. By "do it," I mean post it.</p> <p>11 Q. Understood. Who decides on the content</p> <p>12 of "Firearm Production in the United States"?</p> <p>13 A. So this is a long-standing report. We</p> <p>14 keep trying to update everything as we get new</p> <p>15 information. So as the AFMER gets updated, USITC,</p> <p>16 as long as we can get access to the historic</p> <p>17 reports that were relied on for previous</p> <p>18 iterations, we just keep putting in the same</p> <p>19 information over and over to have that</p> <p>20 year-over-year trend for our members.</p> <p>21 Q. Who is the audience of Deposition</p> <p>22 Exhibit 6, the 2023 firearm production report?</p> <p>23 A. All of our members.</p> <p>24 Q. Anybody else?</p>

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1 A. As far as I know, that's generally what
 2 we make it for. It's a benefit to our members to
 3 have accurate and, you know, objectionable data
 4 here in a summarized fashion instead of them having
 5 to go look for stuff and having them do it
 6 themselves.
 7 Q. Do you have an understanding that the
 8 "Firearm Production in the United States" 2023
 9 report is sometimes used in litigation that NSSF
 10 brings?
 11 A. I am aware.
 12 Q. Is that awareness -- and you're aware of
 13 that fact when you're preparing the report; is that
 14 fair to say?
 15 A. It's not something that is top of mind.
 16 I know that all of our reports can be utilized for
 17 various reasons, but the driving factor is to get
 18 accurate data to our members.
 19 Q. When did you first become aware that any
 20 version of the "Firearm Production in the
 21 United States" report was used by NSSF in
 22 litigation?
 23 MR. LOTHSON: I'll object just to the extent
 24 that, if you received that information from a

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1 lawyer, which I suspect you may have, I think it
 2 may be subject to attorney-client privilege, work
 3 product.
 4 I think you can ask him generally if
 5 he's seen this.
 6 BY MR. WELLS:
 7 Q. So I'm not asking for the specific
 8 communications. I'm asking the moment in time --
 9 you learned at some point that some version of
 10 "Firearm Production in the United States,"
 11 Deposition Exhibit 6, and others like it, prior
 12 versions, were being used in litigation; is that
 13 fair to say?
 14 A. Yes.
 15 Q. When did you first develop that
 16 awareness?
 17 A. When I was asked to testify to a
 18 previous version of the IIR in the Oregon case.
 19 Q. When were you asked to testify?
 20 A. I think it was last year. I want to say
 21 it was last year.
 22 Q. Okay. So directing your attention to
 23 the first page of Deposition Exhibit 6 at Bates
 24 NSSF 35, who wrote the text that's underneath the

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1 title?
 2 A. This is historic text that's been there
 3 for as far as I know. And speaking with Dianne
 4 Vrablic in preparation for this, it's stuff that
 5 she inherited, and we just go through and update
 6 the tiny tidbits that we have.
 7 Q. Do you know who Dianne Vrablic inherited
 8 the text from?
 9 A. I believe it was Jim Curcuruto at the
 10 time, who was employed by NSSF previously. And I'm
 11 not sure the single point of origin of where it
 12 came from.
 13 Q. Is Jim Curcuruto still employed by NSSF?
 14 A. No. He departed, I believe, in 2021.
 15 Q. Do you know Jim Curcuruto?
 16 A. Vaguely. We had about six to eight
 17 months that we worked in the same place, hi and bye
 18 on calls, but we never collaborated on any
 19 projects.
 20 Q. Did you take over any files that Jim
 21 Curcuruto maintained, after his departure?
 22 A. I know there were some, what they were
 23 and what he was working on, things that I was asked
 24 to work on, like the IIR, he had worked on

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1 previously. As I sit here today, I don't know the
 2 full scope of everything that he did at his time
 3 during his role in research because his role was
 4 also research related. I don't know everything
 5 that he did. Stuff that spilled over to me just
 6 because of that tiny time frame working together.
 7 Q. So I'm directing your attention to the
 8 first sentence under the title that says "Providing
 9 a comprehensive overview of firearm production
 10 trends spanning a period of 31 years, this report
 11 is based primarily on the data source from the
 12 Bureau of Alcohol, Tobacco, Firearms and
 13 Explosives' (ATF's) Annual Firearms Manufacturing
 14 and Export Reports (AFMER)."
 15 Do you see that?
 16 A. Yes.
 17 Q. And that's referring to the AFMER data
 18 that we were discussing earlier in conjunction with
 19 Deposition Exhibit 5?
 20 A. It's not Exhibit 5. It's the data that
 21 is expansion of the summary document, which is
 22 document 5.
 23 Q. Okay. So Deposition Exhibit 5 is sort
 24 of a cover sheet for a big underlying --

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1 A. Yes.
 2 Q. Wait for me just to finish.
 3 A. Sorry.
 4 Q. No problem.
 5 -- for a big underlying dataset in
 6 the form of an Excel spreadsheet; is that fair to
 7 say?
 8 A. Yes.
 9 Q. And that Excel spreadsheet that
 10 underlies the cover sheet that is Exhibit 5, that's
 11 what Deposition Exhibit 6, that sentence that I
 12 just read to you about ATF AFMER, is referring to?
 13 A. That's right.
 14 Q. And this says primarily relying on ATF
 15 AFMER data. But not exclusively, right?
 16 A. That's correct.
 17 Q. What other data sources does NSSF rely
 18 on in the generation of the "Firearm Production in
 19 the United States" report?
 20 A. USITC data. And we also do some
 21 industry reporting. I know that there's one
 22 section on here that also has some ammunition
 23 manufacturing. Let me see if I can find it here.
 24 I'll recognize the page when I see it. Here we go.

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1 The annual survey of manufacturers, which gives us
 2 the contents on page 10 for industry statistics in
 3 that in regarding to ammunition production.
 4 Q. And whose survey is that?
 5 A. The census does.
 6 Q. Okay. So it's a census survey?
 7 A. Yes. It's a government report.
 8 Q. And is that census data used in any
 9 other section of the report?
 10 A. I believe for the ASM portion, this is
 11 the only part. And then it spans over a few pages,
 12 but the main content for the ammunition production
 13 is that data.
 14 Q. You mentioned USITC data. What is that?
 15 A. United States International Trade
 16 Commission reporting that we use to do a data pull
 17 of our industry's products at a point in time.
 18 It's a snapshot. They don't put out an AFMER like
 19 ATF does. But we can -- we have access to go and
 20 draw a snapshot in time of what is reported by
 21 USITC. And that's the importing side of it.
 22 Q. Is there overlap between USITC data and
 23 ATF AFMER data?
 24 A. There may be if we're getting the

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1 exporting side. But I can't recall -- sitting
 2 right here, I can't recall if we exclusively use
 3 the exporting portion from USITC. I could look
 4 into that and get back to you, if you'd like.
 5 Q. So is it fair to say that NSSF uses ATF
 6 AFMER to determine manufacturing and export data
 7 for firearms?
 8 A. Yes.
 9 Q. And is it fair to say that NSSF uses
 10 UITS [sic] data for import information relating to
 11 firearms?
 12 A. USITC, yes. There was just an S missing
 13 there.
 14 Q. What's that?
 15 A. There was just an S missing there.
 16 Q. Oh, sorry.
 17 A. That's all right.
 18 Q. USITC. All right. You also mentioned
 19 industry reporting?
 20 A. Yes.
 21 Q. What do you mean by industry reporting?
 22 A. So there are some segments that we need
 23 further clarification and transparency from our
 24 members. And we may go to them and say, hey, LFDs

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1 for this content. Can you please give us some more
 2 information.
 3 Q. When you say some segments, what do you
 4 mean?
 5 A. So primarily the MSR chart.
 6 Q. Why do you need clarifications for the
 7 MSR chart?
 8 A. Because there are manufacturers that,
 9 like we discussed before, may make bolt-actions,
 10 they may make lever guns, and those are all
 11 captured under rifle. And we need some extra
 12 insights, under confidentiality, to get that
 13 information from our members.
 14 Q. So when NSSF gathers industry reporting,
 15 I think earlier you testified that sometimes you'll
 16 send an e-mail, sometimes it will be a phone call.
 17 And NSSF is asking questions of its members about
 18 their modern sporting rifle production in the
 19 course of those communications; is that right?
 20 A. That's correct.
 21 Q. And NSSF industry members are providing
 22 information in response to those questions that
 23 inform the modern sporting rifle report -- or chart
 24 in the "Firearm Production in the United States"

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1 document we're looking at?
 2 A. Overall, yes. But it's really hit or
 3 miss. We don't get 100 percent response rate. And
 4 so if we don't get that response rate, then we
 5 can't count them. So the MSR chart, even though
 6 it's -- some people might think it's a very large
 7 number. It's a conservative estimate. We're
 8 sometimes not capturing everybody or we can't count
 9 them at all because we can't get the transparency.
 10 Q. What does NSSF do to validate the
 11 information it receives from industry reporting?
 12 A. What do you mean?
 13 Q. So if NSSF has a conversation, either by
 14 phone or e-mail, about -- in response to a question
 15 that NSSF has asked of a firearm manufacturer about
 16 firearm reporting, does NSSF check the numbers or
 17 information that it receives from the manufacturer?
 18 A. We'll provide just a general logic
 19 check. If they provide a number that doesn't make
 20 sense, then we'll go through the steps to verify.
 21 But, largely, our members in our industry provide a
 22 very thorough, comprehensive data that we've never
 23 really had to question.
 24 Q. Beyond that logic check, is there any

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1 other validation that NSSF does?
 2 A. No, simply for the fact that our members
 3 want truthful, accurate data; and that if they are
 4 not providing that, they are not getting a quality
 5 report at the end of the day. So we believe our
 6 numbers to be accurate in the reporting of any
 7 information that we're asking them about.
 8 Q. I'm going to direct your attention to
 9 the last page of this report, so Deposition
 10 Exhibit 6. It's the "Firearm Production in the
 11 United States" Bates-labeled NSSF 000052. Do you
 12 see underneath "Sources" where it says "Total
 13 Production"?
 14 A. Do you want me to read that portion?
 15 Q. No. I'll direct you further here. So
 16 in that box to the right of "Total Production," it
 17 says "Detail data source: The 2021 Annual Firearms
 18 Manufacturing and Export Report (AFMER). This
 19 annual report is prepared by the office of Firearms
 20 and Explosive Services Division (FESD), Bureau of
 21 Alcohol, Tobacco, Firearms and Explosives (ATF),
 22 Washington, DC." And then it has in parentheses,
 23 it says "(historical analysis conducted by NSSF)."
 24 Do you see that?

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1 A. Yes.
 2 Q. What does "historical analysis conducted
 3 by NSSF" mean?
 4 A. So as manufacturers report their
 5 manufacturing, they might have an amendment to that
 6 number. And so what they do is they say, hey, here
 7 is our reporting. We submitted it. And then they
 8 might do their own self-audit. It's like, oh, we
 9 actually have an amendment. They'll submit that
 10 amendment, ATF publishes that.
 11 But once ATF gets the number and they
 12 publish the AFMER report for that year, they are
 13 not going to go back to that original post and
 14 update the link. So then if we're seeing those
 15 updates happen, we have to then go back and make
 16 those corrections.
 17 Additionally, we might have a
 18 manufacturer that has three locations. So then in
 19 the processing of the AFMER, we need to combine
 20 those three manufacturers together so you get a
 21 true balance of what that brand of manufacturer is
 22 making.
 23 Q. So you sometimes have to take the ATF
 24 AFMER data and combine or sort or conduct further

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1 analysis of it; is that fair to say?
 2 A. It's not really an analysis. We're more
 3 so just adding one and two together to make sure
 4 the sums for each brand are accurate.
 5 Q. So ATF AFMER data, you agree, goes back
 6 to what year?
 7 A. 1990.
 8 Q. How does NSSF validate data that's
 9 reported in AFMER -- well, let me withdraw that.
 10 Does the historical analysis that
 11 NSSF conducts involve making those types of
 12 modifications to ATF AFMER data from the 1990s?
 13 A. It's only as the information is
 14 presented. So if ATF posts a correction for the
 15 latest year and we see that, then we'll make that
 16 correction. They're usually small in number. It's
 17 a few thousand here or there, compared to the
 18 millions that are in the full production for the
 19 year. So it's small adjustments, but it's
 20 adjustments that we make. In my time at NSSF, I've
 21 never seen an adjustment go back multiple years.
 22 Q. All right. I'm going to direct your
 23 attention to the last sentence in this "Total
 24 Production" section where it says "The AFMER 2021

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1 as reported through January 20th, 2023 -
 2 reviewed/adjusted by NSSF."
 3 Do you see that?
 4 A. I'm sorry. I don't. Okay. So the
 5 manufacturing trends and the box next to it?
 6 Q. No, total production.
 7 A. Oh, I'm sorry.
 8 Q. The next -- the last sentence in total
 9 production.
 10 A. Oh, sorry.
 11 Q. So I'm going to ask you about that last
 12 sentence again that says --
 13 A. Yeah, sure.
 14 Q. -- "The AFMER 2021 as reported through
 15 January 2023 - reviewed/adjusted by NSSF."
 16 What does "reviewed/adjusted by NSSF"
 17 mean?
 18 A. It's what I was talking to you earlier
 19 there. We might have a brand that has multiple
 20 locations, and so we'll go through the AFMER and
 21 combine the production in those multiple locations
 22 so that each brand has a total figure next to it.
 23 We're not going to make the -- we're not going to
 24 make the report and have, say, for example, one

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1 manufacturer in position 3 of their totals and then
 2 they're repeated again in position 8. We're
 3 getting rid of that duplication so that we have one
 4 final figure.
 5 Q. Are there any other adjustments that
 6 NSSF makes to ATF AFMER data?
 7 A. Not that I'm aware of. We just combine
 8 the like brands under one umbrella so that we can
 9 get a true total.
 10 Q. Does NSSF draw data from multiple AFMER
 11 categories in calculating its modern sporting rifle
 12 table?
 13 A. We don't primarily use the AFMER to --
 14 let me back up here. While the AFMER tells us
 15 production, we have to go to the manufacturers
 16 sometimes to figure out what proportion of their
 17 manufacturing is. For some brands, we do use the
 18 AFMER directly because we can go through their
 19 offerings of products on their website and see
 20 every single product falls under, for instance, an
 21 MSR platform; it's AR, AK, variant thereof.
 22 Q. When you say you go through a
 23 manufacturer's website and look at their offerings,
 24 what does that review entail?

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1 A. So that is going to -- say we designate
 2 this person, this entity, company, makes MSRs.
 3 Okay? Let's go to their website. Do they make
 4 anything other than MSRs? And we go through their
 5 catalog, we search them on the website for what
 6 they have to offer from the retailer, just as a
 7 double-check. And as long as nothing falls under
 8 anything that's outside of MSR, then we don't have
 9 to do the additional investigation of proportions
 10 of production.
 11 Q. How are you determining that what you
 12 review on those websites are modern sporting
 13 rifles?
 14 A. By using the understanding that it
 15 usually falls in the category of AR, AK, variants
 16 thereof.
 17 Q. Is it fair to say you're looking at
 18 visual images of the firearms to assess whether or
 19 not they're modern sporting rifles?
 20 A. Yes.
 21 Q. You don't perform physical inspections
 22 of the models from a particular manufacturer when
 23 you're trying to determine whether it's a modern
 24 sporting rifle?

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1 A. I've never, in my time, had to do that
 2 just because I have familiarity with a lot of
 3 products. And there's also the added benefit of
 4 YouTube, for example, of, hey, how is this going to
 5 work. And go on YouTube and there's somebody
 6 usually has a review and they shoot it and all that
 7 stuff so you can kind of see how it operates.
 8 Q. All right. I'd like to turn back to the
 9 first page of Deposition Exhibit 6. That's NSSF
 10 000035. I'm going to direct your attention to the
 11 second sentence in the first paragraph where it
 12 says "Every effort has been made to provide
 13 accurate and updated information so the reader may
 14 keep this edition as a reliable resource for trend
 15 information."
 16 Do you see that?
 17 A. Vaguely. Yes, I see it.
 18 Q. Do you agree with that?
 19 A. Yes.
 20 Q. Can you describe for me what those
 21 efforts are.
 22 A. So we collect -- for everything that is
 23 in this report, we collect the latest updated
 24 information available to us in this snapshot in

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1 time to give accurate, objectionable data in
 2 reporting on this topic.
 3 Q. All right. I'm going to direct your
 4 attention to the third paragraph on this page, the
 5 one that starts with the word "Information." And
 6 directing your attention to the second sentence
 7 that reads "Other factors outside of the
 8 manufacturing sector, such as the retail sector,
 9 the economy and frequently the political climate,
 10 must all be taken into consideration."
 11 Why must the political climate be
 12 taken into consideration?
 13 A. I'm not sure if you are familiar with
 14 the sales trends of firearms. But, largely,
 15 when -- anytime that there is a shift in political
 16 appetite to, say, ban things, further regulate,
 17 there is usually a drive by consumers to go and
 18 purchase those things that would be banned under
 19 that possible legislation.
 20 Or even -- not even if there's a
 21 legislation provided. If someone gets in office
 22 that makes their campaign to ban firearms, that
 23 largely, just by observing trends, that will
 24 motivate consumers to then go and buy those things

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1 because they largely want them. And they may not
 2 have planned to buy it then, but if it's going to
 3 be gone, they want to get their hands on it.
 4 Q. So is it fair to say that the firearms
 5 industry is impacted by things like whether it's an
 6 election year or not?
 7 A. It certainly can be. If you look at the
 8 FBI NICS data that tracks background checks, I've
 9 seen the 25-year chart that they've been in
 10 operation. There is always a spike. Every time
 11 it's an election year, no matter who was leading,
 12 there's always a spike.
 13 Q. What about the year after an election
 14 year? And when I'm referring to an election, I'm
 15 referring to a presidential election. So if
 16 there's a change in presidential administration,
 17 the year that a new president is inaugurated, does
 18 that impact the firearms industry?
 19 A. It certainly can. I know that there is
 20 an impact after a spike. Every time that there is
 21 a spike, just by flow of the data, there is going
 22 to be augmentation there because you just had one
 23 previously. And as far as I know, it exists. The
 24 extent and direction, I can't speak to today. But

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1 I can investigate that later -- or investigate that
 2 at a later time and get back to you if you have a
 3 particular thing I have to investigate.
 4 Q. Does the political climate ever benefit
 5 the firearm industry?
 6 A. I think I can only give my opinion here
 7 and that it's possible.
 8 Q. So you testified earlier that sometimes
 9 if someone is running for office and they are
 10 advocating for a ban on certain types of weapons,
 11 that may actually increase the sales of those types
 12 of weapons; is that fair to say?
 13 A. Yeah. It's a term called "panic
 14 buying."
 15 Q. What does panic buying mean?
 16 A. There's a rush of retail activity to go
 17 and legally purchase firearms that they possibly
 18 could not get -- that they, as consumers, could
 19 possibly not get at a later date.
 20 Q. And is panic buying a regularly
 21 understood and used term in the firearms industry?
 22 A. I would say yes.
 23 Q. All right. I'm going to direct your
 24 attention to the next page, NSSF 36. All right.

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1 At a high level, what is the chart on NSSF 36
 2 showing?
 3 A. This is firearm production broken down
 4 by type from 1991 to 2021.
 5 Q. And the types are pistols, revolvers,
 6 rifles, and shotguns; is that fair to say?
 7 A. That's correct.
 8 Q. And those categories were taken from ATF
 9 AFMER; is that fair to say?
 10 A. That's correct.
 11 Q. And modern sporting rifle is not a
 12 category on this chart, correct?
 13 A. That's correct.
 14 Q. And you see "Total Handguns" as a
 15 category?
 16 A. I do.
 17 Q. What's in that category?
 18 A. So that would be pistols and revolvers.
 19 Q. Does that include AR pistols?
 20 A. It certainly can. And largely because
 21 of that, the historic recording of these charts
 22 didn't include, say, an AR pistol and an AK pistol
 23 back in, say, '91 -- or not '91 -- but in the early
 24 2000s when this was started. And this is simply a

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1 continuation of reporting pistols and revolvers and
 2 a summation of the total handguns.
 3 Q. So for all the AR pistols that you're
 4 aware of that are out on the market, where will
 5 they be captured in the columns in this chart?
 6 A. So they may be captured in -- I'm sorry.
 7 Can you say the question again.
 8 MR. WELLS: Can you read it back, please.
 9 (Record read as requested.)
 10 THE WITNESS: They would be captured in the
 11 pistols for production.
 12 BY MR. WELLS:
 13 Q. What about AK pistols? Where would they
 14 be captured?
 15 A. In the same category, as long as they
 16 were made as a pistol as defined by ATF.
 17 Q. Can you look at the far right-hand
 18 column of the chart on NSSF 36 and tell me what's
 19 in this column?
 20 A. That is a percent change in total
 21 production year over year.
 22 Q. And how is that calculated?
 23 A. You take the new minus old divided by
 24 old.

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1 Q. And when you say the new minus old
 2 divided by old, so just looking at 2021, for
 3 instance, so is it fair to say you're going to take
 4 the total in the "Production Total" column in the
 5 bottom right corner, the 12,521,614?
 6 A. Yes. We would take that as the new
 7 number, subtract the old number, divided by the old
 8 number. And that's just a simple percentage-change
 9 formula.
 10 Q. And the old number you're referring to
 11 is 9,740,240 from 2020; is that right?
 12 A. That's correct.
 13 Q. So you subtract the 12.5 -- you take
 14 12.5 million from 2021, and you subtract the
 15 9.7 million from 2020; is that fair to say? That's
 16 the first step?
 17 A. Yes, that's the first step.
 18 Q. And then the second step is to divide
 19 the result of that subtraction by what number?
 20 A. By the old number. That's a simple
 21 percent-change formula.
 22 Q. Right. The old number being the
 23 9,740,000?
 24 A. Yes.

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1 Q. And that gives you a percentage that is
 2 shown in the right-hand column; is that right?
 3 A. Yes. Percent change in total production
 4 year over year.
 5 Q. And how does NSSF do that calculation?
 6 Is it through an Excel spreadsheet?
 7 A. I can't recall, as I sit here today, if
 8 it was a formula that's in one of our many Excel
 9 spreadsheets, because we have a lot of them --
 10 you've seen them -- or if it was done by hand. I
 11 can look into that and see if we do have that.
 12 Q. I'm asking at a general level if it's
 13 like --
 14 A. I honestly can't recall if we have the
 15 formula and we just update the new numbers or if we
 16 do it by hand.
 17 Q. But using Excel formulas is something
 18 that NSSF does to prepare the tables and charts in
 19 this report; is that fair to say?
 20 A. We can use it for percent change, but
 21 largely, a lot of this preparation is just
 22 transferring the data from AFMER and plugging it
 23 in. That's about the extent of the arithmetic
 24 that's involved.

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1 Q. And the right-hand column has black
 2 numbers and red numbers. What's the difference
 3 between them?
 4 A. Positive and negative. Black is
 5 positive, red is negative. Percent change.
 6 Q. So let's look at 2008. Do you see there
 7 was an 8.5 percent change in total production year
 8 over year?
 9 A. Yes.
 10 Q. And 2008 was an election year, right,
 11 presidential election?
 12 A. I believe it was.
 13 Q. And then do you see in the next year, so
 14 2009, there's a 29.2 percent increase. Do you see
 15 that?
 16 A. Yes.
 17 Q. And in 2009 there was a new president
 18 inaugurated, right?
 19 A. I believe so.
 20 Q. And the new president, did that impact
 21 gun sales in the year of 2009?
 22 A. I didn't really track the data back in
 23 2009, so I don't know. But just looking at this,
 24 that impacted production.

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1 Q. Okay.

2 A. Could have impacted production. This is

3 simply a production of year over year. I think it

4 would take an expert to analyze if that particular

5 consequence of steps resulted in one or the other.

6 Q. Okay. Let's look at 2016. 2016 was

7 also a presidential election year, correct?

8 A. That's correct.

9 Q. And that -- in that year there was a

10 19 percent increase, as reflected in the right-hand

11 column; is that correct? In firearm production?

12 A. Over 2015, yes.

13 Q. In 2017 there was a 25.5 percent

14 decrease. Do you see that?

15 A. I do.

16 Q. And there was a new president

17 inaugurated in 2017, correct?

18 A. That's true.

19 Q. Do you see any connection between the

20 new president's inauguration and that negative

21 25.5 percent figure?

22 MR. LOTHSON: I'll object just to the extent

23 it's beyond the extent of the notice.

24 THE WITNESS: I think you may be able to draw

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1 some correlation, but I don't think you can draw

2 causation.

3 BY MR. WELLS:

4 Q. Okay. 2020, also an election --

5 presidential election year; is that right?

6 A. That's correct.

7 Q. 57.9 percent increase over 2019; is that

8 right?

9 A. Yes.

10 Q. Is that an instance of the type of panic

11 buying that you were talking about before?

12 A. This does not include sales. This is

13 production.

14 Q. Manufacturers are producing in

15 anticipation of selling those firearms, right?

16 A. You can infer that from the data, that

17 they were creating more firearms because of the

18 perceived demand.

19 Q. Perceived demand based on 2020 being an

20 election year; is that right?

21 A. I don't know if I could -- I'm not an

22 expert in that subject matter, so I don't know if I

23 can provide my opinion.

24 Q. And in 2021 there was an increase of

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1 28.6 percent firearm production over 2020; is that

2 right?

3 A. That's correct.

4 Q. And 2021 was a record year for the

5 firearms industry, right?

6 A. Both 2020 and 2021.

7 Q. So two record consecutive years?

8 A. Yes.

9 Q. And 2020 was a presidential election

10 year, and 2021 was a change in presidential

11 administration; is that right?

12 A. I believe so.

13 Q. I'm just directing your attention to the

14 bottom of the chart here where it says "From 2011

15 to 2018, several adjustments were made to the data

16 in the chart due to omissions in the ATF AFMER

17 report (i.e., figures for long guns manufactured by

18 Savage Arms were omitted from the 2017 AFMER),

19 duplication of production due to parts manufactured

20 by machine shops (i.e., parts reported by machine

21 shop in addition to being reported by the firearm

22 manufacturer resulting in double-counting) and

23 adjustments to the miscellaneous category (i.e.,

24 [REDACTED]).

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1 What does all that refer to?

2 A. So that refers to an instance where

3 there was a error in the ATF AFMER, and then it was

4 subsequently caught and, I believe, corrected based

5 on what's provided here.

6 In preparation for this, I did speak

7 to Dianne Vrablic about the various reports and

8 this history of it, and she does remember at one

9 point there was an error found, and it was called

10 out. And then subsequently there were steps taken

11 to correct that with ATF.

12 Q. Who found the error?

13 A. I'm not sure if it was designated to her

14 or if she found it.

15 Q. It was an error by NSSF?

16 A. No. We don't create errors -- we don't

17 create any of the numbers in the ATF AFMER. That's

18 strictly the manufacturer reporting to ATF.

19 Q. So who made the error and who called it

20 out?

21 A. I'm not sure who made the error. I just

22 know that there was an error, and we called that

23 out in the report.

24 Q. And the 2011 to 2018, the adjustments,

<p style="text-align: right;">Page 122</p> <p>1 who made those adjustments? 2 A. Those were the previous adjustments that 3 we discussed where there was an amendment made and 4 those amendments were then updated in our figures 5 based off of what ATF made public. 6 (NSSF Deposition Exhibit 7 was 7 marked for identification.) 8 BY MR. WELLS: 9 Q. All right. I've handed you what's been 10 marked as Deposition Exhibit No. 7, which covers 11 Bates range NSSF 002324 through 35. Have you seen 12 this document before? 13 A. Yes. 14 Q. What is it? 15 A. So these are -- this is a tracking 16 document that we use to track the adjustments that 17 were made to the -- made public by ATF and made for 18 the AFMER regarding the AFMER production. 19 Q. And the sentence that we were just 20 looking at in the "Firearm Production in the 21 United States" report where it referred to 22 adjustments, are those adjustments reflected in 23 this document, Deposition Exhibit 7? 24 A. Yeah, this is a tracking document that</p>	<p style="text-align: right;">Page 124</p> <p>1 as a part of its regularly conducted activity? 2 A. Yes, just to try to have as accurate a 3 record as possible. 4 Q. And it's a regular practice of NSSF to 5 create this type of document? 6 A. As long as there are corrections 7 provided by ATF, then we will track that so that we 8 don't have to rely on it being hosted on our the 9 website. 10 Q. And you make those corrections pretty 11 close in time to when you review the ATF AFMER 12 data; is that fair to say? 13 A. It all depends on when the adjustments 14 are made public. 15 Q. But as soon as the adjustments are made, 16 NSSF tries to make them promptly; is that fair to 17 say? 18 A. That's correct. 19 Q. Just directing your attention to the top 20 where it says "AFMER 2021 corrections/adjustments," 21 do you see that? 22 A. I'm sorry. Could you point me to it? 23 This one? Yep. 24 Q. It says "Analysis of the 2021 AFMER</p>
<p style="text-align: right;">Page 123</p> <p>1 documents what those changes were. 2 Q. Does this document, Deposition 3 Exhibit 7, contain all of the adjustments that NSSF 4 made that are referenced in the firearm production 5 report in the page -- 6 A. To the best of my knowledge, this is 7 where we track the changes. 8 Q. Who created this document in the first 9 instance? 10 A. I'm not sure, to be honest. I can go 11 back and investigate that. I'm not sure if this 12 was something that Dianne Vrablic inherited or if 13 she created it. 14 Q. So is it fair to say that this document 15 existed before you joined NSSF? 16 A. Yes. Likely much before I joined 17 because I see these go back to early 20-teens. 18 Q. Is it fair to say that this document, 19 Deposition Exhibit 7, is a document that is changed 20 annually? 21 A. As long as there are corrections made 22 public by ATF, then we'll track that here to keep a 23 record of it. 24 Q. And this document is maintained by NSSF</p>	<p style="text-align: right;">Page 125</p> <p>1 production (report data as of January 2023) has 2 resulted in the following corrections, adjustments, 3 and notations and related to the following" -- "and 4 notations related to the following license holders, 5 which have either confirmed, or we have conferred 6 or surmised, to be component parts suppliers to 7 major manufacturers who are also reporting the same 8 quantities as complete firearms." 9 Who wrote that? 10 A. I'm not sure. I'm not sure if this was 11 inherited before myself or Dianne or if this was 12 something that somebody else wrote that's currently 13 being deployed. 14 Q. And at a high level, what is this 15 sentence saying? 16 A. It's just saying that -- let me read it 17 one more time, please. 18 So what I believe the sentence to be 19 is to make sure that there's an effort of not to 20 double-count firearms; to be as conservative as 21 possible and accurate. 22 Q. So is it fair to say that NSSF, as 23 reflected in this document, is taking ATF AFMER 24 data and subtracting some from its calculations if</p>

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1 there's double-counting?
 2 A. If there is any sort of double-counting
 3 that we are aware of, then we will make those
 4 adjustments to make sure that we're not.
 5 Q. Are there other types of adjustments
 6 that are being made?
 7 A. Only if there are corrections. And then
 8 also what I explained before where a manufacturer
 9 may have multiple locations, and we don't want to
 10 report multiple locations for one manufacturer. We
 11 want one grand-total sum.
 12 Q. Okay. I'm going to direct your
 13 attention to underneath where it says "Rifles."
 14 And it says "Update [REDACTED] date." Do you
 15 see that?
 16 A. Yes.
 17 Q. And [REDACTED] is then in a bullet
 18 that's highlighted in green. Do you see that?
 19 A. Yes.
 20 Q. And it then says "509 rifles & 176,485
 21 misc," m-i-s-c, "(less 1,318 exports) total 175,686
 22 to MSR."
 23 What does that mean?
 24 A. So that would be the count of the plus

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1 production minus export that we would count in the
 2 MSR for [REDACTED].
 3 Q. Where is the 509 rifles figure coming
 4 from?
 5 A. I believe that's coming from their
 6 production report in the AFMER.
 7 Q. "Their" being [REDACTED]?
 8 A. [REDACTED] production in the
 9 AFMER.
 10 Q. What is the 176,485 misc?
 11 A. Those are frames and receivers. So
 12 those are incomplete firearms. They're not
 13 operational. It's just a lower, for lack of better
 14 terms. But it is still classified by ATF as a
 15 firearm and regulated as such.
 16 Q. So "misc" refers to miscellaneous; is
 17 that right?
 18 A. Yes.
 19 Q. And miscellaneous refers to the ATF
 20 AFMER category "miscellaneous"?
 21 A. That's correct.
 22 Q. How does NSSF know that the 176,485 that
 23 [REDACTED] includes in the miscellaneous
 24 category are modern sporting rifles?

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1 A. By knowing their offerings in their
 2 products.
 3 Q. How does NSSF gain that knowledge?
 4 A. Through independent research and
 5 conversation with [REDACTED]. We see them at SHOT Show,
 6 we talk to them, we see their products. And up
 7 until very recently -- I want to say in the past
 8 year, which is not captured in this 2021 AFMER --
 9 they just came out with a bolt-action rifle. But
 10 that's not captured in this 2021 because it didn't
 11 come out to market until then, until recently.
 12 Q. Where it says "less 1,318 exports," what
 13 does that refer to?
 14 A. Those are exports that are recorded in
 15 the AFMER that we then have to subtract because
 16 it's not counted in the -- what's produced for the
 17 US.
 18 Q. And this last phrase, "total 175,686 to
 19 MSR," what does that mean?
 20 A. That would be the summation of those two
 21 figures minus the 1318 total count of MSRs.
 22 Q. So you would take 509 and add it to
 23 176,485?
 24 A. Mm-hmm.

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1 Q. And then you would subtract 1,318; is
 2 that right?
 3 A. Yep.
 4 Q. And that's how you get that total
 5 figure; is that right?
 6 A. That's correct.
 7 Q. And it says "to MSR." What does that
 8 mean?
 9 A. That would be counted in our MSR chart.
 10 Q. All 175,686?
 11 A. That's correct.
 12 Q. So I'm going to direct your attention to
 13 where it says "Note" underneath the [REDACTED]
 14 bullet point. It says "Note: Previously using an
 15 average [REDACTED] percent of total their production as
 16 supplied by [REDACTED] in previous years, he
 17 would report an estimated [REDACTED] rifles as MSR."
 18 What does that note mean?
 19 A. So that is the previous arithmetic that
 20 we would use with the proportion applied. Which,
 21 full transparency, this should have been redacted.
 22 Under our confidentiality agreement with our
 23 members, we should have redacted this before going
 24 to you. There should have been no names here.

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1 Q. So it refers to, you said, a previous
 2 arithmetic? What do you mean by previous
 3 arithmetic?
 4 A. Applying the proportion.
 5 Q. For the proportion being █ percent?
 6 A. Yes.
 7 Q. Who came up with the █ percent
 8 proportion?
 9 A. That likely would have been communicated
 10 from █ to us. We don't create the proportions.
 11 We get them directly from manufacturers. We can't
 12 assume how much or what the percentage may be.
 13 Q. When you say previous arithmetic, using
 14 the 35 percent proportion, are you referring to
 15 prior years?
 16 A. Prior years, yeah.
 17 Q. Prior years in which NSSF would have
 18 used that █ percent proportion in calculating how
 19 many █ MSRs to include in NSSF's MSR
 20 calculation?
 21 A. That's correct.
 22 Q. So there was a time period in which
 23 there was a █ percent proportion multiplied
 24 against some number from the AFMER data; is that

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1 right?
 2 A. That's correct.
 3 Q. And that █ percent came from █
 4 █?
 5 A. That's correct. Which, again, should
 6 have been confidential and redacted before the
 7 production.
 8 Q. Is there any court order requiring that
 9 to be maintained, confidentiality?
 10 MR. LOTHSON: He doesn't have to answer that.
 11 MR. WELLS: Okay. Withdrawn.
 12 BY MR. WELLS:
 13 Q. But -- so it's █ percent times some
 14 number that generated the entry into NSSF's
 15 calculation --
 16 A. That's correct.
 17 Q. -- of MSRs for █
 18 A. That's correct. It's a conservative
 19 estimate of how many would fall under that
 20 category.
 21 Q. Okay. You said it was a previous
 22 arithmetic. So did the arithmetic change for the
 23 2021 AFMER data?
 24 A. Well, I'm led to believe that it was the

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1 previous version because it says "previously using
 2 average █ percent." This looks like a direct
 3 reporting. That's why I said that.
 4 Q. And that approach of taking a percentage
 5 from the manufacturer and applying it to their
 6 AFMER data, multiplying it times their AFMER data,
 7 is that a methodology that NSSF regularly uses in
 8 calculating the modern sporting rifles from that
 9 particular manufacturer?
 10 A. It's for all manufacturers that we
 11 believe make MSRs. We will approach them and ask
 12 them if there is any ambiguity about how many of
 13 their -- what proportion of their offerings would
 14 not fall under it. Then we would get that from
 15 them.
 16 Q. When you say when there's an ambiguity,
 17 how might an ambiguity arise?
 18 A. So say there's a major firearm
 19 manufacturer and they make bolt-actions, lever
 20 guns. They make MSRs. They make everything under
 21 the sun. We can't go to their rifle production and
 22 report in the AFMER and say all of those are MSRs.
 23 So then we have to go and ask for clarification:
 24 Hey, all of your rifles or of your firearms that

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1 you made, how many fall under the MSR category?
 2 And we have to rely on them to tell us that.
 3 Sometimes they do, sometimes they don't. And when
 4 they don't, even if it's a major manufacturer, it's
 5 a big number, we have to remove -- we can't add
 6 that to a count. So, ultimately, it's a
 7 conservative estimate.
 8 Q. And if they're major manufacturers, do
 9 you repeatedly follow up with them to try to get
 10 that information?
 11 A. We do everything other than showing up.
 12 If they don't want to tell us, they don't want to
 13 tell us.
 14 Q. What if there are small manufacturers
 15 who don't provide you that information? Do you
 16 follow up with them?
 17 A. There's always follow-up there. But if
 18 they don't want to give it to us -- we've either
 19 e-mailed or called and they just don't want to
 20 answer -- then they don't want to answer.
 21 Q. And do you prioritize the large
 22 manufacturers?
 23 A. No. Anybody that just there's a
 24 question mark on -- with portion or anything that

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1 we might need clarification on, we go to everybody.
 2 Q. What does NSSF do to validate the
 3 percentage estimate that you get from the
 4 manufacturers?
 5 A. So we rely on our manufacturers to be
 6 truthful with us, and they have a vested interest
 7 in us being as accurate as possible in our
 8 reporting. So we trust their numbers to be
 9 accurate, representative of what we're asking. And
 10 that goes for, largely, all of our investigative,
 11 you know, conversations with them.
 12 It behooves them to be accurate
 13 because then it is truthful to fact. And anytime
 14 that something doesn't pass the logic check, we
 15 might need to follow up with them to say, hey, is
 16 this a typo? Can you just confirm.
 17 Q. So if a manufacturer, let's say, reports
 18 a million rifles in ATF AFMER and NSSF is trying to
 19 determine what percentage are modern sporting
 20 rifles, NSSF will call the manufacturer, and the
 21 manufacturer will say 60 percent are modern
 22 sporting rifles --
 23 A. They may give -- I'm sorry.
 24 Q. Go ahead.

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1 A. They may give a raw number. They may
 2 give a percentage.
 3 Q. And NSSF trusts the manufacturer's
 4 percentage or numbers that it receives; is that
 5 right?
 6 A. Absolutely. We know that our members
 7 want objective data and that they are incentivized
 8 to be truthful with us.
 9 Q. And the validation of those reported
 10 figures from industry members consists of a logic
 11 check; is that right?
 12 A. That's correct.
 13 Q. Anything beyond a logic check that NSSF
 14 does to validate those reported percentages from
 15 manufacturers that are used in the modern sporting
 16 rifle report?
 17 A. Largely, outside the logic check, it's
 18 not needed because our members want objective data,
 19 and they want truthful reports.
 20 Q. So is that a "no"?
 21 A. That would be a "no."
 22 Q. All right. Directing your attention to
 23 the Deposition Exhibit 7 again, the part that's --
 24 do you see the highlighted section -- the yellow

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1 highlighted section in the middle that says "Keep
 2 in AFMER and include with MSR production history"?
 3 A. Yes.
 4 Q. What -- underneath this where it says
 5 "Steyr Arms" --
 6 I'm mispronouncing that. How do you
 7 pronounce it?
 8 A. It's Steyr.
 9 Q. "Steyr Arms, BCI Defense, IWI US, Noreen
 10 Firearms, Tactical Solutions Inc.," what is being
 11 described in this section of the document?
 12 A. This is a designation of whether or not
 13 we are counting something in the MSR report, to
 14 my -- from looking at this. I know I've looked at
 15 a lot of data. I believe that this is what this
 16 is.
 17 Q. So this is NSSF deciding whether to
 18 include or exclude data from specific companies in
 19 its MSR calculation?
 20 A. That's correct. And the note says, that
 21 is down at the bottom, this one particular
 22 manufacturer, "Unable to determine the split
 23 count." Even though it's small, it's been omitted
 24 from the MSR production report, which then, again,

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1 lies in the conservative estimate that we're making
 2 in our production.
 3 Q. So you mentioned the note at the bottom.
 4 And the note says "Note: Tactical Solutions Inc.
 5 makes both MSR and traditional rifles. Unable to
 6 determine split in total count. Since it's a
 7 relative small quantity, the number has been
 8 omitted from the MSR production report."
 9 Did I read that correctly?
 10 A. Yes.
 11 Q. Why does the size of the quantity
 12 matter?
 13 A. It doesn't. That is largely just a note
 14 for -- from someone that is not writing this for
 15 legal review. They are just writing it for the
 16 facts, and they are including the facts in there.
 17 Q. What does "traditional rifle" mean here?
 18 A. Traditional rifle, say, like a
 19 bolt-action rifle, non-MSR.
 20 Q. Would that bolt-action AR-type rifle
 21 that we described earlier at the beginning of the
 22 deposition be a traditional rifle?
 23 A. Again, that's a gray area where I don't
 24 even know how many of those exist.

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1 Q. So even in distinguishing between
 2 traditional rifles and modern sporting rifles,
 3 there's going to be gray areas, right?
 4 A. In those very small areas, if it's
 5 non-MSR, it's usually pretty easy to distinguish.
 6 Previously we were highlighting a very small
 7 segment of all firearms to where I have to go do
 8 individual research to go seek out if those were
 9 even made, more than a concept that was possibly,
 10 like, introduced at SHOT Show.
 11 Q. It says "Unable to determine split in
 12 total count." What does that mean?
 13 A. So that was what I was alluding to
 14 earlier that I covered. If the total production is
 15 X, but we don't know how many of those fall under
 16 MSR, then we omit the number, regardless of size.
 17 Because we can't for-sure determine if it falls
 18 under the MSR category.
 19 Q. And how -- how does this concept of
 20 split, how does NSSF determine the split between
 21 modern sporting rifles and traditional rifles for a
 22 particular manufacturer?
 23 A. What do you mean?
 24 Q. So what do you do to assess, one,

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1 whether a split exists, and two, what the breakdown
 2 of that split is?
 3 A. Yeah. So we will go -- like I said
 4 before, we'll go to their website, we'll check out
 5 what they manufacture, what they offer for sale.
 6 And if there is a difference of they make two
 7 different things -- they don't just make MSRs --
 8 then we have to go to them and ask them what the
 9 split is. If we're not able to determine, then we
 10 can't count it because we're not going to assume or
 11 assign a percentage of that proportion in there.
 12 Q. All right. I'm going to direct your
 13 attention to Bates page 38 in Deposition Exhibit 6.
 14 So that's page 4 of the internal pagination,
 15 NSSF 000038.
 16 At a high level, what's shown here?
 17 A. This is US firearm production from '95
 18 to 2021 showing handguns, long guns, and total
 19 production.
 20 Q. Directing your attention to the pistol
 21 chart, pie chart, on the upper right-hand side of
 22 the page. Do you see that?
 23 A. Do you mean the "by caliber" or the pie
 24 chart? I'm sorry.

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1 Q. Let's look at the caliber breakout.
 2 A. Okay.
 3 Q. Do you agree that, at least based on
 4 2021, the market, in terms of manufacturing for
 5 9-millimeter pistols, are the most popular pistols?
 6 A. That is the largest category reported in
 7 2021 for pistols.
 8 Q. And the "to 9-millimeter" pistols
 9 category made up 63 percent of pistols manufactured
 10 in the US in 2021, according to AFMER data; is that
 11 right?
 12 A. That's correct.
 13 Q. All right. In this chart of pistols by
 14 caliber, which category could cover AR pistols
 15 chambered in .223 Remington?
 16 A. I'm not positive at this time if it
 17 would fall under the "to .22 or the "to .25." I'd
 18 have to go back and clarify with ATF. But I can do
 19 that and get back with you if you'd like me to.
 20 Q. Okay. So it's either .22 or .25
 21 category; is that right?
 22 A. Yeah. I can't say for certain right now
 23 what it would fall under.
 24 Q. And the "to .22" category is at

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1 10.9 percent of pistols manufactured in 2021; is
 2 that right?
 3 A. That's correct.
 4 Q. And the "to .25" is at 2.7 percent for
 5 pistols manufactured in 2021; is that right?
 6 A. That's correct.
 7 Q. Where would AK pistols chambered in
 8 7.62-caliber be captured in this chart? By "762,"
 9 I mean 7.62 by 39 millimeters.
 10 A. Yeah. It's 3.10 diameter. Educated
 11 guess -- I can't say for certain -- but I'd have to
 12 guess it would be in the "to .380" that is
 13 represented in the 11.7 percent of pistol
 14 production for 2021. I believe that's where it
 15 would go. Wait, no. I'm sorry. .310, that's
 16 either going to fall under the "to .32" or "to
 17 .380." I'm not sure which one it would be.
 18 Q. So as you sit here today, you can't be
 19 certain where an AR pistol chambered in 5.56
 20 NATO/.223 Remington would fall in this chart; is
 21 that fair to say?
 22 A. I've reviewed a lot of data. That was
 23 one thing that I didn't investigate in preparation
 24 for this. It would either fall under that .22 or

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1 .25 for .223-caliber firearms.
 2 Q. So that's a "no"?
 3 A. I'm sorry?
 4 Q. That's a "no" to my question?
 5 MR. LOTHSON: No, he answered it.
 6 BY MR. WELLS:
 7 Q. As you sit here today, for the AK
 8 pistols chambered in 7.62 by 39-millimeter caliber,
 9 you can't definitively say which category they
 10 would fall into in this chart that we're looking
 11 at?
 12 A. That's correct. I would have to go back
 13 and just confirm with ATF so I didn't guess.
 14 Q. Let's go to the middle chart here, the
 15 one that's "Total Production" with the gray
 16 shadowing in the back. Do you see that?
 17 A. Yes.
 18 Q. At a high level, what is this chart
 19 showing?
 20 A. That is total production of handguns and
 21 long guns for combined categories.
 22 Q. And what is the gray line that's going
 23 up and down in the background?
 24 A. That's everything. Everything, as in

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1 all categories of pistols, revolvers, long guns --
 2 being rifles and shotguns -- all combined together.
 3 Q. And you can see in that chart that there
 4 are various peaks; is that right?
 5 A. Yes.
 6 Q. And just looking at it, are you able to
 7 tell that peaks tend to occur around election
 8 years; is that right?
 9 A. Some do, but some don't. Like, for
 10 example, 2013 there's a big peak there. But
 11 there's also another sizable peak in 2009. But
 12 there's also one in 2002. It ebbs and flows.
 13 Q. So 2009 was a year after an election
 14 year; is that right?
 15 A. Yes.
 16 Q. And 2013 was a year after a presidential
 17 election year?
 18 A. Yes.
 19 Q. And in both of those years there was a
 20 Democratic president?
 21 A. I believe so.
 22 Q. All right. So just looking now at this
 23 chart in terms of the bars, now. So looking away
 24 from the gray section. Do you agree that handguns

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1 are now more prevalent -- are being produced
 2 more -- manufactured more in the United States than
 3 long guns; is that right?
 4 A. That's factual. Handguns are being
 5 produced at a higher rate than rifles in the
 6 categories of combined pistols and revolvers
 7 compared to combined rifles and shotguns.
 8 Q. And just looking at the bottom chart, do
 9 you agree that the percentage of long guns made up
 10 by rifles has, generally speaking, increased
 11 substantially from 1995 to 2021?
 12 A. Rifles does show an increase, but it's
 13 always generally been higher than shotguns since
 14 like 2000.
 15 Q. All right. Let's look just briefly
 16 at --
 17 MR. LOTHSON: When do you want to be at a
 18 stopping point?
 19 MR. WELLS: How long have we been going for?
 20 THE COURT REPORTER: It's been another hour
 21 25.
 22 MR. WELLS: We can stop now.
 23 (Lunch recess taken from
 24 12:08 p.m. to 1:04 p.m.)

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1 AFTERNOON SESSION
 2 EXAMINATION (resumed)
 3 BY MR. WELLS:
 4 Q. All right. So it is 1:04 p.m.
 5 Did you have a nice lunch?
 6 A. It was a nice lunch. How was yours?
 7 Q. It was good.
 8 A. Good.
 9 Q. So I'd like to direct your attention
 10 back to Deposition Exhibit 6, the "Firearm
 11 Production in the United States," page 7, which is
 12 NSSF 000041. Do you recognize this chart?
 13 A. Yes.
 14 Q. What is it?
 15 A. It is our MSR production chart from 1990
 16 to 2021.
 17 Q. And could you read to me the title of
 18 the chart.
 19 A. "Modern Sporting Rifle Production in the
 20 United States, 1990 to 2021."
 21 Q. And "modern sporting rifle," as used
 22 here, does that have the same meaning as your
 23 interrogatory response No. 12 that we looked at
 24 earlier?

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1 A. As an MSR? Yes.

2 Q. And in terms of what's included in this

3 chart, these are production figures, not ownership

4 figures; is that fair to say?

5 A. That's correct.

6 Q. Are there any shotguns included in this

7 chart?

8 A. To the best of my knowledge, no,

9 shotguns are not included.

10 Q. Are there any pistols included in this

11 chart?

12 A. Yes, there are.

13 Q. Where would the pistols be captured in

14 this chart?

15 A. Within the production tab.

16 Q. So is that the blue column?

17 A. Yes.

18 Q. Where -- are there particular years

19 where there are pistols that are included?

20 A. I don't know off the top of my head all

21 of the years where pistols would be included, but

22 generally speaking, manufacturers have been

23 making -- legally making, per ATF's regulations, an

24 AR/AK/MSR-type pistol for a number of years. I

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1 just don't know how far back that scales.

2 Q. Other than those pistols that you just

3 described -- AR-type, AK-type -- are there any

4 other types of pistols covered by this -- the data

5 in this chart?

6 A. There are variants thereof, yes.

7 Q. When you say "variants," what do you

8 mean?

9 A. So it's by the type of platform that it

10 is. It's not an AR. It's not an AK. But it still

11 has all of the features of those individual -- or

12 those two types of firearms. But they're not,

13 technically speaking, AR or AK.

14 Q. Why not?

15 A. They're just not. So the operational

16 system is different. They might have split

17 receiver; they might not have a split receiver.

18 The actions are largely similar, but they're not

19 identical to AR/AK.

20 Q. Can you give me an example of what type

21 of firearm?

22 A. Yeah. So FN SCAR, for example. It's

23 not an AR, but it falls under the MSR category.

24 CZ Bren. HK MP5/SP5.

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1 Q. Any other examples that come to mind?

2 A. Those are the top three that are off the

3 top of my head right now.

4 Q. All right. Are there .50-caliber rifles

5 that are captured in this chart at NSSF 000041?

6 A. There certainly could be, just because

7 some manufacturers may create a .50 Beowulf, for

8 example, chambering in an AR platform. But as far

9 as .50-caliber, I think that's the extent just

10 because, as I covered earlier, a .50 BMG just

11 doesn't really fit inside a AR platform, typically.

12 Q. Are .50-caliber BMG-chambered firearms,

13 are they typically larger than modern sporting

14 rifles?

15 A. The frame has to be bigger to take that

16 large of a cartridge.

17 Q. And are -- so is that a "yes"?

18 A. I believe so, yes.

19 Q. Are .50-caliber rifles typically heavier

20 than modern sporting rifles?

21 A. Which .50-caliber rifles? Because there

22 are .50-caliber rifles that are MSRs chambered in

23 .50 Beowulf that are .50-caliber that are MSRs.

24 Q. So I'm exclusively referring to

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1 .50-BMG-caliber.

2 A. Okay. Can you -- sorry. Would you mind

3 rephrasing for me.

4 Q. Sure. So are there, generally speaking,

5 rifles that are chambered in .50-BMG-caliber, are

6 they typically heavier than modern sporting rifles?

7 A. Yes.

8 Q. By a lot?

9 A. I don't know what "a lot" is, generally

10 speaking. But they are heavier, simply because the

11 mass required to hold that cartridge and control

12 the combustion and all the other things that go

13 into that gun, you typically are going to have a

14 bigger, heavier, just by mass, rifle.

15 Q. And how would you describe the relative

16 proportionality of .50-BMG-caliber rifles compared

17 to modern sporting rifles? Which is more prevalent

18 in the consumer market?

19 A. In regards to what's more popular, as

20 in, like, what's -- there's more, generally, of

21 them?

22 Q. So which are -- in terms of production,

23 for instance. Like, which is a larger set of

24 production that's manufactured every year in the

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1 United States?
 2 A. I would say calibers smaller than .50
 3 would be more prevalent, knowing -- recognizing
 4 that there are some .50-caliber carveouts like
 5 .50 Beowulf that exhibit.
 6 Q. How does .50 Beowulf compare to .50 BMG
 7 in terms of caliber?
 8 A. It's the same caliber.
 9 Q. What's different about Beowulf compared
 10 to BMG?
 11 A. Completely different cartridge,
 12 different case, different amount of powder in it.
 13 Q. And does that result in different muzzle
 14 velocity and muzzle energy?
 15 A. All of those things combined, yes.
 16 Q. Just looking back at NSSF 000041, why
 17 are all the numbers in this modern sporting rifle
 18 production chart rounded to the nearest thousandth?
 19 A. This is an estimate, and it's the
 20 closest that we get. So just to make it a clean
 21 chart, we round to the closest thousandth.
 22 Q. So you agree that, other than the column
 23 that says "Year," all of the other figures that are
 24 included in this chart are estimates?

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1 A. Yes. We are very open that the MSR
 2 chart on page 7 is our best estimate.
 3 Q. Where does it say "estimate" on this
 4 page?
 5 A. It does not. But as we are discussing
 6 right now, I'm not trying to withhold any
 7 information that says we don't provide that.
 8 Q. But you agree that you can't find the
 9 word "estimate" on this page; is that right?
 10 A. That's correct. The word "estimate" is
 11 not on here.
 12 Q. Okay. So can you just walk me through
 13 what's in the different columns. So starting with
 14 the orange column is the year.
 15 A. Year.
 16 Q. What's in the blue column?
 17 A. That is US production, less exports of
 18 MSR platform.
 19 Q. And what's -- where is the data from
 20 this column coming from?
 21 A. That's coming from ATF AFMER and USITC,
 22 in combination with industry reporting. It's all
 23 those three put together, depending on the
 24 manufacturer.

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1 Q. And when you say in combination with
 2 industry reporting, what do you mean?
 3 A. So it's what we talked about earlier,
 4 that for some manufacturers we have to go to them
 5 and ask for that proportion of their manufacturing
 6 of this particular year, for this particular
 7 platform, how many -- or for these particular
 8 firearms that you made, how many are MSR. And then
 9 from there we can find out -- we can put in the
 10 column of production minus -- plus imports, minus
 11 exports.
 12 Q. About how many manufacturers' production
 13 figures are incorporated in the blue column?
 14 A. I know that it's dozens, but I don't
 15 know a specific number.
 16 Q. Is it less than a hundred?
 17 A. I'd have to go back and look at the
 18 chart. I've reviewed a lot of information in
 19 preparation for this, and I am familiar with the
 20 master document that we have. But at this time I
 21 can't recall exactly how many we have on there.
 22 Q. Is it less than 500?
 23 A. I would say yes, it's less than 500.
 24 Q. And in terms of this industry reporting,

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1 how many -- to produce this chart, how many
 2 different industry members or how many different --
 3 when I say industry members, I mean, like, one
 4 company. How many are you talking to in a given
 5 year to get the information you need to create this
 6 chart?
 7 A. It depends on the year. So sometimes we
 8 can talk to a member, and they say flat-out this is
 9 what we're using, and this is on track for, you
 10 know, this period. This is what we're using.
 11 Other times we have to -- when there's ambiguity,
 12 we've got to go back and get more answers.
 13 Q. Do you ever ask for records from the
 14 industry member to inform the blue column?
 15 A. We do not ask for numbers. We
 16 specifically ask for their MSR production, which,
 17 in itself, is a type of record. But we don't ask
 18 for a document to be produced.
 19 Q. So the manufacturers don't actually give
 20 you a specific number of number of MSRs
 21 manufactured?
 22 A. No. As I said earlier, sometimes their
 23 answers may be a specific number, or it may be a
 24 proportion that we apply to their production.

<p style="text-align: right;">Page 154</p> <p>1 Q. So in preparing the blue column, when 2 you're relying on industry reporting, you are 3 having communications with industry members, and 4 they're either providing you a number of modern 5 sporting rifles or a percentage of their production 6 of rifles that you're then applying to the AFMER 7 number; is that right? 8 A. They would tell us how many of their 9 firearms they produced were MSRs, whether it's a 10 number or a proportion. 11 Q. And just to be clear, the figure or 12 the -- so looking at 2021, for instance, in the 13 blue column it says 3,178,000. That figure 14 encompasses data from multiple industry members; is 15 that right? 16 A. Yes. 17 Q. Do -- and I think you testified earlier 18 it's probably dozens of industry members; is that 19 right? 20 A. Yes. 21 Q. And that information all gets aggregated 22 to generate this one number? 23 A. That's correct. 24 Q. Let's see. What is the green column?</p>	<p style="text-align: right;">Page 156</p> <p>1 want to note it for the record. 2 BY MR. WELLS: 3 Q. Okay. And returning to NSSF 00041, the 4 right-hand column, it says "Annual Total" in black. 5 Is it fair to say that that is the sum of the blue 6 column and the green column? 7 A. That's correct. 8 Q. For each year, right? 9 A. Yes. 10 Q. So for 2021, the blue column says 11 3,178,000; the green column says 520,000; the black 12 column entry for 2021 is 3,698,000. That's the sum 13 of the blue figure and the green figure in 2021? 14 A. That's the sum of production, plus 15 imports, minus exports. 16 Q. Okay. How long has a version of this 17 chart -- not the 2023 version, necessarily -- but 18 any modern sporting rifle production chart existed 19 at NSSF? 20 A. I don't know how long it's existed. 21 I've, you know, talked to NSSF staff that have been 22 around, and I couldn't get a hard date of when this 23 was originally produced and who produced it. But I 24 know that our team in research has the files to</p>
<p style="text-align: right;">Page 155</p> <p>1 A. That is the import -- that is a US 2 import, less exports, of MSR platforms. 3 Q. Where is that -- what are the data 4 sources for the information in the green column? 5 A. USITC. It's a snapshot in time, data 6 pull that we performed, in order to gather 7 information using codes that encompass MSR 8 platforms. 9 Q. When you say "data pull," what do you 10 mean? 11 A. So we utilize the USITC website to do a 12 report pull, and then that report then talks about 13 different ECCNs and HTS codes that we then utilize 14 to make an -- utilize in our estimation for the 15 imports, less exports. 16 Q. Do you retain that data pull report at 17 NSSF? 18 A. I know that we have them. I don't know 19 if we have all of them or how many we might have. 20 But we definitely download it, and we keep a copy. 21 I believe we've produced that in the production. 22 MR. WELLS: Obviously, if we haven't gotten 23 that, I think we would like that. I think I've 24 seen something like that. We'll follow up. I just</p>	<p style="text-align: right;">Page 157</p> <p>1 update it and that we do so every year as a course 2 of normal business. 3 Q. There was, at some point in time, 4 though, an original modern sporting rifle 5 production chart; you just don't know who created 6 the first one? 7 A. That's correct. 8 Q. Do you know approximately when the first 9 modern sporting rifle production chart was created? 10 A. As I sit here today -- I know I've 11 looked at a lot of records that we have -- I don't 12 recall the specific date. If you'd like me to go 13 back and investigate, I certainly can. 14 Q. What's the earliest version of this 15 chart that you've seen? 16 A. I want to say the 2018 version back in 17 our 2020 IIR. 18 Q. When you, at NSSF, are preparing an 19 updated version of this modern sporting rifle 20 production chart, for data that's, you know, from 21 2000 and before, do you go back and validate it 22 each year, or do you rely on the calculations from 23 prior years that have already been done? 24 A. We typically don't touch the stuff</p>

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<p>1 before, unless ATF gives us a reason to go back</p> <p>2 because they published an amendment that a</p> <p>3 manufacturer has disclosed.</p> <p>4 Q. So is it fair to say, then, for the 2023</p> <p>5 version of the report, the only row that you're</p> <p>6 touching is the 2021 row, unless there's some ATF</p> <p>7 clarification; is that fair to say?</p> <p>8 A. That's correct.</p> <p>9 Q. And is that consistent with prior</p> <p>10 versions of the report that you've been involved</p> <p>11 with; you only go back if there's an ATF-generated</p> <p>12 reason to go back?</p> <p>13 A. Yes. Unless ATF tells us that their</p> <p>14 record has been changed, we don't have any reason</p> <p>15 to go back because, largely, ATF provides and</p> <p>16 produces the backbone of a lot of our reports.</p> <p>17 Q. Does NSSF have a chart showing</p> <p>18 production of other subcategories of rifles?</p> <p>19 A. I don't believe so.</p> <p>20 Q. Why not?</p> <p>21 A. It's never been asked by our members, so</p> <p>22 we don't have one.</p> <p>23 Q. Was a request from members the reason</p> <p>24 that the modern sporting rifle production chart --</p>	<p>1 your attention to the screen up here.</p> <p>2 A. Sure.</p> <p>3 Q. Are you familiar with this document?</p> <p>4 A. Yes.</p> <p>5 Q. What is it?</p> <p>6 A. This is a portion of our master document</p> <p>7 that we update every year with new data from the</p> <p>8 AFMER, USITC, and industry reporting on how many</p> <p>9 MSRs have been produced.</p> <p>10 Q. And, in particular, we're looking at the</p> <p>11 tab that says "Master_Est MSR Production." Do you</p> <p>12 see that?</p> <p>13 A. Yes.</p> <p>14 Q. And this is a spreadsheet/workbook that</p> <p>15 has multiple tabs; is that right?</p> <p>16 A. Yes.</p> <p>17 Q. And what specifically is captured in the</p> <p>18 first tab here?</p> <p>19 A. The first tab is a collection from 1990</p> <p>20 to 2021 of our MSR production estimates.</p> <p>21 Q. When was this spreadsheet first created?</p> <p>22 A. I don't know. Likely, it was the same</p> <p>23 time that the table/chart was created on page 7.</p> <p>24 But, again, I wasn't around. I did do some</p>
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<p>1 was that the reason it was created, request from</p> <p>2 members?</p> <p>3 A. I don't know.</p> <p>4 Q. All right. Let's pull up a spreadsheet.</p> <p>5 So I'm going to go ahead and show you what has been</p> <p>6 previously marked as Deposition Exhibit 8.</p> <p>7 A. This is all mine?</p> <p>8 Q. Yep. So there's two physical documents</p> <p>9 that I've handed you. One is No. 8 and one is</p> <p>10 No. 9. And I can represent to you that these are</p> <p>11 both printouts of "NSSF 002351 Redacted."</p> <p>12 A. Yep.</p> <p>13 MR. LOTHSON: Do you have a copy of 9, by</p> <p>14 chance?</p> <p>15 MR. WELLS: Oh, yeah, I do. Sorry. I've got</p> <p>16 them over here.</p> <p>17 MR. LOTHSON: That's fine. Thank you.</p> <p>18 (NSSF Deposition Exhibits 8</p> <p>19 and 9 were marked for</p> <p>20 identification.)</p> <p>21 BY MR. WELLS:</p> <p>22 Q. And I've asked my colleague, Mike</p> <p>23 Tresnowski, to pull up on the screen "NSSF 002351</p> <p>24 Redacted" in native form. So if I could direct</p>	<p>1 investigation to see if I could find it. Did not</p> <p>2 have a certain answer from anybody on staff.</p> <p>3 Q. And does this Master_Est MSR Production</p> <p>4 tab, is this a document that is modified over time?</p> <p>5 A. Yes. It gets re-updated every year. As</p> <p>6 we get new ATF AFMERs, we then update the next</p> <p>7 year. So this upcoming year, as the ATF AFMER for</p> <p>8 2022 just got posted, we'll have the 2022 tab</p> <p>9 created.</p> <p>10 Q. Did this document exist when you joined</p> <p>11 NSSF?</p> <p>12 A. Yes.</p> <p>13 Q. Who was the owner, so to speak, of this</p> <p>14 document when you joined in NSSF?</p> <p>15 A. It was largely research owned it.</p> <p>16 Q. And who would that have been at that</p> <p>17 time?</p> <p>18 A. That would be Jim Curcuruto, Dianne</p> <p>19 Vrablic. I believe, through talking through</p> <p>20 Dianne, Jim organized and updated this and then</p> <p>21 handed it off to her as he left.</p> <p>22 Q. And I've handed you what's been</p> <p>23 previously marked as Deposition Exhibit 8. Do you</p> <p>24 recognize the information in this exhibit?</p>

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1 A. I recognize the exhibit.
 2 Q. What is it?
 3 A. This is what we're looking at on there.
 4 Q. Correct.
 5 A. Yeah.
 6 Q. So it is a printout to make it --
 7 A. Yeah.
 8 Q. -- more manageable. I just want to make
 9 sure that it looks right to you.
 10 A. Yes.
 11 Q. I can represent to you that it is a
 12 printout of what you see on the screen. But, more
 13 specifically, it's a printout of columns A through
 14 AI of "NSSF 002351 Redacted." Is that consistent
 15 with what you're seeing in Deposition Exhibit 8?
 16 A. That's correct.
 17 Q. Okay. I'm now going to ask you to turn
 18 to Deposition Exhibit No. 9. So do you recognize
 19 this document?
 20 A. This is a continuation of the analysis
 21 that we've been doing for the MSR chart. This is
 22 just a different portion of that document.
 23 Q. And do you see at the top here where it
 24 has column numbers?

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1 A. Yes.
 2 Q. And what's that first column number on
 3 the upper left?
 4 A. AI.
 5 Q. And what's the last column number on the
 6 top right -- far top right of the document?
 7 A. AV.
 8 Q. So I can -- do you -- look up on the
 9 screen right now. Do you see "NSSF 002351
 10 Redacted," do you see columns AI through AV?
 11 A. Yes.
 12 Q. And do you agree that what you're seeing
 13 on the screen in "NSSF 002351 Redacted" is the same
 14 as this printout that's now Exhibit 9?
 15 A. Yeah. We can only see a portion at a
 16 time there, but I can see the full thing here.
 17 Q. So just for your own kind of navigation
 18 here, the first document is the first chunk of
 19 columns in this Master_Est MSR production tab. The
 20 second printout is the second chunk of columns,
 21 right? Because it's a huge document, right?
 22 A. Yes.
 23 Q. All right. So let's go back to No. 8.
 24 A. Okay.

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1 Q. And just looking at the title of the
 2 tab, "Master_Est MSR Production," what does the
 3 "Est" mean?
 4 A. Estimate.
 5 Q. And why is the word "estimate" included?
 6 A. Because we are trying to get as close to
 7 reality as possible, but we know, through having to
 8 omit certain manufacturers, as we discussed before
 9 earlier today, sometimes we have to omit
 10 manufacturers, and sometimes they don't provide
 11 clarity.
 12 Q. And just to be clear, this spreadsheet
 13 that we're looking at, how is the calculations --
 14 how are the calculations that are reflected in this
 15 spreadsheet used in the rifle production -- or the
 16 firearm production report that we were previously
 17 looking at?
 18 A. Certainly. In its unredacted format,
 19 we've got the manufacturers, and each manufacturer
 20 corresponds to a certain number of production.
 21 Those are tabulated and simply added together to
 22 get a sum number.
 23 Q. And you mentioned redactions. What has
 24 been redacted here?

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1 A. Company names.
 2 Q. And would those appear in column A?
 3 A. Those would have, yeah.
 4 Q. And does column AI also appear to have
 5 redactions?
 6 A. Yes.
 7 Q. What's been redacted from that column?
 8 A. Contact information.
 9 Q. Contact information for whom?
 10 A. Manufacturers.
 11 Q. So is it fair to say that the rows in
 12 this column, each row -- or the rows in this
 13 spreadsheet, Deposition Exhibit 8, roughly
 14 correspond to one manufacturer of firearms; is that
 15 right?
 16 A. Yes.
 17 Q. All right. So flipping to the third
 18 sheet here in this very large exhibit, directing
 19 your attention to row 112. Do you see where it
 20 says "US Annual Total"?
 21 A. Yes.
 22 Q. And what's in this row?
 23 A. Those are the totals of all of the years
 24 from 1990 to 2021.

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1 Q. And in front of you you've got
 2 Deposition Exhibit 8 turned to page 3 and
 3 Deposition Exhibit 6 turned to page -- internal
 4 page 7. So that's NSSF 41. Is it fair to say
 5 that, looking at Exhibit 8, the totals from row 12
 6 feed into the blue column in NSSF 41?
 7 A. The rows from 112.
 8 Q. Or the numbers from 112, row 112, in
 9 Deposition Exhibit 8 feed into NSSF 41, the chart,
 10 and the blue column, specifically?
 11 A. Yes.
 12 Q. And the only difference is that the
 13 numbers from row 112 have been rounded before being
 14 included in NSSF 41?
 15 A. That's correct.
 16 Q. So what we're looking at in Deposition
 17 Exhibit 8 is essentially the backup data for making
 18 the calculations in the blue column of NSSF 41; is
 19 that fair to say?
 20 A. Yeah. This is a portion of what goes
 21 into this.
 22 Q. Okay. So directing your attention back
 23 to Exhibit 8, bottom left corner, do you see
 24 there's -- next to row 114, it says "this color

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1 represents confidential data estimates"?
 2 A. Yes.
 3 Q. What does that mean?
 4 A. It's what we talked about previously,
 5 where we would have to reach out to manufacturers
 6 and get clarification on either the proportion or
 7 the direct number of MSRs that they self-disclose
 8 to us.
 9 Q. If I'm trying to figure out which cells
 10 correspond to numbers that are based on
 11 confidential estimates, how do I determine that?
 12 A. Well, there is color coding here, but
 13 this is also just one portion of the larger
 14 document.
 15 Q. So in terms of numbers, if a number is
 16 in a cell that's colored orange, does that mean
 17 it's based on a confidential data estimate?
 18 A. Yes. This is being called out for that.
 19 But I can't, sitting here at this point in time,
 20 say that any of the noncolored ones weren't
 21 confidential.
 22 Q. So there may be additional numbers that
 23 are based on confidential data estimates beyond the
 24 cells that are colored orange?

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1 A. That's correct. I can't say that, for
 2 certain, every single one of them was accurately
 3 color coded, largely because this is a very big
 4 project. We do it every year. Sometimes we might
 5 miss a formatting change.
 6 Q. Do you see where it says "italic figures
 7 are rough estimates"?
 8 A. Yes.
 9 Q. What does that mean?
 10 A. If we are -- you know, if a
 11 manufacturer, when we reach out to them, gives us a
 12 "about" or any clarification of this number, then
 13 that is documented in this.
 14 Q. "Gives us an 'about'"? What does that
 15 mean?
 16 A. About number. So if we reach out to
 17 them and they don't give us a hard-and-fast number
 18 or proportion -- they say, "eh, it's about this" --
 19 that is recorded here.
 20 Q. Does that happen periodically;
 21 manufacturers won't give you a hard-and-fast
 22 number?
 23 A. It does happen. I can't speak to the
 24 entirety of the history of the MSR chart, how many

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1 times that's happened. But it does happen.
 2 Q. Just flip back to the first page of
 3 Deposition Exhibit 8, if you would. And just
 4 looking at the top, row 3, where it lists years, do
 5 you see that?
 6 A. Yes.
 7 Q. The years 1995 to 2004 are colored
 8 orange in columns G through P. Do you see that?
 9 A. Mm-hmm.
 10 Q. Do you know why?
 11 A. I don't know why. And I think they're
 12 peach, not orange. I'm not positive what the peach
 13 designates versus the orange.
 14 Q. Do you know whether that might
 15 correspond to the time period in which the Federal
 16 Assault Weapons Ban was in effect?
 17 A. I can't speak to it. I know that this
 18 is what the data represents. Whether or not that's
 19 what the color coding is for, it's not called out
 20 in this document. So as it stands right now in
 21 this point in time, I'd have to go back and confirm
 22 if that's the case.
 23 Q. Okay. I'm going to now direct your
 24 attention to the later pages in this document. So

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1 moving past the portions that have the numbers
 2 associated with them.
 3 A. Go past all of them?
 4 MR. WELLS: So, actually, before we do that, I
 5 want you to take a look at the screen.
 6 And, Mike, could you go to, for
 7 instance, AA7 with the red. And can you hover over
 8 it. Yeah.
 9 BY MR. WELLS:
 10 Q. So do you see, looking at the screen in
 11 AA7, how there's a little red triangle in the
 12 corner of this cell?
 13 A. Yes.
 14 Q. Do you have an understanding of what
 15 that means?
 16 A. It looks like there's more data behind
 17 it.
 18 Q. Are you familiar with the comment
 19 function in Excel?
 20 A. Yes.
 21 Q. And does NSSF use comments -- the
 22 comment function in the Excel version of this
 23 document?
 24 A. I didn't know whether or not we have

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1 before. Clearly, there's something there. It
 2 wasn't top of mind when I was reviewing the data.
 3 Q. So you don't look at the comments that
 4 are included in the spreadsheet that we're looking
 5 at regularly?
 6 A. For the historic numbers that you're
 7 going back to all the way to 2015? That is not a
 8 normal course of business, to go back many years
 9 and see what comments were beforehand.
 10 Q. The numbers from 2015 and many years
 11 beforehand are included in the modern sporting
 12 rifle chart in the 2023 edition of --
 13 A. That's correct. It's a summation.
 14 Q. So whatever decisions were made for 2015
 15 that are reflected in these comments are just kind
 16 of baked into that number already; is that right?
 17 A. That's correct. Every year we do that
 18 year update, unless we have a reason to go back.
 19 Q. And the only reason that you identified
 20 to go back would be an ATF-generated change; is
 21 that right?
 22 A. That's correct.
 23 Q. So now flipping to the portions of
 24 Exhibit 8 that look like this. Let the record

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1 reflect I'm showing the witness a column that has
 2 text but not many numbers. Do you see that?
 3 A. Yes.
 4 Q. So I can represent to you that what this
 5 is is a printed-out version of the comments. Excel
 6 gives you an option to print out the comments at
 7 the conclusion. So these are the comments that are
 8 associated with the red triangles in this Excel
 9 spreadsheet, "NSSF 002351 Redacted," Master_Est MSR
 10 Production that's up on the screen.
 11 A. That's a mouthful.
 12 Q. So just looking at these, and directing
 13 your attention to where it says cell AA7, cell AD7,
 14 cell AE7, do you see those comments?
 15 A. I do.
 16 Q. And do you see any names you recognize
 17 there?
 18 A. Both Jim Curcuruto and Dianne Vrablic.
 19 Q. And looking at cell AA7, there's a note
 20 from Jim Curcuruto that says "51,500 misc." Do you
 21 have an understanding as to what that means?
 22 A. These are frames and receivers.
 23 Q. How do you know that?
 24 A. It's the miscellaneous category defined

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1 by ATF.
 2 Q. And what does that mean in terms of this
 3 chart? How is that 51,500 figure fed into this
 4 Excel spreadsheet?
 5 A. For the corresponding manufacturer, that
 6 51,500 number -- 51,500 number is a representation
 7 of MSR frames and receivers that were produced that
 8 year by that manufacturer.
 9 Q. So I'm looking at AA7 up on the screen,
 10 "NSSF 002351," the master MSR production tab, and
 11 the number is 50,000, which is different than
 12 51,500 misc. Do you have any idea why that might
 13 be?
 14 A. There might have been a need to be
 15 conservative with the number. I wasn't there and I
 16 wouldn't do it, but that's my only guesstimate, if
 17 you're asking my personal opinion.
 18 Q. When you say you weren't there and you
 19 wouldn't do it, why not?
 20 A. No, didn't do it.
 21 Q. Oh, didn't do it.
 22 A. Didn't do it.
 23 Q. Based on this note, does this indicate
 24 that there were at least 50,000-plus frames or

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1 receivers that were included in the calculation of
 2 modern sporting rifles for the year 2015 that
 3 NSSF --
 4 A. For that manufacturer, yes.
 5 Q. And that number would, again, be used
 6 from year to year in documents like the 2023
 7 firearm production report that we were previously
 8 looking at, Deposition Exhibit 6, correct?
 9 A. Yes. Any previous information typically
 10 is carried over into the next year.
 11 Q. All right. I'm directing your attention
 12 now to the cells further down -- or the comments
 13 further down the line that say cell AB19, cell
 14 AE19, cell AF19. You understand that when it says
 15 cell AF19, it means column AF, row 19?
 16 A. Yes.
 17 Q. And do you recognize names of people
 18 that are familiar to you?
 19 A. Yes.
 20 Q. Jim Curcuruto and Dianne Vrablic; is
 21 that right?
 22 A. Yes.
 23 Q. And it appears that they have included
 24 notes at some point in time reflecting decisions

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1 that are associated with these cells; is that
 2 right?
 3 A. That's correct.
 4 Q. And, for instance, in AB19, Jim
 5 Curcuruto included a note that said "combo rifles
 6 plus 13,800 misc"? Do you see that?
 7 A. I do.
 8 Q. What does that mean?
 9 A. That would be rifles plus miscellaneous;
 10 again, "miscellaneous" being frames and receivers.
 11 Q. And I believe you said earlier that an
 12 AR lower receiver could grow into an AR pistol or
 13 it could grow into an AR rifle; is that right?
 14 A. I said it could grow up to be one.
 15 Q. Grow up to be one.
 16 A. That's right. That's right.
 17 Q. So, like -- okay. So there may be some
 18 group of this 13,800 miscellaneous that grows up to
 19 be an AR rifle and another portion that grows up to
 20 be an AR pistol; is that right?
 21 A. That's correct. And they could also be
 22 short-barreled rifles, as well, if they are
 23 Formed 1 -- if they are Form 1'd. Or they could
 24 remain frames or receivers in someone's safe.

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1 Q. Or if they are illegally made into a
 2 short-barrel rifle, right?
 3 A. Certainly, there is a criminal aspect
 4 there if someone were to legally acquire a firearm
 5 and go through illegal procedures to create an SBR.
 6 Q. So "yes"?
 7 A. Someone could create a -- produce a
 8 criminal act and illegally make an SBR. That does
 9 happen. ATF is all over it as far as regulating
 10 that activity.
 11 Q. Okay. All right. Now I'm directing
 12 your attention to the bottom of this page where it
 13 says cell AB23. Do you see that?
 14 A. I do see that.
 15 Q. And that AB23, again, corresponds to
 16 cell AB23 and the big spreadsheet that we're
 17 looking up at on the screen?
 18 A. I don't see it on the screen. There we
 19 go. I see it.
 20 Q. And what figure, looking at the screen,
 21 do you see in cell AB23?
 22 A. I'm sorry. Do you want me to tell you
 23 the value that's in AB23?
 24 Q. Yes.

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1 A. That is 108,000.
 2 Q. Okay. Now, looking back at the note
 3 here for cell AB23, do you see it's Jim Curcuruto,
 4 and there's a comment "75 percent of total are,
 5 quote, NSR/AK made in US, but not sure if all are
 6 AK. Need to contact. 90,000 rifles plus 54,000
 7 misc equals 144,000. Going to use 90K to be safe,
 8 as no response from co."?
 9 What does that mean?
 10 A. Sounds like Jim had a figure of
 11 75 percent, tried to confirm it, didn't get
 12 follow-up.
 13 Q. Where would that 75 percent come from?
 14 A. I can't speak to that.
 15 Q. In your experience, is that type of
 16 percentage what you get from manufacturers when you
 17 have conversations with them about what their rough
 18 proportion of modern sporting rifles is?
 19 A. It certainly varies from manufacturer to
 20 manufacturer. But they are not made-up percentages
 21 that we assign. We only use percentages if we were
 22 provided them. And Jim, here -- I can only assume
 23 what he was trying to do, was update that figure.
 24 And if he didn't have an update, he used the

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1 previous proportion.
 2 Q. What does "AK" refer to in this comment?
 3 A. AK? I don't know what else to --
 4 Q. What do the letters AK stand for in this
 5 comment?
 6 A. I forgot the A in AK, but the K is
 7 Kalashnikov. It's AK-variant rifle.
 8 Q. Would it be Avtomat Kalashnikov?
 9 A. That would be it.
 10 Q. Just brushing up on my Russian.
 11 A. Oh, it's what I do on weekends.
 12 Q. It says "needs to contact" here. Do you
 13 have an understanding as to what that means?
 14 A. It sounds like he wanted to update the
 15 proportion, wanted to reach out to contact. But
 16 the data that's provided here does not confirm or
 17 deny whether he did or did not reach out to
 18 contact.
 19 Q. And, again, we see that this "54,000
 20 misc," that would be receivers, in your
 21 understanding?
 22 A. Yes. Frames and receivers.
 23 Q. And it says here "going to use 90K to be
 24 safe, as no response from company." What do you

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1 understand that to mean?
 2 A. He did not get a response when he
 3 reached out, and so he used the previous proportion
 4 that was provided from the company.
 5 Q. And just directing your attention back
 6 to AB23. As we discussed earlier, the actual
 7 figure in AB23 is 108,000. Do you see that?
 8 A. That's correct.
 9 Q. Why would it be different than the
 10 90,000 reflected in the comment?
 11 A. It could have been that -- and you're
 12 asking me to assume here because I wasn't there
 13 what I did it -- when this was done. But I have to
 14 assume that either there was a follow-up or some
 15 sort of information that validated Jim to, at the
 16 time, change that number to 108.
 17 Q. Do you have any documentation of how
 18 that decision was made?
 19 A. I do not.
 20 Q. Does NSSF have documentation of how that
 21 decision was made?
 22 A. I sincerely doubt it, but we can go back
 23 and look if you need us to. I don't think we have
 24 records that far back.

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1 Q. The 108,000 that we see in AB23, that
 2 figure is included in the sum totals that are
 3 reflected in NSSF 41 --
 4 A. Yes.
 5 Q. -- the firearm production -- or the
 6 modern sporting rifle production chart in NSSF 41;
 7 is that right?
 8 A. That's correct. Summation of all the
 9 figures combined.
 10 Q. All right. I'm going to direct your
 11 attention to -- if you flip a couple pages down to
 12 where you're looking for cell number 69. I'm
 13 sorry. AB69. Do you see that there's a comment
 14 there from Jim Curcuruto that says "13,340 but some
 15 bolt-action"?
 16 A. I do.
 17 Q. Do you have any understanding as to what
 18 that means?
 19 A. I do not. It may be that gray area that
 20 you were alluding to before. But that's only me
 21 speaking to what I know at this point in time.
 22 Q. Looking at the screen that has "NSSF
 23 002351 Redacted," Master_Est MSR Production,
 24 looking at cell AB69, what's the figure that's

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1 included there?
 2 A. 10,000.
 3 Q. And that 10,000 is different than 13,340
 4 reflected in the note; is that right?
 5 A. That's correct.
 6 Q. Do you know why that figure is
 7 different?
 8 A. Based off of how we update this chart,
 9 he likely removed the bolt-actions from that so he
 10 only captured MSRs in the count.
 11 Q. Did the company that corresponds to
 12 row 69 produce exactly 3340 bolt-action firearms in
 13 that year?
 14 A. They may have. I can go back and check
 15 to see. Which year is that? 2016?
 16 Q. 2016.
 17 A. It will take some digging, but I can
 18 certainly ask.
 19 Q. You don't know which company, just
 20 looking at this document, though, because the
 21 company names have been redacted; is that right?
 22 A. That's correct.
 23 Q. Let's look at number 79 -- or row 79,
 24 the comments corresponding to row 79. Do you see

<p style="text-align: right;">Page 182</p> <p>1 where it says cell AB79?</p> <p>2 A. Yes.</p> <p>3 Q. It's a note from Dianne Vrablic. It</p> <p>4 says "Rifles 20,792, but one traditional model.</p> <p>5 Est. 15,000 for rifle. Pistols 4,559."</p> <p>6 Do you have an understanding as to</p> <p>7 what that means?</p> <p>8 A. It sounds like they took all of the</p> <p>9 rifle production for that year, reduced to</p> <p>10 eliminate the traditional rifles, and then counted</p> <p>11 the pistols as MSRs.</p> <p>12 Q. Do you know how the quantity of the</p> <p>13 reduction would have been determined?</p> <p>14 A. Likely would have been from reaching out</p> <p>15 to the manufacturer directly.</p> <p>16 Q. Do you know if there are records of that</p> <p>17 correspondence?</p> <p>18 A. We -- based on what we've talked about</p> <p>19 before -- pretty sure I alluded to it -- there is a</p> <p>20 confidentiality agreement when we ask for this</p> <p>21 information. We include it in our e-mails. And</p> <p>22 anytime that those confidential figures or</p> <p>23 proportions are provided, we are done with the</p> <p>24 exercise, and we delete them. So the records</p>	<p style="text-align: right;">Page 184</p> <p>1 Q. At what point did NSSF begin including</p> <p>2 MSR -- I'm sorry -- AR pistols in its modern</p> <p>3 sporting rifle calculation?</p> <p>4 A. I'm not sure. I can certainly go back</p> <p>5 and investigate. But the prevalence of AR/AK</p> <p>6 MSR-platform pistols has been prevalent for over a</p> <p>7 decade. And that's strictly because ATF allows</p> <p>8 that manufacturer of that pistol in that platform,</p> <p>9 and it's something that our industry makes for our</p> <p>10 consumers.</p> <p>11 Q. Generally speaking, if there are</p> <p>12 comments that refer to pistols in this chart, does</p> <p>13 that suggest to you that there are pistols for that</p> <p>14 particular manufacturer that are being included in</p> <p>15 the modern sporting rifle calculation?</p> <p>16 A. Yes.</p> <p>17 Q. I'm going to direct your attention to</p> <p>18 AD92. AD92. So you've got to flip, I think, one</p> <p>19 more page. Towards the bottom there.</p> <p>20 MR. LOTHSON: What's this -- where are we at?</p> <p>21 MR. WELLS: Cell AD92.</p> <p>22 BY MR. WELLS:</p> <p>23 Q. And there's a series of cells that say</p> <p>24 AE92, AF92, AG92. Do you see those? And this</p>
<p style="text-align: right;">Page 183</p> <p>1 are -- as far as e-mails for correspondence -- are</p> <p>2 expunged, per the confidentiality.</p> <p>3 Q. Do you have a copy of that agreement at</p> <p>4 NSSF?</p> <p>5 A. It's not a paper agreement, as far as I</p> <p>6 understand it. They are just the high points that</p> <p>7 we try to communicate to our members as a -- in the</p> <p>8 course of business.</p> <p>9 Q. Again, looking at the comment associated</p> <p>10 with cell AB79, what does "one traditional model"</p> <p>11 mean?</p> <p>12 A. That could be that all rifles are</p> <p>13 27,000 -- or I'm sorry -- 20,792, but one of those</p> <p>14 available rifles is not an MSR.</p> <p>15 Q. "Pistols 4,559." Does that refer to --</p> <p>16 what types of pistols?</p> <p>17 A. Likely MSR pistols.</p> <p>18 Q. And would those MSR pistols have been</p> <p>19 included in that company's total for the modern</p> <p>20 sporting rifle calculation for the year reflected</p> <p>21 in this?</p> <p>22 A. Yes.</p> <p>23 Q. Calculated in this chart?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 185</p> <p>1 is -- I'm looking at the comments.</p> <p>2 A. AE92, yeah. I just wanted to see it on</p> <p>3 there.</p> <p>4 MR. TRESNOWSKI: Yeah, it's hard to get the</p> <p>5 comment in.</p> <p>6 MR. LOTHSON: I'm sorry. I'm not -- I'm</p> <p>7 trying to locate this one.</p> <p>8 THE WITNESS: Alpha-Delta-92.</p> <p>9 MR. LOTHSON: Sorry. About how many pages in</p> <p>10 is it?</p> <p>11 MR. WELLS: It is three from the back.</p> <p>12 MR. LOTHSON: Oh. Got it.</p> <p>13 BY MR. WELLS:</p> <p>14 Q. So directing your attention to</p> <p>15 Deposition Exhibit 8, the comments at cell AD92,</p> <p>16 AE92, AF92, and AG92, those are all comments from</p> <p>17 Dianne Vrablic. Do you see that?</p> <p>18 A. Yes.</p> <p>19 Q. Do you see in the comment for AD92, it</p> <p>20 says "misc"? That refers to the ATF miscellaneous</p> <p>21 category?</p> <p>22 A. Yes.</p> <p>23 Q. And then it says "Rev in 2022 to include</p> <p>24 rifles and shotguns." Do you have an understanding</p>

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1 as to what that means?
 2 A. Yes. More than likely, what happened
 3 there is that the manufacturer started producing
 4 either AR- or AK-style MSR-category shotguns. And
 5 so while they are reported as shotguns, they fall
 6 into the umbrella of MSR.
 7 Q. Would those types of shotguns be
 8 included in NSSF's calculation of modern sporting
 9 rifle production?
 10 A. I'm not positive. I don't know if this
 11 note here denotes that they were included when we
 12 sussed out the shotguns -- "sussed out" meaning
 13 remove the shotguns -- or we include them. I'd
 14 have to go back and determine whether or not they
 15 were included.
 16 Q. Is there a possibility, then, that the
 17 modern sporting rifle production chart at NSSF 41
 18 included shotguns?
 19 A. I can't speak to it right now. I'd have
 20 to go back and check. I can certainly follow up
 21 with you if you'd like me to.
 22 Q. You can't say one way or the other
 23 whether shotguns are included in NSSF 41, as you
 24 sit here today?

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1 A. That's correct. I need to go back and
 2 look.
 3 Q. Okay. So now I'm going to direct your
 4 attention to No. 9, Deposition Exhibit No. 9. And
 5 as we discussed previously, it's in the same
 6 massive spreadsheet that we're looking at up on the
 7 screen. It's just the other group of columns. Is
 8 that fair to say?
 9 A. Yes.
 10 Q. And for the record, we're looking at
 11 "NSSF 002351 Redacted." All right. Just looking
 12 at row 2 across the top of Deposition Exhibit 9, do
 13 you see where it says "This color highlighting
 14 labels the confidential estimates (calls)"?
 15 A. I see that.
 16 Q. What does this refer to?
 17 A. That would designate that we had reached
 18 out and gotten direct estimates from a
 19 manufacturer.
 20 Q. And it says "(calls)." What does that
 21 mean?
 22 A. That means picking up the phone and
 23 calling them.
 24 Q. Through the process that we've talked

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1 about a couple times over the course of this
 2 deposition; is that right?
 3 A. That's correct.
 4 Q. And in this column AI, the contents of
 5 the column have been redacted; is that right?
 6 A. That's right.
 7 Q. All right. Moving to AJ2, it says
 8 "10/9/2023 through 10/16/2023, notes for 2021
 9 recording." What does this mean?
 10 A. I don't recall this particular column.
 11 Yeah, I don't recall this particular column.
 12 Q. And this column is also redacted?
 13 A. Yes.
 14 Q. All right.
 15 A. Likely because it had contact
 16 information or confidential information that was
 17 provided to us. Otherwise, it wouldn't have been
 18 needed to redact.
 19 Q. Moving to AK column, not the firearm.
 20 A. Yes.
 21 Q. Column AK, row 2, it says "Potential
 22 problems are highlighted with this color (re 2019
 23 to 2021)." And the text is red and the cell is
 24 pink. Do you see that?

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1 A. Yes.
 2 Q. What does this mean?
 3 A. Those are typically totals or
 4 manufacturer activity that we need to get clarity
 5 on. And if we can't get clarity, those typically
 6 get labeled with this color coordination or color
 7 combination to designate that either we were or
 8 were not going to put them in. Likelihood is we
 9 identified the problem and were not going to put
 10 them in there.
 11 Q. So anywhere I see a pink-colored cell in
 12 this spreadsheet, it corresponds to this label
 13 here, "potential problems are highlighted"; is that
 14 fair to say?
 15 A. That is the designation of the color
 16 code.
 17 Q. Why were there -- why is the problem
 18 category specific to 2019 to 2021?
 19 A. I believe, if recollection serves me
 20 here, that we had a number of manufacturers that
 21 made, as I mentioned before, a wide swathe of
 22 products, and we needed to go back and get the
 23 proportion or number from them of MSRs that they
 24 produced. And this would highlight that we don't

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1 have clarity on these numbers and we need to go
 2 back and get more information.
 3 Q. All right. So directing your attention
 4 now to columns -- do you see the blue section where
 5 it says "MSR pistol estimates"?

6 A. Yes.

7 Q. And it says "MSR pistol estimates
 8 (subset of total MSRs)." What does that mean?

9 A. That we were trying to track MSR pistol
 10 production.

11 Q. Do you see there's a note there that
 12 says "Note: These pistol estimates," underline,
 13 "are included in the total MSR production
 14 estimates"?

15 A. Yes, I see that.

16 Q. And then it says "(under the green
 17 highlighted headings for MSRs)." So what does that
 18 mean?

19 A. That particular note, I'm not sure. I
 20 think what it likely is is a different column
 21 setting or column dataset in this master file.

22 Q. Does this indicate to you that MSR
 23 pistols are included in the modern sporting rifle
 24 calculation?

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1 A. I've been very transparent that pistols
 2 are included.

3 Q. So directing your attention to row 112
 4 at the bottom of this. So do you see the blue
 5 cells that include the figures 20,370; 54,010;
 6 63,221? Do you see that?

7 A. Yes.

8 Q. And do you see on the right it says "US
 9 annual total MSR pistols (included in total MSR)"?
 10 Do you see that?

11 A. Yes.

12 Q. And what are we being told in these
 13 cells? What's this information?

14 A. That this is our estimate for 2019,
 15 2020, and 2021, how many MSR pistols were produced.

16 Q. In 2019, NSSF's estimates of MSR pistols
 17 that were produced was 20,370?

18 A. That's what the label says.

19 Q. Is that accurate?

20 A. If it's in the chart and we have not
 21 changed it, then it's accurate.

22 Q. How about 54,010? Is that NSSF's
 23 estimate of MSR pistols for the year 2020?

24 A. Yes.

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1 Q. And the next column -- or I'm sorry --
 2 the next cell, 63,221. Is that NSSF's estimate for
 3 MSR pistols for 2021?

4 A. Yes.

5 Q. All right.

6 A. Can I get some more water?

7 MR. WELLS: Sure, sure. We'll go off the
 8 record for a second.

9 (Discussion had off the record.)
 10 (NSSF Deposition Exhibit 10 was
 11 marked for identification.)

12 MR. WELLS: All right. So it's 2:04.
 13 BY MR. WELLS:

14 Q. I'm directing your attention up to the
 15 screen where we've got "NSSF 002351 Redacted."
 16 I've now moved to another tab in this same
 17 spreadsheet. The tab is titled "2021 AFMER_2023
 18 MSR Call List." Do you see that?

19 A. I'm sorry. I was reading. Could you
 20 point it out? Yes. Yes, right there.

21 Q. Are you familiar with what's up on the
 22 screen right now?

23 A. Yes.

24 Q. What is this?

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1 A. So that is a record of clarification
 2 points that communicate between the research team
 3 on what we, you know, kind of should do as far as a
 4 call is concerned on including, excluding, do we
 5 need to follow up.

6 Q. Now directing your attention to what I
 7 have premarked as Deposition Exhibit 11, does this
 8 deposition -- I'm sorry. Deposition Exhibit 10.
 9 Does what you see in front of you in Deposition
 10 Exhibit 10 look like what we just saw up on the
 11 screen?

12 A. Yes.

13 Q. And so it's the same information?

14 A. Yes, just the full printout.

15 Q. I can represent to you that it's the
 16 same. I'm directing your attention to A7, cell A7.
 17 Do you see that?

18 A. Yes.

19 Q. It says "Salam." Is that you?

20 A. That's me. I'm sorry. A7?

21 Q. Did you write this? And, in particular,
 22 it's a comment that says "I'm not sure their rifles
 23 are MSRs (M14s). They don't 'look like' MSRs."
 24 A. Yes. If it has my name there and what I

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1 said -- I don't know what year I said that -- but I
 2 trust my team to make accurate records.
 3 Q. So did your team write this or did you
 4 write this?
 5 A. They likely are my words transcribed
 6 here for this record.
 7 Q. Who actually would have done the
 8 transcribing?
 9 A. It could have been myself. It could
 10 have been Dianne, someone on the research team.
 11 Q. When you said "they don't 'look like'
 12 MSR," what did you mean?
 13 A. So they're not -- for the M14s that were
 14 listed on the website, they didn't have all of the
 15 form, factor, and features that other MSRs do.
 16 Q. Form, factor, and features. What do you
 17 mean by "form"?
 18 A. So if a -- are you familiar with an M14?
 19 Q. Yes.
 20 A. So M14 can come in a adjustable stock.
 21 It can come in a fixed stock, traditional wood
 22 stock, with no, you know, external pistol grip,
 23 however it's designated. It can come with all of
 24 the features that an AR-15 or an AK come with, as

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1 far as furniture, but the furniture can also be
 2 traditional wood stock that looks like a, you know,
 3 old-school hunting rifle.
 4 Q. And an adjustable stock is a common
 5 feature on a modern sporting rifle?
 6 A. Yes.
 7 Q. A pistol grip is a common feature on a
 8 modern sporting rifle?
 9 A. That's correct.
 10 Q. You also mention -- I think you said
 11 "form, factor, and features." Did I hear that
 12 right?
 13 A. Yeah, speaking to the furniture of the
 14 firearm.
 15 Q. What does "factor" mean?
 16 A. Is it made out of aluminum. Is it made
 17 out of wood. What does it look like; a traditional
 18 old-school hunting rifle, or is it more modern,
 19 falling under, you know, the modern sporting rifle
 20 category of furniture.
 21 Q. What is furniture?
 22 A. Furniture is the stuff that goes on the
 23 gun. So, like, a stock would be furniture, a hand
 24 guard would be furniture.

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1 Q. All right. Directing your attention --
 2 and I'm sorry. What are features?
 3 A. Features, like does the -- is the stock
 4 fixed, is it telescoping, does it have M-LOK, does
 5 it KeyMod; is there a place and, you know, process
 6 of putting on, say, flashlights, grips, optics,
 7 anything like that.
 8 Q. All right. Directing your attention to
 9 Deposition Exhibit 10, cell A9, do you see where it
 10 says "Do not know what to count for the MSR
 11 estimate. Their website currently displays one
 12 rifle model and lever action. 12 rifle models
 13 appear to be MSR styles. 6 short-barrelled rifle
 14 models. 7 pistol models appear to be MSR styles.
 15 Parts include uppers, lowers, and other misc.?"
 16 Who wrote that?
 17 A. I believe those are my findings.
 18 Q. What are you saying in this cell?
 19 A. So it's what I kind of alluded to
 20 previously where a manufacturer can make so many
 21 things that we need to ask clarification in order
 22 to count the numbers. Being a conservative count
 23 and this ambiguous, if we didn't get a call from --
 24 or a response from the manufacturer, then that

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1 would lead us to say, all right, for this
 2 manufacturer we can't include anything for this
 3 year. Regardless of the number, if we can't get
 4 confirmation of how many things from firearms fall
 5 into MSR, then we need to exclude it. That's
 6 typically the rhyme and reason that's applied.
 7 Q. Do you know how the comment in cell A9
 8 in Exhibit 10 was resolved?
 9 A. I don't recall.
 10 Q. And is it fair to say that the
 11 right-hand columns, columns B through G, are
 12 redacted?
 13 A. Yes.
 14 Q. If you didn't have the redactions, would
 15 you be able to potentially explain how this comment
 16 was resolved?
 17 A. Possibly. But I'd have to go and look
 18 on a case-by-case basis.
 19 MR. WELLS: Let's -- on the screen, Mike, if
 20 we can go to the next tab.
 21 BY MR. WELLS:
 22 Q. All right. I'm showing you on the
 23 screen "NSSF 002351 Redacted." It's under tab
 24 labeled "MSR Table_Ann Est_Final 7/6/22." And

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<p>1 directing your attention up to the screen, what are 2 we looking at? 3 A. That is the MSR chart that is on page 7 4 of the IIR, Exhibit 6. 5 (NSSF Deposition Exhibit 11 was 6 marked for identification.) 7 BY MR. WELLS: 8 Q. Directing your attention to what's been 9 premarked as Deposition Exhibit 11, do you see 10 that? 11 A. For this document? 12 Q. Yes. 13 A. Yeah. 14 Q. And is the information that's appearing 15 in Deposition Exhibit 11 the same information that 16 you're seeing up on the screen here? 17 A. Yes. 18 Q. And describe for me what these numbers 19 are. 20 A. This is the same stuff that's on the MSR 21 chart that we published. This is just the working 22 document that we used to update. And then we will 23 take this, give it to creative services. They will 24 make it pretty and give us a page insert for the</p>	<p>1 A. We are simply adding what we can compile 2 from the AFMER and proportions applied to 3 production. 4 Q. Are there -- 5 A. So it's adding and subtracting because 6 we've got to export the -- we've got to minus the 7 exports. 8 Q. Are there principles of opinion survey 9 research or survey research that you're applying as 10 part of your methodology? 11 A. It's not necessary because this is a 12 very simple "one plus one minus one." 13 Q. So "no"? 14 A. No. 15 Q. Directing your attention to rows 36 and 16 39 at the bottom there, and you see it says 17 "Sources, ATF AFMER, USITC, industry estimates"; is 18 that right? 19 A. That's correct. 20 Q. Row 37, it says "10/1/2020 through 21 2018." What does that mean? 22 A. So the ATF AFMER -- I believe I've said 23 this before, but I'm happy to revisit. The ATF 24 AFMER is always two years behind. So right now</p>
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<p>1 IIR. 2 Q. Directing your attention to the top 3 here, row 1, it says "NSSF MSR History, 1990 to 4 2020, Estimated US Firearm Production Minus Exports 5 Plus Imports of MSR/AR, AK Platform." 6 Do you see that? 7 A. Yes. 8 Q. "Semiautomatic rifles and lowers." Do 9 you see that? 10 A. Yes. 11 Q. You agree that these figures are all 12 estimated, right? 13 A. We've established that they're an 14 estimate. 15 Q. And it's important to note that these 16 figures are estimated? 17 A. It's the best estimate we could possibly 18 make. Because in order to create this estimate, 19 you need to have confidential data. And the only 20 way to get it is to partner with manufacturers, 21 which is what we do. 22 Q. You said best estimate you could 23 possibly make. Are there statistical methods that 24 you're using to make that conclusion?</p>	<p>1 it's 2024. We're getting the 2022 AFMER a month 2 ago. 3 Q. What does the next note mean, "7/5/2022 4 through 2020"? 5 A. That at July -- is it July? -- July 5th, 6 2022, the information included was through the 2020 7 data that we had. 8 Q. What about that last note, "12/12/23 9 through 2021"? 10 A. Same thing. It denotes when we were 11 finished compiling everything, and the data that we 12 used was through 2021. 13 MR. WELLS: Okay. You can put that one away. 14 Or keep it handy for a second. Let's just briefly 15 look up at the screen real quick. 16 Mike, go to the next tab. 17 BY MR. WELLS: 18 Q. "Top 10 in 2022, 2020 AFMER," that's the 19 tab we're looking at in spreadsheet "NSSF 002351 20 Redacted." What's in this tab? 21 A. So we tabulate how many MSRs are made 22 per manufacturer. And this is just a 23 for-internal-use top-ten list of MSRs -- MSR 24 manufacturers.</p>

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1 MR. WELLS: Could you scroll down, Mike.
 2 BY MR. WELLS:
 3 Q. And looking at row 16, it says
 4 "Pending phone calls and responses 2023,
 5 10:18 a.m." What does that refer to?
 6 A. I don't know, to be honest. I know it's
 7 a note that we need to, you know, confirm pending
 8 calls and responses. This could be just a
 9 carryover of the other notes that we had from other
 10 exhibits in other portions of this same master
 11 document. But that "2023, 10:18 a.m.," I don't
 12 recall what that particular section means.
 13 Q. Does this tab appear to have been
 14 redacted?
 15 A. Yes.
 16 Q. What's been redacted?
 17 A. Contact information and manufacturer
 18 names.
 19 Q. Who did the redactions?
 20 A. I did.
 21 Q. So is there a version of this document
 22 that hasn't been produced that includes the
 23 information that has been redacted?
 24 A. We do have a version that is not

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1 redacted, correct.
 2 Q. So the version that you've produced in
 3 this litigation is one that you've specifically
 4 modified to redact; is that right?
 5 A. That's correct.
 6 Q. You personally?
 7 A. Yes.
 8 Q. Who directed you to make those
 9 redactions?
 10 A. Me.
 11 MR. LOTHSON: And I'll object to the extent
 12 there could be discussions with counsel involved in
 13 that.
 14 BY MR. WELLS:
 15 Q. Was there any other basis for making
 16 those redactions aside from the assurances that you
 17 provide to manufacturers about the confidential
 18 treatment of their data?
 19 A. It's strictly the confidential nature of
 20 the information that they provide.
 21 Q. Okay. Now, let's look back at NSSF 41
 22 in Deposition Exhibit 6, the "Modern Sporting Rifle
 23 Production in the United States, 1990 through
 24 2021." All of those spreadsheets that we just

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1 looked at, all of that feeds into the generation of
 2 this chart; is that fair to say?
 3 A. That's correct.
 4 Q. And the adjustments and estimates that
 5 are done to generate this chart are done by NSSF
 6 personnel; is that right?
 7 A. That's correct.
 8 Q. Those adjustments and estimates are done
 9 internal to NSSF; is that right?
 10 A. Yes.
 11 Q. Does NSSF publish its methodology for
 12 making the calculations in this chart?
 13 A. We provide the sources, and the
 14 methodology is largely just a summation. I'm not
 15 sure, sitting here today, if we note that anywhere;
 16 do or don't note that anywhere.
 17 Q. If I looked in this report, where would
 18 I find the methodology that you're employing?
 19 A. Specifically to the MSR chart?
 20 Q. Yes.
 21 A. I just want to make sure. We don't
 22 designate the methodology, largely because we are
 23 doing a conservative count of what we can prove.
 24 Q. When you say "conservative count," what

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1 do you mean?
 2 A. So we can't, right now, get every single
 3 accurate figure of MSRs. If we did, that would be
 4 great. But it's an estimate because we might
 5 have -- like I've alluded to before, there might be
 6 a manufacturer that just simply doesn't want to
 7 answer our phone call. There might also be a
 8 manufacturer that is a boutique small shop that
 9 doesn't jump out at us when we're reviewing the
 10 AFMER or doing open source investigation of MSR
 11 manufacturers, and then they're not counted.
 12 And, similarly, this is not counting
 13 MSRs that are produced at home from 80 percent
 14 lowers that are not captured in production of
 15 firearms.
 16 Q. But specifically the word
 17 "conservative," what are you trying to convey when
 18 you say it's conservative?
 19 A. When I say conservative, it is largely
 20 an understatement of what is likely the real
 21 number.
 22 Q. Okay. If you could take Exhibit 11 --
 23 A. Yes.
 24 Q. -- the bottom column there, and compare

<p style="text-align: right;">Page 206</p> <p>1 it to how the sources are described in NSSF 41. So</p> <p>2 do you see that in NSSF 41, the sources are</p> <p>3 described as ATF AFMER, USITC, industry reporting?</p> <p>4 Do you see that?</p> <p>5 A. Yes.</p> <p>6 Q. And looking at Exhibit 11, in row 36,</p> <p>7 the sources are described as ATF AFMER, USITC,</p> <p>8 industry estimates. Do you see that?</p> <p>9 A. Yes.</p> <p>10 Q. Do you know why the word "industry</p> <p>11 estimates" was changed to "industry reporting"?</p> <p>12 A. I changed it from "estimates" to</p> <p>13 "reporting" largely because I thought it was more</p> <p>14 reflective, and I didn't think at the time that I</p> <p>15 made that change that I would be giving deposition</p> <p>16 on it.</p> <p>17 Q. Did anyone instruct you to make that</p> <p>18 change?</p> <p>19 A. I don't think anyone did. I had brought</p> <p>20 it up in internal conversations with staff, and</p> <p>21 between myself and my leadership, just like, yeah,</p> <p>22 reporting is probably more accurate. Let's be more</p> <p>23 accurate in our reporting. Put that.</p> <p>24 Q. The result of that decision, though, is</p>	<p style="text-align: right;">Page 208</p> <p>1 correct?</p> <p>2 A. That's correct.</p> <p>3 Q. All right. So directing your attention</p> <p>4 to page 7, which corresponds to NSSF 000023, what</p> <p>5 do you see here?</p> <p>6 A. We see our MSR chart from 2018 -- from</p> <p>7 the 2018 AFMER -- and the -- and this is that</p> <p>8 magazine chart that was from 2018.</p> <p>9 Q. Is it fair to say that the modern</p> <p>10 sporting rifle data that's included in NSSF 000023</p> <p>11 covers the years 1990 to 2018, and the only</p> <p>12 difference compared to NSSF 41 in Deposition</p> <p>13 Exhibit 6 is that the 2023 version at NSSF 41</p> <p>14 includes the years 2019, 2020, and '21?</p> <p>15 A. That appears so. Just a difference of</p> <p>16 how many years are captured on each chart.</p> <p>17 Q. Earlier when you described the process</p> <p>18 of annually updating and adding based on new ATF</p> <p>19 AFMER data, so the difference between these two</p> <p>20 charts is that three years more of ATF AFMER data</p> <p>21 have come out --</p> <p>22 A. Yes.</p> <p>23 Q. -- and you've done the internal analysis</p> <p>24 to generate the 2023 edition; is that right?</p>
<p style="text-align: right;">Page 207</p> <p>1 that nowhere on page NSSF 000041 is there the word</p> <p>2 "estimate"; is that right?</p> <p>3 A. That's correct.</p> <p>4 (NSSF Deposition Exhibit 12 was</p> <p>5 marked for identification.)</p> <p>6 BY MR. WELLS:</p> <p>7 Q. You've just been handed what's been</p> <p>8 marked as Deposition Exhibit 12, which is Bates</p> <p>9 range NSSF 000017 through 34.</p> <p>10 Do you recognize this document?</p> <p>11 A. I do. I'm just trying to find where we</p> <p>12 are publishing the year on here so I can get</p> <p>13 oriented. So this is the 2020 since this has 2018</p> <p>14 data in it.</p> <p>15 Q. What is this document?</p> <p>16 A. So this is a older version of Exhibit 6.</p> <p>17 Q. You said older version. So Deposition</p> <p>18 Exhibit 12, based on the copyright date, appears to</p> <p>19 be the 2020 version of the "Firearm Production in</p> <p>20 the United States" report; is that right?</p> <p>21 A. That's correct.</p> <p>22 Q. And previously in Deposition Exhibit 6,</p> <p>23 we looked at the 2023 edition of the "Firearm</p> <p>24 Production in the United States" report; is that</p>	<p style="text-align: right;">Page 209</p> <p>1 A. That's correct.</p> <p>2 Q. Are the sources for NSSF 23 the same as</p> <p>3 the sources for NSSF 41, with the exception that</p> <p>4 for 41 you had later AFMER data?</p> <p>5 A. That's correct. We did not change the</p> <p>6 methodology. We just used the updated content.</p> <p>7 Q. Directing your attention to the bottom</p> <p>8 of NSSF 23, do you see where it says "Source"?</p> <p>9 A. Yes.</p> <p>10 Q. And for source, it says "ATF AFMER,</p> <p>11 USITC industry estimates." Do you see that?</p> <p>12 A. Yes.</p> <p>13 Q. So in the 2020 version of the "Firearm</p> <p>14 Production in the United States" chart, NSSF</p> <p>15 described its sources as industry estimates; is</p> <p>16 that correct?</p> <p>17 A. That's correct.</p> <p>18 Q. But in the 2023 version of that same</p> <p>19 report, "Firearm Production in the United States,"</p> <p>20 for the modern sporting rifle production chart,</p> <p>21 NSSF describes its source as "industry reporting,"</p> <p>22 correct?</p> <p>23 A. That's correct.</p> <p>24 Q. And that was the word change that you</p>

<p style="text-align: right;">Page 210</p> <p>1 were describing earlier, changing from "estimates" 2 to "reporting"?</p> <p>3 A. Yeah. I thought it was a more apt 4 label, and wanting to be as accurate as possible, 5 we -- I decided to propose changing the name -- or 6 changing the label.</p> <p>7 Q. Who did you propose it to?</p> <p>8 A. Likely my boss, Larry Keane.</p> <p>9 Q. So that's the general counsel?</p> <p>10 A. Yes.</p> <p>11 Q. And at the time you made that proposal, 12 were you aware that this data from this chart was 13 being used in litigation?</p> <p>14 A. The principal purpose of these reports, 15 from my viewpoint as director of research, is to 16 produce accurate reporting for our members.</p> <p>17 Q. At the time that you decided to make 18 that word change, you were aware that this data was 19 being used in litigation, correct?</p> <p>20 MR. LOTHSON: Objection; form.</p> <p>21 THE WITNESS: Still answer?</p> <p>22 MR. WELLS: You can answer.</p> <p>23 MR. LOTHSON: You can. Go ahead.</p> <p>24 THE WITNESS: While I was aware that it could</p>	<p style="text-align: right;">Page 212</p> <p>1 possible in the labeling.</p> <p>2 Q. Okay. So we talked about the MSR chart 3 at the top half of the page. What's the chart on 4 the bottom half of the page?</p> <p>5 A. That is a old NSSF magazine chart from 6 1990 to 2018.</p> <p>7 Q. And, specifically, we're looking at NSSF 8 000023, NSSF magazine chart. And it says 9 "Estimated 304 million detachable pistol and rifle 10 magazines in US consumer possession, 1990 to 2018." 11 Did I read that correctly?</p> <p>12 A. You did.</p> <p>13 Q. It says "estimated" because this is an 14 estimate, right?</p> <p>15 A. That's correct.</p> <p>16 Q. "Estimated 304 million detachable pistol 17 and rifle magazines in US consumer possession, 1990 18 to 2018." Is "in US consumer possession" accurate?</p> <p>19 A. I don't know.</p> <p>20 Q. Why don't you know?</p> <p>21 A. Largely because I did not work on the 22 analysis for this chart. I was -- I inherited this 23 as I took over the research department, and 24 researching it, I couldn't find enough data to</p>
<p style="text-align: right;">Page 211</p> <p>1 be, that that change was not because of litigation 2 or anything else. It's strictly because I wanted 3 to be as accurate as possible in the labeling.</p> <p>4 BY MR. WELLS:</p> <p>5 Q. I'm not asking about your intent. I'm 6 just asking about your knowledge. You knew that 7 this chart was being used in litigation at that 8 point in time?</p> <p>9 MR. LOTHSON: Objection; asked and answered.</p> <p>10 BY MR. WELLS:</p> <p>11 Q. You can answer.</p> <p>12 A. I'm going to go back to my last answer.</p> <p>13 Q. What was that?</p> <p>14 A. Which was it was done largely because I 15 was trying to be as accurate as possible.</p> <p>16 Q. But in your head, you were aware that 17 this was being used in litigation?</p> <p>18 MR. LOTHSON: Objection. Same objection.</p> <p>19 BY MR. WELLS:</p> <p>20 Q. You can answer.</p> <p>21 A. I'm going to point you back to my last 22 answer.</p> <p>23 Q. What was that?</p> <p>24 A. Which was I wanted to be as accurate as</p>	<p style="text-align: right;">Page 213</p> <p>1 answer that portion of the question.</p> <p>2 Q. You looked for data to understand how 3 this chart was generated, and you couldn't find it?</p> <p>4 A. That's correct. I couldn't find enough 5 to find -- enough to be satisfactory.</p> <p>6 Q. Did you find any data?</p> <p>7 A. I could find the chart.</p> <p>8 Q. The chart by itself?</p> <p>9 A. Yeah. I could find the chart, but I 10 can't recall if I found anything of worthwhile 11 methodology.</p> <p>12 Q. When you say "worthwhile methodology," 13 what do you mean?</p> <p>14 A. The nuts-and-bolts actual summation of 15 what is being compiled to create these numbers.</p> <p>16 Q. When you say "worthwhile methodology," 17 is there a standard for methodology that you're 18 looking to?</p> <p>19 A. Yeah. Typically you want to have 20 objective data that you can add up to create the 21 sum that you are going to represent in your chart.</p> <p>22 Q. Is that standard from any type of 23 professional organization for statisticians?</p> <p>24 A. I'm not aware if it is, but it doesn't</p>

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1 really have to be for this exercise. What it needs
 2 to be is objective and true, and that's what we try
 3 to put out.
 4 Q. If I wanted to know whether it's
 5 objective and true, how would I validate that?
 6 A. Then you'd probably have to go look at
 7 some of the metadata or ask for how it was compiled
 8 by the person who compiled it.
 9 Q. And that's who?
 10 A. That would be Jim Curcuruto.
 11 Q. If I wanted to replicate the
 12 calculations reflected in this chart, how would I
 13 do that?
 14 A. So I would not try to replicate this. I
 15 would start from the ground up and create a new
 16 analysis, which is what I did.
 17 Q. Why would you not try to replicate this?
 18 A. Because, unlike the MSR chart or the
 19 IIR, in total, where there is a trackable, provable
 20 track record of what has happened for those many
 21 years to add everything up, I didn't find that
 22 here. And in putting together the new magazine
 23 report that I created, I just started from the
 24 ground up and created a new analysis.

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1 Q. So you agree that, in terms of
 2 methodology, it's really important to be trackable?
 3 A. I think it's really important to use
 4 objective data.
 5 Q. You agree that it's important to be
 6 trackable when you're talking about methodology?
 7 MR. LOTHSON: Objection; asked and answered.
 8 BY MR. WELLS:
 9 Q. You can answer.
 10 A. I wouldn't agree with you there because
 11 some of the information that we utilize in, say,
 12 the magazine report that we produced here, we have
 13 to operate under the confidentiality of our
 14 members, them producing some of the information
 15 that was used in the analysis. So trackability is
 16 not the principal. It's objective data.
 17 Q. You used the word "trackable" earlier,
 18 correct?
 19 A. Yes.
 20 Q. That was your word?
 21 A. Yes.
 22 Q. So in terms of what's trackable here,
 23 because the data has been destroyed, it's not
 24 trackable for purposes in this litigation, correct?

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1 A. It's largely because I didn't create
 2 this magazine chart. And so trying to recreate it
 3 with an old file, updating with new data, wasn't
 4 able to do that. So I started over completely.
 5 Q. Do you have a belief, as you sit here
 6 today, whether or not this chart accurately
 7 reflects US consumer possession of magazines?
 8 A. I would say that it's an estimate. I
 9 can't speak to the accuracy because I didn't do it,
 10 and I didn't know any of the work that went into
 11 compiling it.
 12 Q. Do you agree that ATF AFMER data does
 13 not include data on magazines?
 14 A. It has some information that you can
 15 extrapolate to get magazine production.
 16 Q. What do you mean by that?
 17 A. So you can look at how many pistols were
 18 made, for example; and you can see, based on that
 19 manufacturer, how many magazines and what capacity
 20 do they provide in the box.
 21 Q. All of that is an extrapolation, though,
 22 right?
 23 A. I would not say it's extrapolation, only
 24 because it's objective data that you're able to

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1 easily find and verify, and it's not creating data
 2 based off of a known point and carrying it out. It
 3 is simply collecting information that's publicly
 4 available.
 5 Q. "Extrapolation" was your word, correct?
 6 A. I don't recall. It's been a long day.
 7 Q. ATF AFMER data does not include specific
 8 totals of magazine production, correct?
 9 A. That's correct.
 10 Q. ATF data -- ATF AFMER data does not
 11 include specific totals of magazine possession,
 12 correct?
 13 A. That's correct.
 14 Q. AFT AFMER data does not include data on
 15 magazine capacity, right?
 16 A. That's correct.
 17 Q. ATF AFMER data does not reflect data on
 18 magazines sold with firearms, right?
 19 A. That's correct.
 20 Q. ATF AFMER data does not include data on
 21 magazines sold separately from firearms, correct?
 22 A. That is correct.
 23 Q. ATF AFMER data does not include data on
 24 magazines manufactured for the US market, correct?

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1 A. It doesn't. But at the same time, it
 2 shows the amount of firearms that were made for the
 3 US market. And through a little bit of work, you
 4 can find out how many magazines and what capacity
 5 were made for those, if you want to assign a value,
 6 which is what I did.
 7 Q. And that would be a process of
 8 extrapolation; is that fair to say?
 9 A. No. That would be objective data
 10 gathering.
 11 Q. What's the methodology for that
 12 objective data gathering?
 13 A. Can you go to a specific example or
 14 point me in the report where you want me to answer?
 15 Q. We'll get back to it.
 16 A. Okay.
 17 MR. LOTHSON: Let's take a break here for a
 18 second. I need to hit the head.
 19 MR. WELLS: Okay.
 20 (Short recess.)
 21 MR. WELLS: It's 2:46 p.m.
 22 BY MR. WELLS:
 23 Q. All right. Directing your attention
 24 back to NSSF 23, bottom of the page of the NSSF

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1 magazine chart, you agree that this chart shows
 2 different categories of magazines; is that right?
 3 A. Different categories and capacities.
 4 Q. How are the categories for capacity
 5 determined?
 6 A. If you read the chart, it says "pistol
 7 magazines 10 rounds and less, pistol magazines
 8 11-plus, rifle magazines 10 rounds and less, rifle
 9 magazines 11 to 29 rounds, rifle magazines
 10 30-plus."
 11 Q. Why is 10 rounds used as a threshold to
 12 differentiate between the categories?
 13 A. Having not created this chart, I'd have
 14 to think that, largely, it's because of regulations
 15 that surround magazines or legislation that comes
 16 down for magazines specifically calls out the
 17 10-and-below, and the 11-plus is segmented from
 18 that.
 19 Q. What types of regulations are you
 20 referring to?
 21 A. So if it's a state regulation that
 22 controls what people can own.
 23 Q. Are you aware of any federal regulation
 24 that's ever existed that's similar to that?

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1 MR. LOTHSON: I'll object; beyond the scope of
 2 the deposition.
 3 But if he has personal knowledge on
 4 that, he can answer.
 5 THE WITNESS: I don't know of a federal one.
 6 BY MR. WELLS:
 7 Q. Are you aware that the Federal Assault
 8 Weapons Ban that was in place from 1994 to 2004
 9 included a 10-round capacity limitation on
 10 magazines?
 11 A. It sounds familiar, and that does sound
 12 right. It just didn't come to mind when you asked.
 13 Q. And, again, to be clear, at NSSF 000023,
 14 there's two pistol magazine categories; is that
 15 right?
 16 A. That's correct.
 17 Q. One category is pistol magazines of 10
 18 rounds or less; is that correct?
 19 A. That's correct.
 20 Q. The other category is pistol magazines
 21 of 11-plus rounds; is that right?
 22 A. That's correct.
 23 Q. And for the rifle magazines, there's
 24 fully three categories; is that right?

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1 A. Yes, there are.
 2 Q. There are rifle magazines at 10 rounds
 3 or less; is that correct?
 4 A. Yes.
 5 Q. Rifle magazines at 11 to 29 rounds?
 6 A. That's correct.
 7 Q. And rifle magazines of 30-plus rounds;
 8 is that right?
 9 A. That's correct.
 10 Q. 30-plus rounds, and based on your
 11 knowledge of the industry, how high does that
 12 amount go? Like, what's the largest magazine
 13 capacity that you're aware of?
 14 A. I believe there are both -- there's
 15 40-round capacity traditional stick magazines. And
 16 then there are, I think, 50 and a hundred or some
 17 variation in between of other drum magazines.
 18 Q. Are those legal in states other than
 19 Illinois?
 20 A. Where they're not prohibited.
 21 Q. The NSSF magazine chart in NSSF 000023,
 22 when was this chart published?
 23 A. It was published with the 2020 IIR,
 24 whenever that was published by the NSSF in 2020.

<p style="text-align: right;">Page 222</p> <p>1 Q. Were you employed by NSSF at that time?</p> <p>2 A. I was.</p> <p>3 Q. Did you have any involvement in the</p> <p>4 production of that industry intelligence report</p> <p>5 from 2020?</p> <p>6 A. I believe at that time, if I did work on</p> <p>7 it, it was largely to do that staff review portion:</p> <p>8 Hey, look through this, try to catch typos.</p> <p>9 Q. Who was involved in the generation of</p> <p>10 that report?</p> <p>11 A. The research department at the time.</p> <p>12 Q. Which would have been who?</p> <p>13 A. That would have been Elizabeth McGuigan,</p> <p>14 Jim Curcuruto, and Dianne Vrablic.</p> <p>15 Q. Elizabeth -- can you say her last name</p> <p>16 again.</p> <p>17 A. McGuigan.</p> <p>18 Q. Do you know how to spell that?</p> <p>19 A. M-c-G-u-i-g-a-n.</p> <p>20 Q. Does Ms. McGuigan still work at NSSF?</p> <p>21 A. No.</p> <p>22 Q. When did she leave?</p> <p>23 A. 2021.</p> <p>24 Q. What were the circumstances of her</p>	<p style="text-align: right;">Page 224</p> <p>1 Q. You mentioned at the beginning of the</p> <p>2 deposition that you testified in an Oregon trial;</p> <p>3 is that correct?</p> <p>4 A. That's correct.</p> <p>5 Q. And, specifically, do you recall that</p> <p>6 you testified in June of 2023?</p> <p>7 A. That sounds right.</p> <p>8 Q. And that trial, what was it about?</p> <p>9 A. There's Measure 114.</p> <p>10 Q. Which did what?</p> <p>11 A. It was -- best of my knowledge right</p> <p>12 now, put extra regulations to ban certain types of</p> <p>13 firearms and magazines.</p> <p>14 Q. What types of magazines?</p> <p>15 A. Using their nomenclature, so-called</p> <p>16 high-capacity magazines greater than 10 rounds, I</p> <p>17 believe.</p> <p>18 Q. What did you testify about at that</p> <p>19 trial?</p> <p>20 A. Largely the content of the industry</p> <p>21 intelligence report.</p> <p>22 Q. And, specifically, the NSSF magazine</p> <p>23 chart at NSSF 000023; is that right?</p> <p>24 A. That's correct. That was one of the</p>
<p style="text-align: right;">Page 223</p> <p>1 departure?</p> <p>2 A. I believe she found employment</p> <p>3 elsewhere.</p> <p>4 Q. You mentioned earlier that Jim Curcuruto</p> <p>5 no longer works at NSSF and departed in 2021. What</p> <p>6 were the circumstances of his departure?</p> <p>7 A. I knew that he was let go from NSSF. I</p> <p>8 don't have any real details on that. And, mind</p> <p>9 you, he was let go and a bunch of other folks were</p> <p>10 let go at the same time.</p> <p>11 Q. Why?</p> <p>12 A. We didn't have our SHOT Show that year,</p> <p>13 and so because of COVID restrictions, we didn't</p> <p>14 have SHOT Show. SHOT Show is our trade show that,</p> <p>15 as I've said before, largely brings in a lot of</p> <p>16 revenue. And so I believe it was strictly</p> <p>17 financial decision.</p> <p>18 Q. NSSF was not able to have the SHOT Show</p> <p>19 in 2020 and the loss --</p> <p>20 A. 2021.</p> <p>21 Q. 2021. And the loss of revenue was</p> <p>22 significant enough it resulted in layoffs; is that</p> <p>23 right?</p> <p>24 A. That's my understanding.</p>	<p style="text-align: right;">Page 225</p> <p>1 things that I testified to.</p> <p>2 (NSSF Deposition Exhibit 13 was</p> <p>3 marked for identification.)</p> <p>4 BY MR. WELLS:</p> <p>5 Q. So I'm showing you what's been marked as</p> <p>6 Deposition Exhibit No. 13, which is -- I can</p> <p>7 represent to you is a transcript from federal court</p> <p>8 case in the United States District Court for the</p> <p>9 district of Oregon, Oregon Firearms Federation v.</p> <p>10 Kotek. First case number is 22-cv-1815-IM, and</p> <p>11 there's several other consolidated cases associated</p> <p>12 with it.</p> <p>13 Does this sound like the case that</p> <p>14 you testified in --</p> <p>15 A. Yes.</p> <p>16 Q. -- in Oregon? Is that a "yes"?</p> <p>17 A. Yes.</p> <p>18 Q. Directing your attention to page -- so I</p> <p>19 can represent to you that this is an excerpt. So</p> <p>20 it's the first couple pages showing the case</p> <p>21 caption, followed by pages later on that say your</p> <p>22 name at the top. So if you could flip to the pages</p> <p>23 that say your name at the top.</p> <p>24 A. Can you tell me where that page is.</p>

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1 Q. 356 is the first one.
 2 A. Okay.
 3 Q. So I can represent to you that this is a
 4 transcript from the trial in Oregon that you
 5 testified at. And your name is written at the top
 6 because it corresponds to the transcript for when
 7 you were testifying.
 8 A. Gotcha.
 9 Q. I'm going to direct your attention to
 10 366. So flip a few more pages.
 11 A. 366?
 12 Q. 366, line 3 to 11. Actually, lines 1
 13 to 11. So if you could read that, please.
 14 A. You want me to read starting --
 15 Q. No, just read it to yourself. You don't
 16 need --
 17 A. Oh.
 18 Q. Tell me when you're done, please.
 19 A. Was it just the first paragraph?
 20 Q. Yeah, through line 11.
 21 A. Okay.
 22 Q. So in this passage that I just directed
 23 your attention to, do you see that you were asked a
 24 question by the Court, "How can you attest to where

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1 the data comes from?"
 2 Do you see that?
 3 A. Sorry. Line 1?
 4 Q. Yeah.
 5 A. Yes.
 6 Q. And in response to that, you went on to
 7 say, "So we are currently updating this chart into
 8 our 2022 -- 2020 or 2022 numbers using the 2020 ATF
 9 AFMER data and also industry insights. So I'm
 10 currently updating the methodology on that and
 11 going through and compiling all of the
 12 information."
 13 What were you describing here?
 14 A. That would be the work that I was
 15 already doing updating the -- our NSSF's magazine
 16 chart, or magazine study.
 17 Q. And you use -- what data sources were
 18 you using?
 19 A. ATF AFMER and industry insights.
 20 Q. What are industry insights?
 21 A. That is going to the manufacturers and
 22 surveying them, in part, to find information that I
 23 can apply to AFMER, and also their manufacturing
 24 data for magazines.

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1 Q. Is that what was previously referred to
 2 in the documents we looked at as "industry
 3 estimates"?
 4 A. It's part of. That's not directly
 5 because we were talking about the MSR chart. It's
 6 a type of similar reporting, but it's not directly
 7 related to the MSR.
 8 Q. Right. But as -- we also looked at the
 9 NSSF magazine chart where it cited as sources
 10 industry estimates. Do you recall that?
 11 A. Oh, yeah, in the last exhibit?
 12 Q. Yes.
 13 A. Yeah.
 14 Q. And in the trial testimony, you were
 15 using the phrase "industry insights," correct?
 16 A. Yes.
 17 Q. Why were you using the phrase "industry
 18 insights"?
 19 A. Just the word that I chose that day.
 20 Q. What was that choice based on?
 21 A. Stress, probably.
 22 Q. All right. In this section of
 23 testimony, you said, "So I'm currently updating the
 24 methodology."

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1 And what are you referring to there?
 2 A. So I was not left with much to work with
 3 as far as notes, unlike the MSR chart, for example,
 4 that we went through in great detail. There was a
 5 record and a document that we can use to put in the
 6 next year's data with some logic that we can apply
 7 there. Whereas I was kind of starting anew with
 8 the new exercise that I had for the next magazine
 9 estimate.
 10 Q. So your testimony today is that you
 11 weren't left with much in terms of documents and
 12 notes and records to rely on from your predecessor?
 13 A. In regards to the 2018 magazine estimate
 14 that is on the 2020 IIR, I was not left with a ton
 15 of information that I could use to update the next
 16 iteration.
 17 Q. Okay. So directing your attention back
 18 to Deposition Exhibit 13, lines 366, 8 through --
 19 page 366, lines 8 through 11. You testified in
 20 June 2023 in the Oregon trial, "In order to do
 21 that, I had to research based off of my
 22 predecessor's notes and records of how they started
 23 or they compiled this information. So then I used
 24 that as my foundation to then create this next

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1 version of the analysis."
 2 Do you see that?
 3 A. Yeah.
 4 Q. So you used your predecessor's notes and
 5 records as the foundation to create the next
 6 version of the magazine chart analysis; is that
 7 right?
 8 A. Yeah. I have largely followed the same
 9 format that is displayed here using the established
 10 pistol magazines 10 or less, pistol magazines
 11 11-plus, and then similarly for rifle magazines.
 12 Q. And that format was the product of
 13 regulations that affect magazine capacity; is that
 14 right?
 15 MR. LOTHSON: Objection; I think that
 16 misstates his prior testimony.
 17 BY MR. WELLS:
 18 Q. You can answer, if you understand.
 19 A. It's all right. You can go on.
 20 Q. Do you understand the question?
 21 A. I don't understand the question.
 22 MR. WELLS: Okay. Can you read it back.
 23 (Record read as requested.)
 24 THE WITNESS: You're talking about this chart?

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1 BY MR. WELLS:
 2 Q. Yes. Those categories were determined
 3 based on regulations regulating magazine capacity
 4 at a 10-round threshold, correct?
 5 A. I believe so. To the best of my
 6 knowledge as I sit here today, that seems to be the
 7 split of why they have different categories of
 8 magazine here.
 9 Q. Do you know what the result of the
 10 Oregon trial that you testified at was?
 11 A. I don't recall.
 12 Q. Are you aware that the judge in that
 13 trial, in her written opinion discussing the NSSF
 14 magazine chart that we were looking at in
 15 Exhibit 12 at NSSF 000023 that you testified about,
 16 the Judge said that that chart was entitled to
 17 "little weight"? Are you aware of that?
 18 MR. LOTHSON: Objection; form, argumentative,
 19 beyond the scope.
 20 THE WITNESS: I should answer?
 21 BY MR. WELLS:
 22 Q. You can answer.
 23 A. Okay. It was made pretty clear that the
 24 judge was not favorable to the magazine chart while

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1 I was testifying there.
 2 Q. Made pretty clear by whom?
 3 A. The judge's body language and verbiage.
 4 Q. Based on that experience, did you change
 5 anything about how you were approaching the
 6 analysis that you were conducting at that time to
 7 generate a new version of the magazine chart?
 8 A. Largely, no. I had already been working
 9 on the methodology prior to testifying. And it was
 10 just a continuation of trying to optimize what I
 11 had started from the ground up.
 12 Q. You said "largely, no." Did it have any
 13 impact on how you approached the analysis that you
 14 were conducting?
 15 A. If anything, it motivated me to be very
 16 careful and try to get as much of that objective
 17 data as possible that I could prove in there.
 18 Q. What were you trying to prove?
 19 A. An accurate representation, an accurate
 20 estimate, of how many magazines are available.
 21 Q. Why were you trying to prove that?
 22 A. To provide a service for our members to
 23 get industry reporting -- accurate industry
 24 reporting for our numbers.

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1 Q. Did it have anything to do with the
 2 success of NSSF in litigation that it's brought
 3 challenging these regulation?
 4 A. I'm sure it was a motivator on some
 5 level to make sure that there was accurate
 6 reporting on a critical aspect of our industry.
 7 Q. And remind me of your title again.
 8 A. Director of research.
 9 Q. And as director of research for NSSF, if
 10 your research is being used in litigation brought
 11 by NSSF, it's important for you to ensure that NSSF
 12 is successful, correct, in that litigation?
 13 A. No.
 14 MR. LOTHSON: Objection; form.
 15 THE WITNESS: No. It's important for me to be
 16 accurate in my reporting.
 17 MR. WELLS: What was the -- strike that.
 18 (NSSF Deposition Exhibit 14 was
 19 marked for identification.)
 20 BY MR. WELLS:
 21 Q. I'm handing you what's been marked as
 22 Deposition Exhibit 14, which is Bates NSSF 001994
 23 through NSSF 001997. Have you seen this document
 24 before?

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1 A. Yes.
 2 Q. What is it?
 3 A. That is the -- "NSSF's detachable
 4 magazine report, 1990 to 2021."
 5 Q. Did you have a role in creating this
 6 document?
 7 A. Yes, I did.
 8 Q. What was your role?
 9 A. To create the document.
 10 Q. Was anyone else involved in creating
 11 this document?
 12 A. Only in the aspect of double-checking
 13 for spelling errors and producing the creative
 14 services portion of putting in images and colors,
 15 what was there, and generally just doing a logic
 16 check of this is my approach, am I missing
 17 anything.
 18 Q. Why was this report created?
 19 A. Because there was a gap in our
 20 knowledge, and I wanted to fill it.
 21 Q. When you say gap in your knowledge, what
 22 do you mean?
 23 A. So, as you pointed out in my testimony
 24 in Oregon, the judge was not favorable to, you

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1 know, the magazine chart previous, and clearly
 2 there was a gap in knowledge that I wanted to fill.
 3 So as the director of research, I was already
 4 working on this before I gave the testimony, and so
 5 that just kind of confirmed people want to know
 6 about this. We need to get accurate reporting on
 7 our industry.
 8 Q. And you say "gap in our knowledge."
 9 Whose knowledge?
 10 A. Industry's knowledge.
 11 Q. So is NSSF a part of the firearms
 12 industry?
 13 A. NSSF is the trade association of the
 14 firearms industry.
 15 Q. When did you start working on the
 16 analysis that resulted in this detachable magazine
 17 report that's Exhibit 14?
 18 A. It was sometime in 2022.
 19 Q. When in 2022?
 20 A. I can't recall. I think it was in
 21 either late Q1 or early Q2 of '22.
 22 Q. Did the Oregon litigation exist at that
 23 point?
 24 A. I don't know.

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1 Q. All right. I'm directing your attention
 2 to the first page with text on it. Is that right?
 3 "NSSF 1995." Do you see that?
 4 A. Yep.
 5 Q. Who wrote the text on this page?
 6 A. I did.
 7 Q. All of it?
 8 A. Yes, other than where I was quoting
 9 reports.
 10 Q. Directing your attention to the top of
 11 the page where it says "Purpose," underneath
 12 "Purpose," it says "Estimate the number of
 13 detachable firearm magazines, segmented by
 14 capacity, that have been sold and made available
 15 using the latest information (2023 initial study)."
 16 Did I read that correctly?
 17 A. Yes.
 18 Q. So you agree that what's reflected here
 19 is an estimate?
 20 A. Yes. It's the first word in "Purpose."
 21 Q. And when you say "segmented by capacity"
 22 here, what does that mean?
 23 A. So instead of just doing a large
 24 collection of here's all the magazines that we

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1 think are out there, we segment them by capacity.
 2 Q. What segmentation did you use?
 3 A. If you look on the next page, you can
 4 see that it was broken down pistol 10 below, pistol
 5 11-plus, rifle 10 below, rifle 11 to 29, and rifle
 6 30-plus.
 7 Q. You would agree with me that that's the
 8 same set of segments that was used in the NSSF
 9 magazine report that you testified about in the
 10 Oregon trial?
 11 A. They are the same.
 12 Q. Directing your attention back to the
 13 1995 Bates page, what does "2023 initial study
 14 period" mean?
 15 A. That's when we started -- "we," as in
 16 me -- started actually collecting the data that's
 17 used in the report.
 18 Q. How did you collect the data that's used
 19 in this report?
 20 A. Using ATF AFMER and then industry data
 21 through survey and direct contact of manufacturers.
 22 Q. When you say "ATF AFMER," how are you
 23 using the ATF AFMER data in the preparation of this
 24 report?

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1 A. So if we can figure out how many pistols
 2 were made, for example -- pistols and rifles count
 3 here. If we can figure out how many pistols were
 4 made and we can identify, on average, how many
 5 magazines come in each box and what their
 6 capacities are, by doing some independent research
 7 and asking the manufacturers directly, then we can
 8 apply that value to the production number.
 9 Q. Is that all?
 10 A. That was all.
 11 Q. You described the approach for pistols.
 12 What was the approach for rifles?
 13 A. It was similar. I was just using
 14 pistols. But the same exercise was applied to
 15 rifles.
 16 Q. And, again, similar to the MSR chart,
 17 you're relying on communications with manufacturers
 18 as the basis for the data that's included in this
 19 report; is that right?
 20 A. In part.
 21 Q. Do you have the records or the
 22 communications that you had with manufacturers that
 23 informed the generation of the report in Deposition
 24 Exhibit 14?

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1 A. I'm sorry. Could you say that again.
 2 MR. WELLS: Can you read it back, please.
 3 (Record read as requested.)
 4 THE WITNESS: I don't recall, as I sit here
 5 today, if we had those e-mails that went back and
 6 forth letting people know that we were working on
 7 it. But we certainly introduced the topic to them
 8 to give them a heads-up. We provided the survey
 9 questions ahead of time to make sure that they had
 10 time to review and collect that information,
 11 because we were asking for a considerable bit of
 12 data. And then the aggregated data was retained
 13 from the survey responses.
 14 BY MR. WELLS:
 15 Q. All right. So directing your attention
 16 back to the "Purpose" section, do you see it says
 17 "Estimate the number of magazines provided 'in the
 18 box,' with firearms made available to consumers
 19 along with secondary market/direct consumer
 20 purchase of firearm magazines"?
 21 Did I read that correctly?
 22 A. Yeah.
 23 Q. What does that mean?
 24 A. So I just want to make sure I read it

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1 again. So this encapsulates the two segments of
 2 the count. There is a manufacturer side, and then
 3 there's the secondary market side, also the
 4 consumer side. When someone legally purchases a
 5 firearm at a retailer and it's a brand-new gun in a
 6 brand-new box, say it's a pistol, they're going to
 7 get, usually, about two magazines. And then
 8 depending on the model, the capacity on that
 9 changes.
 10 They can also go and buy additional
 11 magazines for that model firearm. And so there's
 12 two segments of the study: The ones that came in
 13 the box and the ones that were made available as
 14 secondary markets so that the consumers -- are made
 15 available to consumers.
 16 Q. So in this sentence when you say "in the
 17 box," that's the category of magazines that are
 18 sold with the firearm by the manufacturer; is that
 19 right?
 20 A. That's correct.
 21 Q. And the second category is secondary
 22 market/direct consumer purchase. That is magazines
 23 that a consumer purchases either from the
 24 manufacturer of a particular firearm, but not with

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1 that firearm; or from a manufacturer that just
 2 produces magazines, not necessarily a firearm --
 3 that same firearm for that magazine; is that right?
 4 A. Correct. Compatible magazine for that
 5 firearm.
 6 Q. All right. Last sentence. "This is
 7 done as part of NSSF's ongoing industry research to
 8 provide insights into the firearm and ammunition
 9 industry."
 10 Did I read that correctly?
 11 A. Yes.
 12 Q. Did the preparation of this report have
 13 anything to do with ongoing litigation in which
 14 NSSF was involved?
 15 A. It may have. I know that it came up in
 16 the previous case that I was testifying in. But
 17 the primary purpose is the one as stated on this
 18 study, which is to provide insights.
 19 Q. Is there any reference to ongoing NSSF
 20 litigation in the "Purpose" section here?
 21 A. In this right here? No.
 22 Q. But you agree that that was at least a
 23 factor in the creation of this report?
 24 MR. LOTHSON: Objection; asked and answered.

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1 THE WITNESS: It could have been a factor.
 2 BY MR. WELLS:
 3 Q. So that's passive voice, "it could have
 4 been." Was it a factor for NSSF?
 5 MR. LOTHSON: Objection; it's asked and he's
 6 answered the question.
 7 MR. WELLS: Can you read it back.
 8 (Record read as requested.)
 9 THE WITNESS: I don't recall my exact words,
 10 as I'm getting a little tired here, but I'm going
 11 to go back to whatever I said before.
 12 BY MR. WELLS:
 13 Q. I'm going to interpret what you said
 14 before as a "yes"; is that fair?
 15 MR. LOTHSON: Objection; argumentative.
 16 MR. WELLS: I'll withdraw it.
 17 BY MR. WELLS:
 18 Q. All right. I'm directing you now to the
 19 box that says "Methodology." Do you see that?
 20 A. I certainly do.
 21 Q. What are you generally describing in the
 22 methodology box here?
 23 A. This is how I went about figuring out
 24 how I was going to create my totals for the chart

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1 that's on the next page.
 2 Q. Okay. So would you agree with me that,
 3 as described here, the first step in that
 4 methodology was to utilize ATF AFMER data to
 5 "Identify firearm manufacturers and corresponding
 6 firearm manufacturing activity of pistols and
 7 rifles"?
 8 A. Yes.
 9 Q. So step one is you look at ATF AFMER
 10 data to start gathering information about how many
 11 pistols and how many rifles are being manufactured;
 12 is that right?
 13 A. Yes.
 14 Q. So what did that process look like?
 15 A. Going through the latest version, the
 16 latest data that was available, which at the time I
 17 believe was the 2020 AFMER; tallying up who were
 18 the most prominent players in manufacturing pistols
 19 and rifles.
 20 Q. And just looking at how the methodology
 21 is described here, after you've gone through that
 22 process, the second step was to "Identify and
 23 remove firearm manufacturers that do not produce
 24 pistols and rifles that accept detachable

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1 magazines."
 2 Is that a fair statement about the
 3 second step of your methodology?
 4 A. Yes.
 5 Q. So tell me what that means exactly.
 6 A. What do you mean?
 7 Q. So tell me in your own words what that
 8 sentence means.
 9 A. So you want to capture -- you want to
 10 use the segmentation of, you know, pistols and
 11 rifles, but you don't want to include pistols and
 12 rifles that don't take detachable magazines
 13 because, if you do that, then you're inflating the
 14 count, and that's inappropriate.
 15 Q. All right. Again, based on how the
 16 methodology is described here, I believe, your
 17 third step is as follows: One -- I'm sorry --
 18 "Three, master totaled were created for the top 15
 19 pistol manufacturers, about 80 percent of pistols;
 20 and top 15 rifle manufacturers, about 60 percent of
 21 rifles produced in the 2021 AFMER."
 22 A. That's correct.
 23 Q. So, essentially, you looked at the top
 24 15 pistol manufacturers to get a sense of what

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1 types of firearms they were producing; is that
 2 right?
 3 A. Pistol and rifle, yes, to identify the
 4 manufacturers.
 5 Q. And "those top 15 pistol manufacturers
 6 make up about 80 percent of pistols," what's that
 7 estimate based on?
 8 A. That is simply tallying up all of the
 9 pistols that were made in 2021 for that particular
 10 AFMER and figuring out, okay, the top 15, just
 11 trying to get a workable population sample of how
 12 much of their production is the entirety for that
 13 year.
 14 Q. And then you did the same thing by
 15 looking at the top 15 rifle manufacturers, but
 16 those top 15 only comprise about 60 percent of
 17 manufactured rifles, based on AFMER; is that right?
 18 A. Correct.
 19 Q. How did you pick 15?
 20 A. I was trying -- I was trying to get just
 21 a good population sample. If you drop it down
 22 to 10, then you're limiting your population sample.
 23 And so just knowing that our industry is very
 24 closeted when it comes to reporting, so if I needed

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1 to go to them to try to get survey responses, we
 2 may have a tough time. Wanted to increase the
 3 population sample and also get as representative as
 4 possible, adding, say, 5 and going to 15 rather
 5 than 10, just kind of creates more to work with
 6 there.
 7 Q. Who decided on this methodology?
 8 A. I did.
 9 Q. Was anyone else involved in the
 10 development of the methodology?
 11 A. Yeah. I utilized resources that are
 12 available to me and experts in the field in order
 13 to make sure that what I was doing was going to be
 14 representative.
 15 Q. Who were -- what resources did you rely
 16 on?
 17 A. So I not only talked to our primary
 18 economists just as double-check on what I was
 19 doing, but also Southwick and Associates, who does
 20 a lot of our survey and statistical work for us --
 21 or sorry -- research work for us.
 22 Q. Who are the names of the people that you
 23 consulted?
 24 A. Rob Southwick at Southwick and

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1 Associates and then Linda -- I believe her name is
 2 Lamont -- at Gorilla.
 3 Q. Say that again.
 4 A. Linda Lamont at Gorilla Economics.
 5 Q. At Grilla?
 6 A. Gorilla.
 7 Q. Gorilla.
 8 A. Gorilla.
 9 Q. And what's NSSF's relationship with
 10 Gorilla Economics?
 11 A. They're our economists that we have on
 12 retainer.
 13 Q. And what is Southwick Associates?
 14 A. They're a research partner that we
 15 utilize.
 16 Q. So both of these entities are paid money
 17 by NSSF?
 18 A. Yes.
 19 Q. Do you know what types of statistical
 20 sampling techniques were used in this methodology?
 21 A. It was a simple count.
 22 Q. All right.
 23 A. It sounds basic, but it's the easiest
 24 one to work with and the easiest one to utilize.

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1 Q. Okay. So based on the way the
 2 methodology is described in NSSF 1995, I think your
 3 fourth step is "Independent research and direct
 4 survey of firearm and magazine manufacturers
 5 yielded information on how many magazines, and
 6 their capacity, were provided with each firearm and
 7 made available to the consumer market from 1990 to
 8 2021 through wholesalers, retailers, and sold
 9 directly to consumers."
 10 Did I read that correctly?
 11 A. I believe you did.
 12 Q. Describe the surveys that were
 13 conducted.
 14 A. There was a survey conducted of the top
 15 manufacturers that are identified here, and top
 16 manufacturers of rifles, pistols, and magazines for
 17 secondary market, to get information on how many
 18 magazines they produced and the capacities.
 19 Q. You said top manufacturers. So how many
 20 manufacturers were surveyed?
 21 A. I believe the population sample was
 22 somewhere around 40.
 23 Q. How many responded?
 24 A. I think, in total, we had 13. And what

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1 came from that was realizing that we didn't
 2 primarily need to utilize the sample data for the
 3 manufacturers. We could confirm a lot of their
 4 information through independent research.
 5 But what was really critical was the
 6 participation of OEM and magazine manufacturers
 7 that were primarily selling -- either providing the
 8 magazines to the manufacturers or selling them
 9 directly to consumers.
 10 Q. How did you determine whether the 13
 11 responses you got out of the 40 were sufficient to
 12 draw conclusions?
 13 A. It's not that we're drawing conclusions.
 14 We're providing what we can count. And so if we
 15 had more participants, that 963 million number
 16 would have been higher.
 17 Q. How?
 18 A. So if you get more people to
 19 participate, especially secondary market magazine
 20 producers, then we're able to add them to that
 21 secondary market count, which is a large portion of
 22 the magazines that are available. More people
 23 participating, more magazines can count, simple
 24 addition, they go up.

<p style="text-align: right;">Page 250</p> <p>1 Q. How was data from the earlier part of 2 the study period collected; so from like from 1990 3 to 1999?</p> <p>4 A. We collected data from -- in 10-year 5 increments, I believe, from 1990, 2000, 2010, and 6 2020 and 2021. Being able to get those data 7 points, we interpolated between a number of points 8 to fill in the middle as much as possible. 9 Sometimes the information that we 10 received gave more than what we asked for, and we 11 were able to get more data insights that what was 12 laid out in the survey. But, largely, we got those 13 major chunks of periods of time and then were able 14 to interpolate between those points and not 15 extrapolate information that we didn't know.</p> <p>16 Q. So in certain instances you got more 17 information that you actually asked about from a 18 particular manufacturer; is that right?</p> <p>19 A. Yeah. So if they had the information 20 available. One, in particular, provided more data 21 points than those individual sites. I know at 22 least one did of that 1990, 2000, 2010, until 2021.</p> <p>23 Q. How did you assess whether that one 24 manufacturer was representative of other</p>	<p style="text-align: right;">Page 252</p> <p>1 methodology courses. And so having that exposure 2 to how other folks have filled in gaps with known 3 points, I applied the same methodology.</p> <p>4 Q. So, again, back to the methodology 5 section of NSSF 1995. There's a sentence in here, 6 which I interpret as your step five that reads -- 7 or at least a comment -- "If historical information 8 was not available, a value of one magazine per 9 pistol and rifle was used for the list of top 10 manufacturers." 11 What does that mean?</p> <p>12 A. So there's two sides to this. There's 13 the consumer side, which is a direct count; and 14 then there's the manufacturer side. If going 15 through the manufacturer's production data, 16 available information, we know that from AFMER from 17 1990 to 2021 how many pistols and rifles they made 18 for manufacturers that we studied. Of those 19 manufacturers that we studied, going and doing 20 independent research to figure out, okay, what 21 comes in the box. 22 If we can't get a firm answer -- and 23 it's almost always two, it's three, it's one -- if 24 we can't find that number out and the manufacturer</p>
<p style="text-align: right;">Page 251</p> <p>1 manufacturers who didn't provide such additional 2 information?</p> <p>3 A. It's not that I had to make sure that 4 they were representative, it's that I put it into 5 the dataset and simply just interpolated between, 6 and then the in-between numbers were used as a 7 logic check.</p> <p>8 Q. What does "interpolated" mean?</p> <p>9 A. If you have two known points, you can 10 fill in the middle with the numbers that would 11 logically fall in between there. If you have a 12 known point and no end point, you're extrapolating 13 data. So we did no extrapolation. We simply 14 interpolated between known points.</p> <p>15 Q. Where did you learn that technique?</p> <p>16 A. Through my education from my undergrad, 17 and also I believe it was included in some of the 18 statistical education I took through LinkedIn 19 Learning.</p> <p>20 Q. What specific part of your undergraduate 21 education that informed how you did that 22 methodology?</p> <p>23 A. Well, I took statistics classes. And 24 also I wanted to add that I've taken survey</p>	<p style="text-align: right;">Page 253</p> <p>1 won't tell us, we put in a conservative estimate of 2 one because, with semiautomatic pistols and rifles, 3 you always get one in the box. Not semiautomatic. 4 I'm sorry. That's a correction. Just pistols and 5 rifles, you always get one in the box.</p> <p>6 Q. All right. Again, looking at the 7 methodology section, it says "Organizing the data 8 collected from top pistol and rifle manufacturers, 9 industry averages of magazines was used for the 10 list of top manufacturers." 11 What does that mean?</p> <p>12 A. So you've got the top 15, right? That 13 was, for example, the 80 percent of 2021, top 14 manufacturers for pistols.</p> <p>15 Q. Mm-hmm.</p> <p>16 A. You've still got 20 percent. So then 17 you take the numbers that you accumulated for the 18 top 80 percent, and then you do an average factor 19 applied to the rest of the 20 to then add to your 20 first set of data. So then you have a total of the 21 pistol representation.</p> <p>22 Q. How was the average generated?</p> <p>23 A. How was the average generated?</p> <p>24 Q. Mm-hmm.</p>

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1 A. Averaging the confirmed for top
 2 manufacturers, taking the top manufacturers'
 3 magazines that they provide in the box, averaging
 4 them all out, and then getting that number, which I
 5 believe is 2 for pistols or 2.1 or 1.7 -- 9.
 6 Q. What was your data source for
 7 determining what the manufacturers included in the
 8 box?
 9 A. So that was survey data and also
 10 independent research. Going to a gun store, asking
 11 to see what's in the box. Also doing web research
 12 of some websites, depending on the retailer, will
 13 tell you this is the gun, this is how many
 14 magazines come with, this is the capacity. There
 15 is that transparency on some websites.
 16 Q. When you say survey data, you're
 17 referring to the survey of 40 manufacturers that
 18 resulted in 13 responses?
 19 A. That's correct.
 20 Q. What type of independent research was
 21 done?
 22 A. Just what I said before. Going to
 23 firearm retailers, something that I typically do --
 24 no surprise there -- and asking, say, hey, looking

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1 into these. Can you please pull them out. Let me
 2 see what's back there and in the box. Along with
 3 going online and seeing, okay, for this
 4 manufacturer, these are all the pistols that I can
 5 see that are available on this retailer. And this
 6 retailer tells me via online store, this is the
 7 pistol, these are the magazines that come with it,
 8 and this is how many there are.
 9 Q. I think you said earlier that an average
 10 factor was applied to the rest of the 20. Walk me
 11 through exactly what's happening in terms of the
 12 multiplication.
 13 A. Sure. So if you've got the 80 percent,
 14 right? The average, how many magazines come with
 15 the 80. Now you have your factor. And I think for
 16 pistols it was one point -- I think it was 1.79.
 17 Or I'm sorry. It's right here. 2.1. 2.1
 18 magazines, on average, with every pistol.
 19 So then you can apply that, based off
 20 of the representation of the majority of pistols
 21 made, apply that to the rest of them to get a
 22 representative estimate.
 23 Q. And just let the record reflect that the
 24 witness pointed at the results section of NSSF

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1 001995; is that right?
 2 A. Yes. I needed to recall what the
 3 average was.
 4 Q. Based on the way the methodology is
 5 described here, there's another sentence that says
 6 "Consumer market totals were taken directly from
 7 participating magazine manufacturers with no
 8 adjustment.
 9 What does that means?
 10 A. Can you show where that says it.
 11 Q. I think it's towards the bottom here.
 12 It's one of the last sentences.
 13 A. Oh, this is not for the production side.
 14 This is for the consumer side, taking that -- those
 15 numbers and creating the consumer side of the
 16 analysis.
 17 Q. Okay. So explain to me what that
 18 process was.
 19 A. Sorry. Just tired. Need to collect
 20 myself for a second.
 21 So with the production side, we're
 22 taking the numbers of pistols and rifles that were
 23 produced and multiplying by a factor. With the
 24 consumer side, it's strictly a count of what was

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1 reported for those years that we collected and then
 2 interpolating between the known points.
 3 Q. And who is doing the reporting in that
 4 part of the analysis?
 5 A. Who is doing the reporting?
 6 Q. Yes.
 7 A. Magazine manufacturers.
 8 Q. And when you say magazine manufacturers,
 9 are you using that to describe a different group of
 10 manufacturers than firearms manufacturers?
 11 A. Sometimes. There are manufacturers of
 12 magazines that do not produce firearms.
 13 Q. What would be examples in that category?
 14 A. Say, Mec-Gar, for one. Mec-Gar is an
 15 OEM supplier to a number of firearm manufacturers.
 16 But, to my knowledge, they do not produce firearms.
 17 They only produce magazines.
 18 Q. All right. And the last sentence here,
 19 it says "Totals of each segment were rounded to the
 20 closest thousandth."
 21 Do you see that?
 22 A. Yes, closest thousandth.
 23 Q. Why did you round?
 24 A. It's something that we do in other

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1 reports, just like the MSR chart. We just try to
 2 have a clean table. And at the end of the day, it
 3 is an estimate. So it's not pertinent to have an
 4 exact per-decimal figure.
 5 Q. Other than what we've just walked
 6 through here in the methodology section, were there
 7 any other steps in the methodology used to generate
 8 this report?
 9 A. I believe that's it.
 10 Q. So now directing your attention to the
 11 results section, you write here that "Pistol
 12 magazines had an industry average of 2.1 magazines
 13 per firearm from the manufacturer, with 44 percent
 14 being 10-and-below capacity."
 15 Do you see that?
 16 A. Yes.
 17 Q. How is 2.1 magazines per firearm
 18 calculated?
 19 A. Oh, that was the factor that we either
 20 got from the manufacturer or confirmed through
 21 independent research.
 22 Q. And where does this 44 percent being
 23 10-and-below capacity come from?
 24 A. That is simply taking the proportions of

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1 what was the final results and seeing what was the
 2 percentage.
 3 Q. And that is not based on data from the
 4 entire firearms industry, correct?
 5 A. Correct. If anything -- and I will
 6 openly say this -- it's a very conservative
 7 estimate. Because if I could possibly get more
 8 people to participate in this, then I can have a
 9 more representative number and, using methodology,
 10 that number would go up because it's largely a
 11 count.
 12 Q. Based on this analysis, do you know what
 13 percentage of pistol magazines were 15 rounds or
 14 less?
 15 A. I'm sorry. How many pistol magazines
 16 were 15 rounds or less?
 17 Q. What percentage of pistol magazines were
 18 15 rounds or less?
 19 A. No, because we don't collect that
 20 information.
 21 Q. Why not?
 22 A. That wasn't a segmentation of our
 23 category that we collected.
 24 Q. Do you agree that there are at least

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1 some pistol magazines that are in the
 2 11-to-15-round capacity range?
 3 A. I'm sorry?
 4 MR. WELLS: Could we read it back, please.
 5 THE WITNESS: It sounded like an incomplete
 6 thought.
 7 (Record read as requested.)
 8 THE WITNESS: 11-to-15-round capacity? Yeah,
 9 there are certainly some that are going to be in
 10 that range of 11 to 15, represented by the numbers
 11 that are in the chart on 1996.
 12 BY MR. WELLS:
 13 Q. So based on the data that you collected,
 14 the percentage of magazines at 15 rounds or less
 15 will be higher than 44 percent, correct?
 16 A. I didn't break out pistol magazines
 17 15 rounds or less. So I'd have trouble figuring
 18 that out because it was not a dataset that we
 19 collected.
 20 Q. Okay. So you agree that, based on your
 21 study, 44 percent of magazines were -- of pistol
 22 magazines were 10 rounds or less, correct?
 23 A. That's exactly what we say here.
 24 44 percent of 10-and-below capacity magazines for

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1 pistols.
 2 Q. And then you just agreed with me when I
 3 asked you whether or not there were at least some
 4 magazines in the 11 -- pistol magazines in the
 5 11-to-15-round capacity category, correct?
 6 A. There are some.
 7 Q. So it's 44 percent plus some, right?
 8 A. Keep going.
 9 Q. Do you understand the question?
 10 A. I don't.
 11 Q. Okay. So because you didn't -- okay.
 12 You didn't look at the 15-round-and-under threshold
 13 specifically, right?
 14 A. No, we did not.
 15 Q. Okay. But you agree, based on your
 16 knowledge of the firearms industry, that there is a
 17 group of magazines out there for pistols in the
 18 11-to-15-round category?
 19 A. I know that there are 15, and I know
 20 there are some like 13- or 14-round magazines. But
 21 how many there are, I can't speak to, because we
 22 did not seek out that information in the study.
 23 Q. But the addition of that quantum, which
 24 you don't know, to the quantum that's 44 percent at

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1 10-rounds-and-below would make the number go higher
 2 than 44 percent, correct? The percentage go higher
 3 than 44 percent?
 4 A. It may. I'd really have to look at it.
 5 And I apologize. You're asking me when I'm kind of
 6 tired right now, so numbers are tough.
 7 Q. I'm just trying to establish that the
 8 baseline is 44 percent for 15 rounds, and it's
 9 probably higher, right? Because there are at least
 10 some magazines out there that are 11 to 15 rounds,
 11 and that would push the number above the 44 percent
 12 that you calculated for the 10-round threshold.
 13 A. In a more simplistic view, I would agree
 14 that there are pistol magazines 15-and-below
 15 capacity. It would be hard to segment out the 11
 16 to 15 without independently looking at it.
 17 Q. All right. And in the results section
 18 here, you also note that "Rifle magazines had an
 19 industry average of 1.8 magazines per firearm from
 20 the manufacturer, with half being 10-and-below
 21 capacity, 20 percent being 11-to-29-round capacity,
 22 and 30 percent being 30-plus-round capacity."
 23 Did I read that correctly?
 24 A. That's correct.

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1 Q. So how is that 1.8 magazines per firearm
 2 calculated?
 3 A. That was the same methodology for the
 4 pistols. Independent research and confirming or
 5 asking the manufacturer.
 6 Q. Is it fair to say that half of all
 7 "in-the-box" rifle magazines in the study were 10
 8 rounds or less?
 9 A. Yes.
 10 Q. All right. Just directing your
 11 attention to the second paragraph here in the
 12 results section. Do you see that it says that
 13 29 percent of magazines that were "estimated in the
 14 study originate from detachable magazines provided,
 15 quote, in the box with each newly manufactured
 16 firearm"?
 17 Do you see that?
 18 A. I see that.
 19 Q. So before you described two categories:
 20 In-the-box and secondary market. Do you recall
 21 that?
 22 A. Yes.
 23 Q. So what you're describing here is that
 24 29 percent of the magazines that you calculated

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1 through this study were in the in-the-box category;
 2 is that fair to say?
 3 A. Provided from the manufacturer, yes.
 4 Q. And the remaining 71 percent are in the
 5 secondary market category; is that right?
 6 A. That's correct.
 7 Q. So that would be magazines from one of
 8 two sources: Either the firearm manufacturer who
 9 is selling the magazine by itself, not packaged
 10 together with a firearm, or from a magazine
 11 manufacturer that's only selling the magazine,
 12 correct?
 13 A. That's correct.
 14 MR. LOTHSON: Are you at a good stopping
 15 point?
 16 MR. WELLS: Sure, yeah.
 17 MR. LOTHSON: Let's take a quick break.
 18 (Short recess.)
 19 MR. WELLS: Going back on the record. It's
 20 3:47.
 21 BY MR. WELLS:
 22 Q. You're still under oath. I should have
 23 reminded you before.
 24 Before when we were looking at

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1 Deposition Exhibit 14, the detachable magazine
 2 report, we were talking about secondary market
 3 magazines. Do you recall that?
 4 A. Yes.
 5 Q. And you would agree with me that
 6 firearms that accept detachable magazines can
 7 accept magazines with different capacities, right?
 8 A. Typically. I mean, you can have a
 9 minimum with, largely, the maximum is, like, how
 10 big can it be made while still functioning.
 11 Q. And the firearm that can accept a
 12 detachable magazine can accept a magazine that has
 13 a larger or smaller capacity than the original
 14 magazine included in the box by the manufacturer of
 15 the firearm?
 16 A. Within reason.
 17 Q. So, yes, but within reason?
 18 A. Yes, but within reason. There are
 19 limitations.
 20 Q. What kinds of limitations?
 21 A. So mag well, for example, on an AR, in
 22 order to get a flush-fit magazine, you're typically
 23 going to have, like, a five-rounder to go in there
 24 and still be able to grab it and pull it out.

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1 Q. When you say flush-fit, what do you
 2 mean?
 3 A. There's not much of the magazine
 4 extruding from the mag well other than, like, what
 5 very little is there to pull it out.
 6 Q. So you need at least some part of the
 7 magazine sticking out beneath the bottom of the mag
 8 well to be able to pull out the magazine; is that
 9 right?
 10 A. Typically.
 11 Q. Are you familiar with what are called
 12 sometimes compliant magazines?
 13 A. Does that mean compliant to a state
 14 regulation that would then limit it?
 15 Q. Yes.
 16 A. Yes. I just want to be specific.
 17 Q. So, for instance, in a state like
 18 California where the magazine capacity limit is
 19 10 rounds, manufacturers will sell
 20 California-compliant magazines that are 10 rounds
 21 or less?
 22 A. That's correct.
 23 Q. A pistol that can accept a detachable
 24 magazine can generally accept a magazine that has a

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1 capacity of 15 rounds or fewer, even if the
 2 in-the-box magazine for that firearm has a greater
 3 capacity than 15 rounds, correct?
 4 A. It largely depends. You can't apply
 5 that across the board.
 6 Q. All right. A rifle that can accept a
 7 detachable magazine can generally accept a magazine
 8 that has a capacity of 10 rounds or fewer, even if
 9 the in-the-box magazine for that firearm has a
 10 capacity greater than 10 rounds, correct?
 11 A. Again, with limitations. If you need to
 12 put in a block to be compliant or you have to be
 13 proprietary magazine, those would fit.
 14 Q. All right. I'm going to direct your
 15 attention back to NSSF 1996. So this is the second
 16 page of Deposition Exhibit -- I'm sorry -- the
 17 third page of Deposition Exhibit 14, the detachable
 18 magazine report.
 19 A. I'm sorry. You said 1996?
 20 Q. Yep.
 21 A. All right.
 22 Q. So directing your attention to the top
 23 of the page there, do you see it says "Of the
 24 estimated 963 million magazines, approximately

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1 74 percent, or 717 million, magazines have a
 2 capacity of 11-plus rounds"?)
 3 Did I read that correctly?
 4 A. You did.
 5 Q. So one of the outcomes of this study
 6 that you performed was a final number for estimated
 7 magazines, and that final number was 963 million;
 8 is that right?
 9 A. For this study period, yes.
 10 Q. For the study period, meaning...
 11 A. 1990 to 2021. And, again, this is a
 12 conservative estimate. If I had more participation
 13 by more magazine manufacturers, then we could have,
 14 you know, upped the number and made it more true to
 15 reality. But we can't make up numbers and, you
 16 know, insert a name for a manufacturer. We have to
 17 have them report it.
 18 Q. Are there magazines that were
 19 manufactured in the 1990s that no longer exist?
 20 A. That's actually called out in the
 21 limitations. We don't account for breakage, and
 22 that's certainly a limitation of it. What's also a
 23 limitation is not counting any magazines prior to
 24 1990, which, again, reinforces the conservative

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1 nature of this.
 2 We talked about, earlier this
 3 morning -- I can't believe it's already been
 4 morning -- past morning -- AR-15s and AKs were, you
 5 know, largely MSRs, started back in the '50s/'60s.
 6 Magazines for them have not changed a lot. And
 7 there's no way to really confirm, because there's
 8 no reliable data, how many of those from '50s/'60s
 9 to 1989 are still around.
 10 Q. Why did you just refer to AR magazines
 11 in particular?
 12 A. Just because we were talking about MSRs
 13 before AR/AK and variants thereof.
 14 Q. Would you also acknowledge that the
 15 963 million figure that you calculated here, some
 16 portion of that total figure of the magazines have
 17 been lost, correct?
 18 A. That is called out in the limitations,
 19 breakage or any other way to deduct them.
 20 Q. Would you also agree that, out of the
 21 963 million estimated magazine figure, some
 22 percentage of those are illegally owned in the
 23 United States?
 24 A. You're asking me to pontificate on it,

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1 and I'm not sure that I'm the person to do that
 2 because I'm not an expert.
 3 Q. I'm not asking you to pontificate. I'm
 4 really just asking, you're aware that some people
 5 possess magazines illegally, perhaps if they're a
 6 felon?
 7 A. That certainly can be true. For this
 8 instance, I really don't know how it really would
 9 relate.
 10 Q. And it wasn't part of your analysis to
 11 calculate how many of the 963 million magazines
 12 were unlawfully owned in the United States?
 13 A. Last I checked, criminals don't really
 14 report that.
 15 Q. So it wasn't part of your analysis?
 16 A. That's correct.
 17 Q. Was it part of your analysis to
 18 calculate what proportion of the 963 million
 19 magazines that you estimated have been diverted to
 20 other countries?
 21 A. By "diverted," you mean criminally
 22 diverted?
 23 Q. No. It can be criminally diverted or
 24 just otherwise no longer in the United States.

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1 A. No. I don't believe we accounted for
 2 that. That's a great point to put in for my next
 3 limitation update. Thank you.
 4 Q. All right. You write here that "The
 5 percentage of detachable magazines at 11-plus
 6 capacity is about 55 percent of total pistol
 7 magazines."
 8 Did I read that correctly?
 9 A. Yes.
 10 Q. You don't know what percentage of that
 11 15 -- 55 percent of total pistol magazines is
 12 magazines in the 11-to-15-round category, do you?
 13 A. We did not study that.
 14 Q. So you don't know?
 15 A. That's outside the scope.
 16 Q. So you don't know?
 17 A. That's correct. I did not study that in
 18 this report, so therefore, I don't know.
 19 Q. Okay. And in the last sentence here,
 20 "The consumer market totals of rifle magazines show
 21 30-plus-capacity magazines, over 413 million, are
 22 over 30 times the amount available than
 23 10-and-below-capacity rifle magazines, about
 24 13 million."

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1 Do you see that?
 2 A. Yes.
 3 Q. And so in that sentence, you're
 4 comparing the secondary market figures exclusively,
 5 correct?
 6 A. That's correct. Consumer market totals.
 7 Q. That observation does not apply to the
 8 in-the-box magazines?
 9 A. No. That's strictly the consumer market
 10 totals.
 11 Q. All right.
 12 A. If I had a calculator, I can get you the
 13 manufacturer portion.
 14 Q. I'm showing you the calculator. I'm not
 15 going to make you do it.
 16 A. Okay. If you'd like me to do it, I'm
 17 happy to do it.
 18 Q. All right. So I want you to first tell
 19 me, these rows, these blue rows that are in the
 20 middle here in this chart that says "Firearm
 21 Magazine Estimate 1990 to 2021," describe generally
 22 what's in this chart.
 23 A. So this is a breakdown of segments of
 24 magazines, whether they are from the manufacturer

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1 or secondary market; and then a total sum,
 2 segmented again, further, by pistol 10-below,
 3 pistol 11-plus, rifle 10-below, rifle 11-to-29,
 4 rifle 30-plus. With a grand total at the bottom.
 5 Q. And, again, those categories are the
 6 same as the NSSF magazine chart you testified about
 7 in the Oregon trial?
 8 A. Yes, they are.
 9 Q. Do you see where it says "Grand total
 10 963,772,000"?
 11 A. That's correct. I see that.
 12 Q. What is that number?
 13 A. That is the total of all magazines in
 14 the bottom row of manufacturer and consumer totals
 15 for all capacities added up.
 16 Q. So that's all the magazines that you --
 17 that's the sum total estimate of all the magazines
 18 that you were able to capture in this study; is
 19 that fair to say?
 20 A. That's correct.
 21 Q. Across all the different categories?
 22 A. That's correct. Again, being a
 23 conservative estimate, because if I would have had
 24 more participation, I could have had a more

<p style="text-align: right;">Page 274</p> <p>1 representative answer. But I can't make them 2 participate.</p> <p>3 Q. And out of that 963.8 million total, 4 448.4 million are rifle magazines of 30-plus; that 5 was the result you got?</p> <p>6 A. Yes.</p> <p>7 Q. All right. I want you to leave this 8 exhibit right here Deposition Exhibit 14, and I 9 want you to pull out the 2020 industry "Firearm 10 Production in the United States" report. So 11 Deposition Exhibit 12.</p> <p>12 A. Number 12.</p> <p>13 Q. I want you to turn to page 7 of that 14 report, NSSF 000023. You've got them side by side?</p> <p>15 A. Yes, sir.</p> <p>16 Q. So just comparing category to category 17 here, in the report that you generated with the 18 methodology that we discussed earlier, you reached 19 a result, a grand total of 963,772,000. In the 20 report conducted by your predecessor, Jim 21 Curcuruto, the conclusion for that same category of 22 total magazines was 304.3 million; is that correct?</p> <p>23 A. That's correct. I'm sorry. Did you say 24 304 or 403?</p>	<p style="text-align: right;">Page 276</p> <p>1 I, through independent study and just knowing the 2 market, I decided to count both the manufacturer 3 totals and the consumer market totals, where I 4 believe he might have only counted one segment of 5 the market -- what comes with the guns -- where I 6 went and did what comes in the box and the 7 additional stuff. And that was largely a benefit 8 to -- not a benefit. That was largely in thanks to 9 the magazine manufacturers that did participate.</p> <p>10 Q. So was his analysis wrong?</p> <p>11 A. I don't know if it was wrong just 12 because I literally don't have enough to really 13 analyze it. But I know that, having seen what he 14 did, I built off of it. And I believe I have one 15 of, if not the most thorough analysis of magazines 16 in circulation. The only way to really improve it 17 that I know of is to get more magazine 18 manufacturers to participate, which then would 19 increase that number, making this a conservative 20 estimate.</p> <p>21 Q. And just comparing the rifle magazines 22 of 30-plus rounds, you found -- or you estimated 23 448,369,000, and the Curcuruto analysis resulted in 24 79,200,000. So you had over 350 million more?</p>
<p style="text-align: right;">Page 275</p> <p>1 Q. 304, the number reflected on the page. 2 304,300,000.</p> <p>3 A. Yes.</p> <p>4 Q. So just doing kind of rough subtraction, 5 you ended up with a total magazine figure that was 6 660 million magazines higher than the Curcuruto 7 analysis?</p> <p>8 A. That's correct.</p> <p>9 Q. And the time period for your study was 10 1990 to 2021; is that right?</p> <p>11 A. That's correct.</p> <p>12 Q. And the time period for the Curcuruto 13 study was 1990 to 2018; is that correct?</p> <p>14 A. That's correct.</p> <p>15 Q. So you were looking at data from only 16 three additional years: 2019, 2020, and 2021; is 17 that correct?</p> <p>18 A. Not necessarily. I looked at different 19 segments in the market and three additional years. 20 So we're looking at this at first glance, and, you 21 know, with, unfortunately, a limited amount of, you 22 know, records left over. I think that Jim counted 23 the consumer market -- or I'm sorry -- the 24 manufacturer market in his initial analysis, where</p>	<p style="text-align: right;">Page 277</p> <p>1 A. Again, counting two sides of the market. 2 I think he counted one, where I counted both.</p> <p>3 Q. Okay. And just looking at the NSSF 1996 4 chart -- or let me ask you this. Did you compare 5 your results to the Curcuruto results?</p> <p>6 A. I did when I was done, just out of 7 curiosity. Didn't change anything. It didn't 8 impact the results whatsoever. Just out of 9 curiosity, what's the totals. All right. They are 10 what they are.</p> <p>11 Q. Was that part of your logic check?</p> <p>12 A. No. That was strictly out of curiosity. 13 My methodology was sound, and I didn't have to go 14 in -- I did not and would not go back and adjust 15 things just because the proportions were off from 16 what Curcuruto did.</p> <p>17 Q. Were you surprised that you got a figure 18 that was 600 million higher than Curcuruto?</p> <p>19 A. No. And, if anything, I still think my 20 963 million is a -- "drastic" is probably a strong 21 word, but definitely an understatement to some 22 degree, knowing that we had manufacturers that 23 would not participate so that we couldn't capture 24 more detachable magazines that are were made</p>

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1 available to the market, and not counting anything
 2 that's left over from pre-1990.
 3 Q. And you're confident in your
 4 methodology?
 5 A. Yes.
 6 Q. And I think you said it was the best
 7 estimate that anybody has done of magazines; is
 8 that right?
 9 A. It's the best one that I know of.
 10 MR. WELLS: All right. Could you pull up
 11 NSSF 2323, Mike.
 12 BY MR. WELLS:
 13 Q. So I'm showing you on the screen what
 14 was produced as NSSF 002323. Do you recognize this
 15 document?
 16 A. Yes, I do.
 17 Q. What is it?
 18 A. That is the working document that I used
 19 to track the magazines included in the report.
 20 Q. Which report?
 21 A. The detachable magazine report, 1990 to
 22 2021.
 23 Q. So is it fair to say that this
 24 NSSF 002323 is the backup documentation for the

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1 calculations and the charts that we just looked at
 2 in the detachable magazine report that you
 3 prepared?
 4 A. That's correct.
 5 Q. And that was Deposition Exhibit 14?
 6 A. That's correct.
 7 Q. And this is a spreadsheet that has
 8 multiple tabs; you would agree?
 9 A. Yes.
 10 Q. And the first tab is labeled "Master."
 11 Do you see that?
 12 A. Yes.
 13 Q. What's in the Master tab?
 14 A. Can we click into it, please?
 15 Q. Sure.
 16 A. So this is the top 15 manufacturers,
 17 rifle and pistol, and the start date of when those
 18 organizations started. So, for instance, like,
 19 SCCY, if they started in 2023, they're not going to
 20 have AFMER data for 1995, for example, because they
 21 didn't start then.
 22 Q. Okay. And then after that tab, we see
 23 several tabs that have what look like years?
 24 A. Yep.

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1 MR. WELLS: So, Mike, if you would just go to
 2 1990.
 3 BY MR. WELLS:
 4 Q. What's in the 1990 tab?
 5 A. 1990 AFMER for these manufacturers. If
 6 a number was reported, it is recorded here.
 7 Q. And are there any redactions in this?
 8 A. No. So the blanks here are largely
 9 because it wasn't in the AFMER, and so it wasn't
 10 available.
 11 Q. So this particular spreadsheet has not
 12 been redacted; is that fair to say?
 13 A. That's correct.
 14 Q. And as you just said, the absence of
 15 numbers associated with a particular firearms
 16 manufacturer just reflect the fact that there was
 17 no AFMER data for that manufacturer for that
 18 category for that year?
 19 A. That's correct.
 20 MR. WELLS: All right. So, Mike, if you would
 21 scroll through the other -- or just go to the
 22 last -- next to last tab.
 23 BY MR. WELLS:
 24 Q. Do you recognize -- what's this tab

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1 called?
 2 A. "Totals."
 3 Q. And what is reflected in the Totals tab
 4 of NSSF 002323?
 5 A. The top 15 manufacturers, the amount of
 6 pistols and rifles for each manufacturer that they
 7 made, and the application of the magazine factor,
 8 the one -- the magazines that came in the box,
 9 applied to the production numbers that are in the
 10 sum.
 11 (NSSF Deposition Exhibit 15 was
 12 marked for identification.)
 13 BY MR. WELLS:
 14 Q. I'm handing you what's been marked as
 15 Deposition Exhibit 15. Do you recognize the
 16 information shown here?
 17 A. Yes.
 18 Q. What is it?
 19 A. This is what we were just looking at.
 20 It's the document that I used to organize and
 21 compile the data.
 22 Q. So what we're looking at in Deposition
 23 Exhibit 15 is the Totals tab of NSSF 002323; is
 24 that fair to say?

<p style="text-align: right;">Page 282</p> <p>1 A. Yes.</p> <p>2 Q. And I can represent to you that this is</p> <p>3 a screenshot of this particular sheet. You're</p> <p>4 familiar with Excel, correct?</p> <p>5 A. Yes.</p> <p>6 Q. So directing your attention to the upper</p> <p>7 left-hand corner of Deposition Exhibit 15, do you</p> <p>8 see where it says C3?</p> <p>9 A. Yes.</p> <p>10 Q. Do you have an understanding as to what</p> <p>11 that means?</p> <p>12 A. Is that column C, row 3?</p> <p>13 Q. Right. So C3 corresponds to the</p> <p>14 information that's in column C, row 3?</p> <p>15 A. Yes.</p> <p>16 Q. And are you familiar with the formula</p> <p>17 section of Excel where you can enter formulas to --</p> <p>18 A. Yes.</p> <p>19 Q. You can enter formulas to apply to data</p> <p>20 in the spreadsheet?</p> <p>21 A. I am aware that you can use formulas in</p> <p>22 Excel, yes.</p> <p>23 Q. And looking at C3 here, you agree that</p> <p>24 in the formula section it says "$=B3*2$"? Do you see</p>	<p style="text-align: right;">Page 284</p> <p>1 by the amount of magazines in the box, and then</p> <p>2 resulting in the totals in C.</p> <p>3 Q. So -- all right. Now looking at cell C5</p> <p>4 on the screen, NSSF 002323, row 6 for Glock in the</p> <p>5 formula section, it says "$=B6*3$." Do you see that?</p> <p>6 A. Yep.</p> <p>7 Q. What does that mean?</p> <p>8 A. That means that Glock pistols, on</p> <p>9 average, come with three magazines in a box.</p> <p>10 Q. What's that average based on?</p> <p>11 A. That is based off of Glock reporting and</p> <p>12 also independent research; going to stores and</p> <p>13 figuring it out. And also independent research</p> <p>14 online, searching Glock products and seeing how</p> <p>15 many magazines come with each one.</p> <p>16 Q. Glock reporting to whom?</p> <p>17 A. To me through the survey.</p> <p>18 Q. Did you document what Glock reported?</p> <p>19 A. I did in this report in aggregate, and</p> <p>20 then as we talked about before, the individual</p> <p>21 response was expunged based on the confidentiality</p> <p>22 agreement that we had.</p> <p>23 Q. What time period did you use to</p> <p>24 calculate the three average here?</p>
<p style="text-align: right;">Page 283</p> <p>1 that?</p> <p>2 A. Yes.</p> <p>3 Q. And that asterisk or star refers to</p> <p>4 multiplying in Excel, correct?</p> <p>5 A. That's correct.</p> <p>6 Q. So what's in cell C3 is equal to what's</p> <p>7 in cell B3 times two, correct?</p> <p>8 A. That's correct.</p> <p>9 Q. So now looking at cell B3, what number</p> <p>10 do you see there?</p> <p>11 A. That is the total sum of AFMER-reported</p> <p>12 pistol production for Smith & Wesson.</p> <p>13 Q. And you would agree that the number in</p> <p>14 cell B3 is 14,744,566; is that correct?</p> <p>15 A. Yes.</p> <p>16 Q. And now looking at cell 3, you would</p> <p>17 agree that the number there is 29,489,132?</p> <p>18 A. Yes.</p> <p>19 Q. So is it fair to say that column C is</p> <p>20 just column B multiplied by two?</p> <p>21 A. It depends. So that 2 that's</p> <p>22 represented there is the factor of magazines that</p> <p>23 come in a box. So for every manufacturer that's</p> <p>24 here, we would take the pistol total, multiply it</p>	<p style="text-align: right;">Page 285</p> <p>1 A. What do you mean?</p> <p>2 Q. So do you know that Glock always,</p> <p>3 between 1990 and 2021, included three magazines</p> <p>4 with its pistols in the box?</p> <p>5 A. That is what they designated in the</p> <p>6 survey based off of the questions that we asked.</p> <p>7 Q. But the survey did not survey what</p> <p>8 Glock's practices were for each year between 1990</p> <p>9 to 2021, correct?</p> <p>10 A. It did survey a bunch of the periods</p> <p>11 that we studied. I don't remember exactly what it</p> <p>12 was. But --</p> <p>13 Q. Did it survey every year?</p> <p>14 A. It surveyed the -- in 1990, 2000, 2010,</p> <p>15 2020, 2021.</p> <p>16 Q. And that was -- so it surveyed only</p> <p>17 1990, correct, not 1990 to 1999?</p> <p>18 A. No. It surveyed those blocks of 10-year</p> <p>19 increments to try to reduce the burden on our</p> <p>20 manufacturers as an effort to get them to actually</p> <p>21 respond.</p> <p>22 Q. So I'm genuinely confused. When a</p> <p>23 manufacturer entered the figure for 1990, did they</p> <p>24 then enter another figure for 1991 and another</p>

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1 figure for 1992?

2 A. If they had one. So, for instance, if a

3 manufacturer wasn't in business, they just

4 disregarded that portion, didn't answer it. And

5 then for the portions that they did have data and

6 figures, then they would report in the appropriate

7 section.

8 Q. And then you just took an average of

9 that, and that average was three, and that's how

10 you determined the factor to multiply in --

11 A. Correct. And if you go online right

12 now, you go on your phone, you look up Glock or a

13 particular retailer's website, you're going to see

14 that they come with three magazines.

15 Q. All right. I've now had the screen show

16 the tab labeled "Working Sheet" in NSSF 002323.

17 Does this look familiar?

18 A. Yes.

19 Q. What is it?

20 A. This is where I took the production

21 portion and put it in the master -- sorry -- the

22 master chart, the total chart, that is reflected on

23 1996.

24

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1 (NSSF Deposition Exhibit 16 was

2 marked for identification.)

3 BY MR. WELLS:

4 Q. I've just handed you what's been marked

5 as Deposition Exhibit 16. Do you recognize the

6 information in Deposition Exhibit 16?

7 A. Yes.

8 Q. What is it?

9 A. That is the consumer market table that

10 we previously discussed, along with the

11 manufacturing totals and the manufacturing and

12 consumer market totals. We are missing some of the

13 top, the top 35 rows, of this worksheet on this

14 printout.

15 Q. So just looking up at the screen in

16 NSSF 0023, before we were looking at the top half

17 of NSSF 002323. So rows 1 through 37 or so?

18 A. Yep.

19 Q. And is it fair to say that in Deposition

20 Exhibit 16 we're now looking at rows 36 and

21 subsequent?

22 A. Yeah, to 79.

23 Q. Yeah, to 79.

24 A. Yeah.

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1 Q. And to be fair, here, goes -- there's

2 some additional rows below 79, correct?

3 A. That's correct.

4 Q. All right. So in looking at Deposition

5 Exhibit 16, which is rows 36 through 79, looking at

6 cell K -- do you see where it says "Grand Total" on

7 the bottom right there?

8 A. Yes.

9 Q. And that number is 963,774,383?

10 A. Yes.

11 Q. What is that figure?

12 A. That is the total of manufacturer and

13 consumer market totals for all segments and

14 magazines in one lump sum, that is also reflected

15 in the magazine report.

16 Q. So you see that in Deposition Exhibit 16

17 the total is 963,774,383. Do you see that?

18 A. Yes.

19 Q. And looking at Deposition Exhibit 14,

20 the grand total is 963,772,000. Do you see that?

21 A. Oh, I do see that.

22 Q. So those numbers are different, right?

23 A. Yeah. I had a typo on the thousand in

24 the grand total. It should have been rounded down

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1 to 963,774,000. But clearly I messed something up

2 and had -- actually, no. No, I'm sorry. I didn't

3 mess anything up. That is the grand total when you

4 have all the digits not rounded. Once you round

5 the digits, in order to not get the random, "hey,

6 your numbers are wrong when you add them up on your

7 chart," those e-mails coming in, I added up the

8 rounded-up numbers, and that resulted in the

9 963,772,000.

10 Q. So how does 963,774,383 round to

11 963,772,000?

12 A. If you scroll down on that working

13 sheet, that is the rounding to the nearest

14 thousand.

15 Q. Well, looking at the thousandths digit

16 in Deposition Exhibit 16, it's 4.

17 A. Yes.

18 Q. And in 1996 it's a 2.

19 A. Yes. And I'll go over it again just to

20 make sure we're on the same page here. The

21 unrounded numbers in the totals, if you add them

22 all up, that's that 4. But if you -- once you

23 round it to logically follow the totals, rounding

24 up and down to the nearest thousand, you get to the

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1 772.
 2 Q. When does the rounding happen?
 3 A. Once I have the final total in that
 4 table right there. So you can see the totals that
 5 I had, and then I just round to the nearest
 6 thousand below.
 7 Q. Category -- so you did the rounding at
 8 the category level before you did the grand total;
 9 is that what I'm hearing?
 10 A. Yeah. So once this portion -- sorry --
 11 stand up or no?
 12 Q. Sure. Go ahead.
 13 A. Once this is done, the computation here
 14 is complete. Now I need to make something that's
 15 going to go on a report. And so because we
 16 typically round to the nearest thousand just as
 17 normal course of business, if you add up these
 18 numbers and then plug in a number that's off by
 19 2,000, it's going to get questioned.
 20 Q. I see. All right. So you just got -- I
 21 see. So you did the rounding at a different part
 22 of the chart, basically?
 23 A. It's here.
 24 Q. Yeah, yeah. I see. I see. I

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1 actually --
 2 A. So it's -- yeah. This is just here
 3 rounded, and then all I did was put in the totals
 4 there.
 5 Q. Got it. Okay.
 6 A. Because, undoubtedly, if you put
 7 something out that does not jive when you add
 8 everything up -- kind of like when you do a survey
 9 and you don't -- doesn't -- net survey, or any sort
 10 of, you know, report that's supposed to total up to
 11 100, and the percentages don't total up to 100, you
 12 will always get someone that finds that. Oh,
 13 you're going to get e-mails about it forever.
 14 Q. Yeah, that 1 percent?
 15 A. Yeah.
 16 Q. Right. Okay. So looking at Deposition
 17 Exhibit 16 at the top, do you see on the upper left
 18 hand it says J42?
 19 A. Yes.
 20 Q. And that corresponds to the information
 21 in cell J42; is that right?
 22 A. Yes.
 23 Q. And just looking at the formula section
 24 here at the top, that figure in the screenshot here

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1 says 172,000 -- let me say that again. I'm just
 2 going to read the figures to you. Okay?
 3 A. That's fine.
 4 Q. 1727272.72727273. Why are there eight
 5 decimal places in that figure?
 6 A. It's just a function of Excel. When you
 7 have two known points and you're interpolating
 8 between those two points and you have it do that
 9 function and it fills in for that period between
 10 known points, it's just a function of Excel, and I
 11 never edited it.
 12 Q. What are the two known points that
 13 you're referring to here?
 14 A. The data collected in 1990 and the data
 15 collected in 2000.
 16 Q. Okay. So if we scroll up to cell J41 --
 17 I'm directing your attention to the screen at
 18 NSSF 002323 -- you're taking that 1.3 million
 19 figure in the 30-plus rifle column as your baseline
 20 for 1990; is that right?
 21 A. Yes. That is all the magazine
 22 manufacturers that did participate in the survey
 23 added up.
 24 Q. And then now going to cell J51 for 2000,

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1 you've got a figure of 5 million. Do you see that?
 2 A. Yes.
 3 Q. And those are the two points that you're
 4 interpolating between, right?
 5 A. That's correct.
 6 Q. And as we see in the formula function up
 7 there in J51 on NSSF 2323 on the screen, there's no
 8 formula being applied to generate that 5 million
 9 figure in cell J51?
 10 A. That's correct. That is one of the
 11 years that we collected from magazine
 12 manufacturers.
 13 Q. But as I go through cells J42 through
 14 49, would you agree with me that all of the figures
 15 in the 30-plus rifle category in this Excel
 16 spreadsheet have multiple decimal places after
 17 them, correct?
 18 A. Between -- from 1991 and 1999.
 19 Q. And that's because of this interpolation
 20 that you did?
 21 A. Interpolation between known points, yes.
 22 Q. And how did you generate the 1.3 million
 23 figure as a known point?
 24 A. Surveying magazine manufacturers.

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1 Magazine and firearm manufacturers.
 2 Q. So -- and what did you do with that
 3 data? Did you add it together, or did you --
 4 A. Yeah. It's added together here. And
 5 then the -- like I said before, the individual
 6 responses, based on our confidentiality agreement
 7 of getting the data, I deleted the individual
 8 response once it's aggregated and counted here.
 9 Q. So basically, is the increment each year
 10 from 1.3 million to 5 million the same?
 11 A. What do you mean?
 12 Q. The increment of increase. So --
 13 A. Yes. So if you have the two known
 14 points and you interpolate between, it is a even
 15 segmentation between those two points to fill in
 16 the middle.
 17 Q. And this period includes the time period
 18 of 1994 to 2000?
 19 A. That's correct.
 20 Q. And then beyond that, the next
 21 interpolation would have been between 2000 and
 22 2010; is that fair to say?
 23 A. 2000 and 2010, yes.
 24 Q. So similar approach, you take the

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1 5 million for 2000, and then according to cell J61
 2 for 2010, you're at 23 million; is that right?
 3 A. That's correct.
 4 Q. And that's based on manufacturer survey
 5 information?
 6 A. Yes.
 7 Q. All right. And in between for 2001 and
 8 2002 and 2003 and 2004 and 2005 and 2006 and 2007,
 9 2008, and 2009, the information is having a factor
 10 multiplication factor applied to it; is that right?
 11 A. It's just an interpolation between known
 12 points, taking the 2000 number to 2010 number and
 13 evenly segmenting it up so that you can get up to
 14 the two known plots.
 15 Q. And that's why there's eight decimal
 16 places in each of the cells?
 17 A. That's correct.
 18 Q. Did you do a logic check on this
 19 methodology?
 20 A. Yes.
 21 Q. Do you agree with me that the 30-plus
 22 rifle category in column J in NSSF 002323, "Working
 23 Sheet" tab, is the largest category every year from
 24 1990 to 2021?

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1 A. Yes. If you add up the three bottom
 2 totals, it is the largest.
 3 Q. And it's --
 4 A. Or not three. Four. Four bottom
 5 totals.
 6 Q. But not just the total. For each year,
 7 the 30-plus rifle category is the largest for every
 8 year, right?
 9 A. That's typically how you become the
 10 largest.
 11 Q. But every year, 1990 to 2021; is that
 12 right? Just looking at column J and comparing it
 13 to columns I, H, G, and F.
 14 A. Yeah.
 15 Q. Do you recall earlier that -- so -- and
 16 just to kind of, for instance, like, let's take
 17 1995. So 1995, column J, the 30-plus rifle
 18 category, you see a 3,181,818?
 19 A. Yes.
 20 Q. And --
 21 A. That is our estimate for that year based
 22 off of the known data that we do have.
 23 Q. Okay. And so that's the 30-plus rifle
 24 category. Working backwards to column I, the rifle

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1 11-to-29 category, you've got 127,273. Do you see
 2 that?
 3 A. Yes.
 4 Q. So the rifle 30-plus category is bigger
 5 than the rifle 11-to-29 category?
 6 A. Yes. And having industry knowledge of
 7 what folks use and prefer, it's a much more common
 8 magazine.
 9 Q. Right. And in column H, rifle 10 below
 10 for 1995, the figure is 38,636; is that right?
 11 A. That's correct.
 12 Q. And the figure for column G, which
 13 corresponds to pistol 11-plus, is 283,836?
 14 A. That's correct.
 15 Q. And the figure for column F for the
 16 pistol 10-below category for 1995 is 214,412; is
 17 that right?
 18 A. That's correct.
 19 Q. So the 30-plus rifle category for 1995,
 20 according to this analysis for 1995, was over
 21 3 million; is that right?
 22 A. That's correct.
 23 Q. And none of the other categories that
 24 you looked at even got over 300,000; is that right?

<p style="text-align: right;">Page 298</p> <p>1 A. That's correct. And this is, again, 2 using the magazine -- and this is using the 3 manufacturer-supplied data to try to create an 4 historic record to the best our ability to create a 5 representative estimate. 6 Q. And that trend continues in 1995, 7 correct, according to this data? The 30-plus rifle 8 category is much larger than any of the others. 9 A. That's correct. 10 Q. And it continues in 1996; is that right? 11 A. It continues for most of the -- most, if 12 not all, of the analysis. 13 Q. And we discussed earlier that, between 14 1994 and 2004, federal law prohibited magazines 15 over 10 rounds, correct? 16 A. That's correct. 17 Q. So is it strange to you that for the 18 years 1994 to 2004, when 30-plus rifle magazines 19 were illegal, they continued to be under this 20 analysis, by far, the largest magazine category 21 that were being produced, according to this 22 estimate? 23 A. I wouldn't say it's strange, based off 24 the reporting that, in 2000, the summation of</p>	<p style="text-align: right;">Page 300</p> <p>1 federal law prohibited those kinds of magazines, 2 did that give you any pause? 3 A. No. Because, again, our manufacturers 4 have a vested interest in giving us accurate 5 reporting, based on their records. That's what 6 they produced, and that's the number I have to use. 7 Q. Okay. Let's go back to Deposition 8 Exhibit 14. 9 A. So is it the magazine report? 10 Q. Oh, yeah. And before we move on, let me 11 just ask one question about the year 2000. So in 12 the year 2000, you're not interpolating, right? 13 You're actually -- you have information from 14 magazine manufacturers that you're actually using 15 to come up with some type of figure; is that right? 16 A. That's right. That was one of the 17 segment -- one of the periods that we called out in 18 the survey to collect information on. 19 Q. And magazine manufacturers were 20 representing to you, in the aggregate, that in the 21 year 2000 they produced 5 million magazines that 22 were illegal under federal law? 23 A. I just take the number that was reported 24 to me, but I can't speak to representation of</p>
<p style="text-align: right;">Page 299</p> <p>1 30-plus rifle magazines, as reported by 2 manufacturers, was 5 million. If they are truthful 3 in their reporting, they give that to me, I trust 4 their information because they have a vested 5 interest in being open and honest with us. I have 6 to use that number. 7 Q. So it's not surprising to you that, 8 according to this analysis, while 30-plus rifle 9 magazines were illegal under federal law during the 10 Federal Assault Weapons Ban from 1994 to 2004, that 11 according to this analysis, 30-plus rifle magazines 12 continued to be, by far, the most popular category 13 of rifle -- or category of magazine? 14 A. I can only report what is estimated -- 15 or I can only report what is provided to us in this 16 estimate and through the survey data. That's it. 17 Q. And did you do anything to check the 18 manufacturer's information that they were providing 19 to you? 20 A. In regards to... 21 Q. In regards to interpolating the two -- 22 the figures that you're using to interpolate. Once 23 you saw this figure where you see massive numbers 24 of 30-plus rifle magazines in a time period when</p>	<p style="text-align: right;">Page 301</p> <p>1 what -- that would be legal or illegal. 2 Q. Do you know whether those manufacturers 3 were including in that 5 million figure magazines 4 that were manufactured for the military? 5 A. We specifically called out for the US 6 consumer market in the survey. 7 Q. Okay. Do you know whether manufacturers 8 actually excluded magazines that were manufactured 9 for the military? 10 A. Only that we asked them to answer within 11 the parameters of the survey. 12 Q. Do you know whether the information 13 provided from magazine manufacturers excludes 14 magazines that were provided to law enforcement? 15 A. We requested that those be excluded in 16 the survey. 17 Q. Do you know whether that request was 18 complied with? 19 A. Only that we trust our members to give 20 us accurate information. 21 Q. Okay. Let's go back now, really, to 22 Deposition Exhibit 14. 23 A. The magazine report? 24 Q. The magazine report. All right. So I'm</p>

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1 going to direct your attention to the limitation
 2 section. And we talked about some of these
 3 earlier, so I'll run through this quickly.
 4 You agree that one of the limitations
 5 of your study is that not all segments of
 6 detachable magazines could be counted due to lack
 7 of public information or availability of records;
 8 is that correct?
 9 A. That's correct.
 10 Q. And one of the segments that couldn't be
 11 counted was 11-to-15-round pistol magazines?
 12 A. I wouldn't say that they couldn't be
 13 counted. We just didn't try to count it here.
 14 Q. You also note, as one of the
 15 limitations, that military and law enforcement
 16 sales were not counted; is that right?
 17 A. That's correct.
 18 Q. Earlier we discussed situations where a
 19 police officer may be responsible for personally
 20 purchasing their duty weapon that would come with
 21 magazines. Do you recall that discussion?
 22 A. Yes.
 23 Q. So in that scenario, an officer who
 24 purchases a duty weapon from a retailer, the

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1 magazines that are included with that firearm would
 2 be included in the survey, correct?
 3 A. If they purchased it from a retailer,
 4 certainly, we -- it would be captured within the
 5 analysis, yeah.
 6 Q. So for that law enforcement officer's
 7 sale, the magazine is captured in this report,
 8 correct?
 9 A. If they purchased it through a retailer,
 10 yes. For general consumer goods, yes.
 11 Q. What about law enforcement agencies that
 12 purchased firearms that came with magazines?
 13 A. What about them?
 14 Q. Would their purchases with the magazines
 15 be captured in this data?
 16 A. If the agency bought it, meaning that
 17 they put an order directly with the manufacturer,
 18 we asked them to exclude those from the reporting.
 19 Q. How would a manufacturer know what a law
 20 enforcement agency is acquiring from retail?
 21 A. I'm not a manufacturer. I can't really
 22 speculate on how they would do that. I'm sure
 23 their records are -- there are records that they
 24 have to track that.

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1 Q. So how do you know that?
 2 A. I just assume that our -- that our
 3 manufacturers have records.
 4 Q. You assume that your manufacturers have
 5 records of sales by law -- sales to law enforcement
 6 agencies by retailers?
 7 A. No. I said earlier, if the agency is
 8 making a purchase from a manufacturer, that would
 9 largely be -- not largely. I keep saying that
 10 word -- it would be a contract. If it's something
 11 that goes to a retailer, then there's no telling if
 12 it's Joe Citizen or law enforcement that purchased
 13 it.
 14 Q. So when you say military and law
 15 enforcement sales were not counted here, what you
 16 really mean is military and law enforcement sales
 17 by the manufacturer were not counted, correct?
 18 A. That's correct.
 19 Q. Military and law enforcement sales by
 20 retailers would be included, correct?
 21 MR. LOTHSON: Objection. I think that
 22 misstates his testimony. You haven't talked about
 23 military.
 24

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1 BY MR. WELLS:
 2 Q. We did talk about military, but let's
 3 just limit it to law enforcement. So law
 4 enforcement sales to -- by retailers would be
 5 included, correct?
 6 MR. LOTHSON: Let me -- just for
 7 clarification. Are you talking about individual
 8 Barney Fife who goes out and buys by himself, or
 9 are you talking about Mayberry, the police
 10 department?
 11 MR. WELLS: We're talking about Mayberry
 12 from -- not SIG SAUER, but one of its retailers
 13 that it sold pistols to.
 14 BY MR. WELLS:
 15 Q. Pistols are now in possession of the
 16 retailer. The retailer then sells them to a law
 17 enforcement agency.
 18 A. Yes.
 19 Q. The magazines that come with those
 20 pistols would be captured in this report, correct?
 21 A. If an agency made a bulk order from the
 22 retailer, then it could be. My understanding, that
 23 if an agency, not an individual officer, were to
 24 make a purchase, usually they go to the

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1 manufacturer and make a bulk sale, bulk purchase.
 2 That's my understanding.
 3 Q. All right. I'm going to direct your
 4 attention to the -- back to the last page of the
 5 detachable magazine report. In this discussion
 6 section in Footnote 3, there's reference to an NSSF
 7 2022 magazine capacity study. What is that study?
 8 A. I'm sorry. Could you show me where that
 9 is.
 10 Q. So it's the bottom of NSSF 001997.
 11 A. That was a study that we had Southwick
 12 and Associates conduct to explore the topic of
 13 magazines.
 14 Q. Do you know whether that's been produced
 15 in this litigation?
 16 A. I don't for sure know if it was or not.
 17 MR. WELLS: We would request that, just for
 18 counsel.
 19 BY MR. WELLS:
 20 Q. Directing your attention to the
 21 discussion in the second paragraph, do you see
 22 where it says "More than half, 53.2 percent of
 23 firearm owners, reported owning a detachable
 24 magazine for a handgun, and nearly a third reported

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1 owning a detachable magazine for rifle"?
 2 Do you see that?
 3 A. Yes.
 4 Q. And where are those figures coming from?
 5 A. That is coming from the NSSF 2022
 6 magazine capacity study.
 7 Q. And referring specifically to the
 8 53.2 percent figure, so if you do the subtraction
 9 based on that same figure, 46.8 percent of all
 10 firearms owners did not report owning a detachable
 11 magazine for a handgun, correct?
 12 A. That's correct.
 13 Q. And, again, doing the same calculation
 14 for the 32.7 percent, two-thirds of firearm owners
 15 did not report owning a detachable magazine for a
 16 rifle, correct?
 17 A. That's correct.
 18 Q. So that 32.7 percent of respondents who
 19 indicated that they did own a detachable magazine
 20 for a rifle, that's one-third of all gun owners, is
 21 that fair to say, according to your survey?
 22 A. It's 32 percent of the population
 23 sample.
 24 Q. Of the respondents to that survey?

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1 A. Correct.
 2 Q. That, and if you take that figure of
 3 one-third of gun owners -- if that survey is
 4 correct -- that one-third of gun owners owns all --
 5 let's see -- over 550 million rifle magazines?
 6 A. No. And I think there's something lost
 7 in translation here. This chart table of pistol
 8 magazines -- and pistol magazines, rifle magazines,
 9 manufacturer-consumer totals, are the ones that
 10 were made available. So they could be owned, they
 11 could be on a store shelf, they could be sitting in
 12 a distributor warehouse waiting to go somewhere.
 13 Nowhere in this did we say that -- did I say that
 14 every one of these is owned. Many of these likely
 15 are sitting on a shelf at a retailer location
 16 waiting to be sold one day.
 17 Q. All right. But we don't know -- you're
 18 talking about a study that you haven't included
 19 here, right?
 20 A. What do you mean?
 21 Q. The 2022 magazine -- NSSF magazine
 22 capacity study, we don't know what the methodology
 23 was for that study?
 24 A. No. But we can provide that to you.

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1 Q. And a reader of this document wouldn't
 2 have any idea what the methodology of that magazine
 3 capacity study was, right?
 4 A. Based off of this, no. We did not
 5 include it in here.
 6 Q. All right. Directing your attention to
 7 the conclusion section, do you see the second
 8 sentence where it says "A more comprehensive
 9 estimate would be attainable if participation from
 10 firearm and magazine manufacturers increased in
 11 future updates"?
 12 Do you see that?
 13 A. I do.
 14 Q. What does that mean?
 15 A. If we got more participation, then we
 16 could get more representative sample -- or
 17 representative estimate of how many magazines are
 18 out there.
 19 Q. Is that referring to the fact that you
 20 send out the survey to 40 -- to a population of 40
 21 and you got 13 responses?
 22 A. Yes. As we get more participation, that
 23 number would go up simply because we're adding to
 24 the count.

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1 Q. But you -- when you say that number
 2 could go up, it would be based on that
 3 interpolation methodology that you applied?
 4 A. It would be based on collecting
 5 information for 1990, 2000, so on, every 10 years,
 6 and 2021, and then interpolating between the known
 7 points.
 8 Q. And as we discussed, that generated very
 9 high figures of 30-plus-round magazine figures for
 10 1994 to 2004?
 11 MR. LOTHSON: Objection.
 12 THE WITNESS: It did.
 13 BY MR. WELLS:
 14 Q. All right. Last sentence. "Changes in
 15 legislation outlawing or granting access to these
 16 magazines may change overall market proportions,
 17 but the preference to have more ammunition
 18 available is clear."
 19 Do you see that?
 20 A. Yes.
 21 Q. Did you write that sentence?
 22 A. Yes.
 23 Q. Whose preference?
 24 A. The consumers.

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1 Q. Was this a consumer study?
 2 A. No. But if you are following, say, the
 3 trends in the ATF AFMER -- or the IIR, built off of
 4 the ATF AFMER, you see proportions of pistols,
 5 revolvers, rifles, everything else, changing over
 6 time. That's why we report so many years. As you
 7 look through, say, Exhibit 16, manufacturers aren't
 8 making more of these because they want them to sit
 9 on the shelf. They're making them because there's
 10 a demand for them.
 11 Q. So it's not a consumer survey, right?
 12 A. This one is not, but the NSSF 2022
 13 magazine capacity study was a survey of consumers.
 14 MR. WELLS: Okay. We'll do one more exhibit,
 15 and then we'll take a break, and then I'm going to
 16 try to drop some stuff.
 17 (NSSF Deposition Exhibit 17 was
 18 marked for identification.)
 19 BY MR. WELLS:
 20 Q. All right. I'm handing you what's been
 21 marked as Deposition Exhibit 17, which is NSSF
 22 002312 through 19. Do you see that?
 23 A. Yes.
 24 Q. Have you seen this document before?

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1 A. Yes.
 2 Q. What is it?
 3 A. This is the questions that we asked in
 4 our magazine survey.
 5 Q. And that magazine survey provided some
 6 of the data that you used to generate the
 7 detachable magazine report that we've been
 8 discussing?
 9 A. That's correct.
 10 Q. And is this the same survey that was
 11 sent to the 40 survey population that we talked
 12 about before?
 13 A. Yes, with one change. There was one
 14 question added to make sure that folks entered the
 15 company that they were working for. That's not
 16 reflected here, but it's not a substantial change,
 17 strictly simply because if you share the survey
 18 link, you lose the tie-in of who that first contact
 19 was.
 20 So if I send you a survey and you're
 21 like -- invite you to the survey, and then you send
 22 it to Mike, Mike answers for you, then it will come
 23 up with just kind of an unusable contact of who
 24 answered.

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1 Q. So directing your attention to the
 2 second page of this document, NSSF 002313, question
 3 one says "For each year below, what is the average
 4 number of handgun magazines that ship with a new
 5 pistol you manufacture? (Please provide your best
 6 estimate)."
 7 So is it fair to say that this
 8 question was providing the information that you
 9 used to then do the interpolation that you
 10 described?
 11 A. No. So this would be for that "Totals"
 12 sheet where then we would apply -- as long as
 13 there's a pistol manufacturer that answered this,
 14 then we would apply that average pistol number as
 15 the factor in that multiplication that we saw in --
 16 I forgot the column.
 17 Q. So the example that we used was the
 18 Glock example --
 19 A. Yes.
 20 Q. -- to come to that average of three; is
 21 that correct?
 22 A. That's right.
 23 Q. All right. And that average was based
 24 on data from five specific years?

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1 A. That's correct.
 2 Q. But not all years from 1990 to 2021; is
 3 that correct?
 4 A. And it's not the complete span of it
 5 because we also had independent research that was
 6 applied to this.
 7 Q. You said here in Q1, "please provide
 8 your best estimate"?"
 9 A. Yes.
 10 Q. Did you do anything to validate the
 11 estimates that manufacturers provided?
 12 A. Outside of looking at them and making
 13 sure they tracked and they were logical, no.
 14 Q. And Q2 -- directing your attention to
 15 Q2, it says "For this question, please exclude any
 16 magazines sold to other manufacturers, law
 17 enforcement, and military."
 18 Do you see that?
 19 A. Yes.
 20 Q. So is this what you were describing
 21 earlier when you asked manufacturers to exclude
 22 sales to law enforcement and military?
 23 A. Yes.
 24 Q. Did you do anything to validate whether

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1 or not the respondents to the survey actually
 2 excluded sales to other manufacturers, law
 3 enforcement, and the military?
 4 A. We trust our manufacturers and members
 5 to answer as truthfully as possible.
 6 Q. And question Q2.1, "Please estimate what
 7 proportion of these additional accessory pistol
 8 magazines are 10-or-less-round capacity."
 9 Do you see that?
 10 A. Yes.
 11 Q. Did you do anything to validate the
 12 estimates that manufacturers provided?
 13 A. Similarly for question 2, we trust that
 14 our manufacturers are providing accurate data
 15 because they want an accurate report.
 16 Q. Q3, "Please indicate" -- so this is on
 17 NSSF 2314. "Please indicate the estimated
 18 proportion percentage of handgun magazine capacity
 19 supplied with your pistols for the following
 20 periods (please exclude magazines not shipped with
 21 a firearm)."
 22 Did you do anything to validate the
 23 estimated proportion that manufacturers provided in
 24 response to this survey?

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1 A. Similar to the last two questions, we
 2 trust that our manufacturers are providing accurate
 3 data because they want an accurate report.
 4 Q. So is it fair to say that both the --
 5 well, let's stick with the detachable magazine
 6 report. Is it fair to say that the detachable
 7 magazine report depends on getting trustworthy
 8 information from firearms manufacturers and
 9 magazine manufacturers?
 10 A. That's correct.
 11 Q. If firearms manufacturers and magazine
 12 manufacturers were not providing trustworthy
 13 information, would that impact the results of the
 14 detachable magazine report?
 15 A. It certainly can. But I have no reason
 16 to believe that anybody was untrustworthy or
 17 untruthful.
 18 Q. Similar question with the "Firearm
 19 Production in the United States" reports that we
 20 looked at and, in particular, the "Modern Sporting
 21 Rifle Production in the United States" table. So
 22 NSSF 41. That's also reliant on the
 23 trustworthiness of the information that you get
 24 from firearms manufacturers; is that right?

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1 A. They are the only ones that hold that
 2 information, and so if they are willing to give it
 3 to us, we will certainly use it.
 4 Q. Is that a "yes"?"
 5 A. Yes, we rely on them to be trustworthy.
 6 And, again, they are the only ones that hold that
 7 information. So to create a best estimate, we have
 8 to rely on them.
 9 Q. Do you agree that if there were -- that
 10 prohibitions on modern sporting rifle firearms have
 11 negative financial impacts on firearms
 12 manufacturers?
 13 MR. LOTHSON: Objection; beyond the scope.
 14 If you have personal knowledge of
 15 that, go ahead.
 16 THE WITNESS: I don't have personal knowledge
 17 of the finances of our manufacturers.
 18 MR. WELLS: Why don't we take a break, and
 19 then we'll circle back.
 20 (Short recess.)
 21 MR. WELLS: We're back on the record. It's
 22 5:18. All right. I am going to have this marked,
 23 please.
 24

<p style="text-align: right;">Page 318</p> <p>1 (NSSF Deposition Exhibit 18 was 2 marked for identification.) 3 BY MR. WELLS: 4 Q. I'm handing you what's been marked as 5 Deposition Exhibit 18. Have you seen this document 6 before? 7 A. No. 8 Q. All right. This is something we got off 9 NSSF's website, "The Writer's Guide to Firearms and 10 Ammunition." But you've never seen it? 11 A. No. I'm trying to -- usually we 12 publish, like, a date that it's from. 13 MR. LOTHSON: I can tell you that on page 2 14 there's a date from 2015, and then on the back 15 there's a copyright of 2017. 16 THE WITNESS: That's why I've never seen it. 17 BY MR. WELLS: 18 Q. So it's before your time? 19 A. Yes. 20 Q. And you don't rely on this in the course 21 of your responsibilities? 22 A. I personally have never seen this. 23 Q. Okay. So you can set it to the side. 24 All right.</p>	<p style="text-align: right;">Page 320</p> <p>1 comprehensive report that was conducted by SMS on 2 our behalf. 3 Q. Who is SMS? 4 A. They are Sports Marketing Surveys USA. 5 Q. Were you involved in the creation of 6 this report? 7 A. I was involved in some of the review of 8 the questions and content of it. 9 Q. Who else at NSSF was involved in the 10 creation of this document? 11 A. The research team at the time, which 12 would have been, again, Jim Curcuruto, Elizabeth 13 McGuigan, Dianne Vrablic. 14 Q. Directing your attention to what's 15 numbered Slide 10, and it's NSSF 000109. In the 16 "Methodology" slide, the last sentence of the first 17 paragraph, do you see where it says "The aim is to 18 provide the NSSF and manufacturers insights on 19 current consumer needs and uses of MSRs as well as 20 educate those influencing public policy in the 21 effort to preserve our constitutional rights"? 22 Do you see that? 23 A. Yes. 24 Q. And do you agree that the purpose of</p>
<p style="text-align: right;">Page 319</p> <p>1 A. What is this? 2 MR. WELLS: It has the definition of "modern 3 sporting rifle." I don't know if you're curious. 4 All right. I'm going to get this one 5 marked, then. 6 And just for the record, that prior 7 exhibit was "The Writer's Guide to Firearms and 8 Ammunition?" 9 What number are we on? 10 THE COURT REPORTER: That is number 19. 11 THE WITNESS: Out of just general curiosity, 12 I'll have to read this now. I'll go find it and 13 read it. 14 MR. LOTHSON: We have a copy. 15 (NSSF Deposition Exhibit 19 was 16 marked for identification.) 17 BY MR. WELLS: 18 Q. All right. I'm handing you what has 19 been marked as Deposition Exhibit 19, which is 20 NSSF 000100 through 180. Have you seen this 21 document before? 22 A. Yes. 23 Q. What is it? 24 A. This is our modern sporting rifle</p>	<p style="text-align: right;">Page 321</p> <p>1 this survey was to influence public policy in the 2 effort to preserve our constitutional rights? 3 A. It's clearly spelled out right there. 4 Q. So yes? 5 A. I would agree only because it's spelled 6 out right there in front of me. 7 Q. Who is this -- who is the target 8 audience for this report? 9 A. What do you mean? So who would benefit 10 from viewing this? 11 Q. Yes. 12 A. Primarily manufacturers of MSRs and 13 accessories thereof to see what users from this 14 very large dataset are utilizing modern sporting 15 rifles. 16 MR. WELLS: All right. 17 (NSSF Deposition Exhibit 20 was 18 marked for identification.) 19 BY MR. WELLS: 20 Q. All right. I'm handing you what's been 21 marked as Deposition Exhibit 20. Do you recognize 22 this document? 23 A. It doesn't jump out at me as something 24 that I immediately recognize, but this looks like</p>

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1 the content of the actual study.
 2 Q. When you say "the actual study," what
 3 study are you referring to?
 4 A. The questions from the modern sporting
 5 rifle survey that SMS did on our behalf.
 6 Q. And just for the record, Deposition
 7 Exhibit 20 is NSSF 000181 through 97.
 8 So directing your attention to the
 9 first page here, do you know who created this text?
 10 A. I don't know.
 11 Q. Do you see how it says "Please take a
 12 few minutes to complete the survey below"?
 13 A. I do see that.
 14 Q. Do you know whether this text was
 15 provided to survey respondents who responded to the
 16 National Shooting Sports Foundation's modern
 17 sporting rifle online study?
 18 A. I don't know if it has, but based on the
 19 structure here, I have reason to believe that this
 20 was provided as the prompts before the survey.
 21 Q. All right. Directing your attention to
 22 the second sentence of the second paragraph, do you
 23 see that it says "Insights will be used to help
 24 educate those influencing public policy in the

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1 effort to preserve our constitutional rights"?
 2 A. Yes.
 3 Q. Do you see that? And that's consistent
 4 with the portion that we looked at in Exhibit 19
 5 about why the survey was being conducted; is that
 6 right?
 7 A. Yes. Like many surveys, you need to
 8 usually motivate folks to participate. And that is
 9 an effort to motivate people to participate in the
 10 survey.
 11 Q. And am I right that you've done
 12 coursework in survey methodology?
 13 A. Yes.
 14 Q. And are you familiar with the concept of
 15 priming?
 16 A. Vaguely familiar.
 17 Q. What is priming?
 18 A. As I sit here today, my understanding is
 19 priming is giving someone information before they
 20 actually enter into the portion where you collect
 21 the information from them.
 22 Q. That may influence how they respond; is
 23 that right?
 24 A. It certainly could.

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1 Q. All right. Now go back to Deposition
 2 Exhibit 19. So the survey results.
 3 A. Gotcha.
 4 Q. Looking --
 5 A. I'm sorry to interrupt. Do I need all
 6 of these?
 7 Q. No.
 8 A. Okay.
 9 Q. You can put those in the past.
 10 A. Thank you.
 11 Q. All right. So directing your attention
 12 to NSSF 000109, looking back to the second
 13 paragraph or looking to the second paragraph, do
 14 you see that it says "The term 'modern sporting
 15 rifle' was clearly defined as AR- or AK-platform
 16 rifles such as AR-15, AR-10, AK-47, AK-74, and did
 17 not include nonrifle firearms such as AR pistols,
 18 et cetera"?
 19 Do you see that?
 20 A. That's correct.
 21 Q. So do you agree that, for purposes of
 22 this survey, NSSF was using a definition of modern
 23 sporting rifle that excluded AR pistols?
 24 A. Yes. That was purposeful because we

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1 wanted to get a narrow scope of the survey. And
 2 then that way you limit to just a usable framework
 3 of what you actually want to talk about. If you
 4 expand that framework to the broad definition of
 5 MSR that's included in the interrogatory response,
 6 then, likely, even though you have a giant
 7 completed survey data pool, you're going to muddy
 8 the water, so to speak, and not have usable data at
 9 the end of it because you asked on such a broad
 10 spectrum of platforms.
 11 Q. Would -- and why doesn't including MSR
 12 pistols in what you're calling modern sporting
 13 rifle manufacturer calculation, the calculation
 14 that we looked at earlier, why doesn't that muddy
 15 the waters in a similar way?
 16 A. I'm sorry. Could you say that again?
 17 Q. I'll withdraw it.
 18 A. Okay.
 19 Q. All right. Let's see. So is it fair to
 20 say that, at least based on how MSR is defined
 21 here, that NSSF uses the term "modern sporting
 22 rifle" differently in different reports?
 23 A. We did limit the scope in this study
 24 only for the purposes of trying to get a narrow

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1 target audience of MSR users that own rifles.
 2 Q. And in this survey, is it fair to say
 3 that the survey only counted responses of people
 4 who said that they owned at least one modern
 5 sporting rifle?
 6 A. Yes. That was a qualification of it.
 7 Q. So this survey did not generally survey
 8 firearms -- firearm owners writ large, including
 9 firearm owners who don't own modern sporting
 10 rifles, correct?
 11 A. They could have been surveyed, but the
 12 completed responses only counted those that
 13 designated they owned MSRs.
 14 Q. And the survey also did not survey the
 15 consumer market as a whole, correct?
 16 A. It wasn't as a whole, but as far as
 17 surveys goes, this is a very large usable sample
 18 that you could use it to find -- use to represent
 19 this narrow scope of MSR owners.
 20 Q. So the sample is exclusively modern
 21 sporting rifle owners; is that right?
 22 A. Yes.
 23 Q. Okay. Let's go to NSSF 000111.
 24 Actually, you can keep going to 17. All right.

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1 Directing your attention to the left-hand side
 2 there, this slide is summarizing the results for
 3 how important various reasons are to survey
 4 respondents for why they owned an MSR. Would you
 5 agree with that?
 6 A. Yes.
 7 Q. And the responses that were generated
 8 indicate that recreational target shooting was the
 9 number one or the leading response?
 10 A. It was the leading, and almost tied with
 11 it was the home defense and -- home- and
 12 self-defense reason.
 13 Q. So the top was recreational target
 14 shooting?
 15 A. The number one, yes, by 8.7.
 16 Q. And home- and self-defense was the
 17 second reason, second most significant reason. And
 18 this is in a survey after respondents had already
 19 been told that the purpose of the survey was to
 20 preserve their constitutional rights; is that
 21 right?
 22 A. I'm not sure on the verbiage that was
 23 before, but I can confirm, by looking at the
 24 results here, home- and self-defense is second

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1 under recreational targeting shooting. If you'd
 2 like to, I can skip back and answer that portion of
 3 the question.
 4 Q. Don't worry about it.
 5 A. Okay.
 6 Q. All right. Let's go to NSSF 000125.
 7 And do you agree that this slide shows the results
 8 for how survey respondents rated the "most
 9 important reasons for buying most recently
 10 purchased MSR"? Do you see that?
 11 A. Yes.
 12 Q. And in response to this question,
 13 respondents -- the survey results indicated that
 14 home/self-defense was the tenth most important
 15 reason people gave for why they purchased their
 16 most recent modern sporting rifle; is that right?
 17 A. Yes, it's tenth.
 18 Q. And that for home/self-defense is
 19 actually just below ability to accessorize, right?
 20 A. That's correct.
 21 Q. So ability to accessorize was a more
 22 important reason for the respondents who answered
 23 this question than home/self-defense?
 24 A. Yes. Home/self-defense fell under

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1 ability to accessorize for most recently acquired
 2 MSR on this chart.
 3 Q. And this survey as a whole, did it
 4 obtain any data about the frequency of self-defense
 5 uses by the respondents of modern sporting rifles?
 6 A. I believe it does, but I can look
 7 through the document if you'd like me to.
 8 Q. All right. Directing your attention to
 9 NSSF 162 through 170.
 10 A. I'm sorry. You said 162?
 11 Q. Yes. So do you see that it says
 12 "cluster analysis market segmentation"?
 13 A. Yes.
 14 Q. What does that mean?
 15 A. It's a method of market segmentation to
 16 help marketers identify specific consumer groups.
 17 So the cluster is being pointed out in the bottom
 18 of the page: Reason for owning, annual household
 19 income, number of MSR owned, what military/law
 20 enforcement affiliation.
 21 Q. All right. So turn to the next page,
 22 NSSF 000163. And do you agree that this slide
 23 shows that, according to this, there were five
 24 clusters that were identified?

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1 A. Yes.

2 Q. How did NSSF go about determining these

3 clusters?

4 A. I'm not sure if NSSF determined the

5 clusters or if SMS determined it based off of the

6 findings of the survey. If you'd like me to, I can

7 go back and investigate that.

8 Q. Who would know the answer to that

9 question? Would Jim Curcuruto?

10 A. Likely, Keith Storey at SMS. He's the

11 president of SMS. And I -- in preparation for this

12 deposition, I went and talked to him about

13 methodology approaches, details of preparation for

14 this report. The breakdown of who decided the

15 clusters, we did not cover, but I can certainly

16 approach him about that.

17 Q. What did he tell you about the

18 methodology for this report?

19 A. We just ran through the, like,

20 high-level structure of you guys approached us, it

21 started with Jim Curcuruto, we had this intent,

22 there was a pause -- all of that is kind of laid

23 out in one of the beginning pages -- that there's a

24 pause due to COVID, we collected these responses,

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1 and then this is the summation.

2 Q. And the intent behind the survey was --

3 is described in the survey itself in the pages that

4 we looked at; is that right?

5 A. Yes.

6 Q. Do you see that, at least according to

7 the different clusters that are presented here,

8 almost half of all MSRs are owned by people

9 classified as law enforcement in competition and

10 hunting aficionado?

11 A. I'm sorry. Could you run those three

12 segments again, the three clusters. Law

13 enforcement...

14 Q. So law enforcement in competition, which

15 is one, and then hunting aficionado. And it's

16 percentage of MSRs, so it's the second row. It's

17 24 percent plus 25 percent. Do you see that?

18 A. I'm sorry. So this one -- oh, yes.

19 Thank you. Yes. I thought you were tracking a

20 third category. I apologize.

21 MR. WELLS: No problem. All right. Let's go

22 to -- Mike, if you could pull up NSSF -- let's see.

23 THE WITNESS: May I back up for a second?

24

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1 BY MR. WELLS:

2 Q. Sure.

3 A. Did you say law enforcement in

4 competition along with hunting aficionado, cluster

5 one and cluster five?

6 Q. Yeah, for the second row, percentage of

7 MSRs.

8 A. Okay. I just want to confirm that I'm

9 looking at the right thing.

10 Q. I've had my colleague bring up

11 NSSF 000200 on the screen. Have you seen this

12 document before?

13 A. Yes.

14 Q. What is it?

15 A. This is the raw data collected by SMS in

16 execution of the modern sporting rifle

17 comprehensive study.

18 Q. And is this a complete and accurate copy

19 of that data?

20 A. I have no reason to believe it's not,

21 based on what I'm seeing here.

22 Q. And is it fair to say that this is the

23 data that was used to create the comprehensive

24 consumer report for modern sporting rifles?

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1 A. I believe so.

2 Q. And scrolling over to column JN.

3 A. It's a big one.

4 Q. Just looking at JN, row 1, the cell says

5 "In a few brief sentences, please tell us your

6 favorite part about owning your modern sporting

7 rifles."

8 Do you see that?

9 A. I do.

10 Q. And have you -- do you understand that

11 column JN includes, then, the responses that survey

12 respondents provided to that question?

13 A. Yes. It's open-text-box entries by

14 respondents.

15 Q. And have you ever looked at those

16 responses?

17 A. Not in great detail.

18 Q. Did you have any involvement with the

19 preparation of the firearms retailer survey report,

20 the 2021 edition?

21 A. Yes. I do believe I provided some

22 review on that document as it was being produced.

23 (NSSF Deposition Exhibit 21 was

24 marked for identification.)

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1 BY MR. WELLS:
 2 Q. I've handed you what's been marked as
 3 Deposition Exhibit 21, Bates-labeled NSSF 000053
 4 through 83. Have you seen this document before?
 5 A. Yes, I have.
 6 Q. What is it?
 7 A. It's our 2021 retailer survey. It's a
 8 survey that we have conducted for us by
 9 Southwick Associates every other year.
 10 Q. Directing your attention to NSSF 56, in
 11 the overview section, do you see that it says "The
 12 survey respondents included 313 retail
 13 establishments located in 50 states"?
 14 A. Yes.
 15 Q. Do you have any sense of how many
 16 firearms retailers there are in the United States?
 17 A. I know I can go on the ATF website and
 18 pull all the Type 1 FFLs. It's in the thousands.
 19 How many there are right now, I couldn't tell you.
 20 I think the last time I looked at it, there's
 21 around 15-ish thousand.
 22 Q. 15,000?
 23 A. Yeah.
 24 Q. And I'm sorry. Can you remind me the

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1 name of the person that you talked to about
 2 methodology for this -- or wait. That was
 3 different. Sorry.
 4 Do you know who conducted this
 5 survey?
 6 A. Yes.
 7 Q. Who was?
 8 A. That was Southwick and Associates. The
 9 principal people that worked on this was Ben
 10 Scuderi and Rob Southwick. Ben is the analyst that
 11 was in charge of this, and Rob managed it.
 12 Q. And did you speak to them in preparation
 13 for this deposition?
 14 A. Yes.
 15 Q. Did you discuss the methodology that
 16 they used?
 17 A. Yes.
 18 Q. What did they tell you about the
 19 methodology?
 20 A. That, largely, a simple survey, they
 21 collected the responses and then just organized the
 22 responses for the charts that are included in here.
 23 Q. Did you discuss whether the 313
 24 responses that they got was a statistically

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1 significant sample?
 2 A. I don't recall if we discussed. But,
 3 like many things that -- like many surveys that we
 4 do conduct, it's really hard getting folks in our
 5 industry to spend the time doing this. They're
 6 often busy running their operations. And
 7 especially for FFLs, if they don't have the time to
 8 go through and conduct this, then they're not going
 9 to get a response. And also it's a very large
 10 survey. I can't recall for this particular one how
 11 many started it and didn't finish it. But we know
 12 that it's kind of a behemoth of a survey. Takes a
 13 lot of time to go collect this data, and not many
 14 people finish it, resulting in that 313 that you
 15 see in 2021.
 16 Q. How did NSSF identify the retailers to
 17 send this survey to?
 18 A. From our membership records.
 19 Q. So is it fair to say that the survey is
 20 exclusively of NSSF members?
 21 A. Either NSSF members or folks that we
 22 know. There are -- there's some folks that we know
 23 of that are in our system that may be members or
 24 folks that have lapsed their membership. They're

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1 not current members, but they were at one point, so
 2 they're in our system. But as long as they were
 3 designated a firearm retailer, we extend a survey
 4 invitation to them.
 5 Q. All right. Directing your attention to
 6 NSSF 000059. So this page appears to show results
 7 responsive to the question of "Which categories of
 8 new products do you currently sell retail?" Do you
 9 see that?
 10 A. Yes.
 11 Q. And one of the categories is
 12 AR-style/modern sporting rifles. Do you see that?
 13 A. I do.
 14 Q. What was the definition of
 15 AR-style/modern sporting rifles that was provided
 16 to survey respondents?
 17 A. I'm not aware if a definition was
 18 provided in the context of the question. I'm led
 19 to believe, based off of the details that are
 20 provided here, that this was probably the content
 21 of the question.
 22 Q. All right. Can you pull up NSSF 84. So
 23 I've asked my colleague to pull up on the screen an
 24 Excel file that's been produced at NSSF 000084.

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1 Have you seen this document?
 2 A. I don't think I actually have seen the
 3 metadata that comes behind the firearm retailer
 4 survey.
 5 Q. But based on what you're seeing, you're
 6 inferring that this may be the metadata behind or
 7 the data behind the firearms retailer survey?
 8 A. Yeah. This looks like the collected
 9 responses from the survey.
 10 Q. Who would be able to tell me whether or
 11 not this is the survey data?
 12 A. Probably would be Southwick and
 13 Associates.
 14 Q. What about Jim Curcuruto? Would he have
 15 been involved in this report?
 16 A. I know that this report started with
 17 him, but it was similar to other reports that we've
 18 discussed. Started it as a normal course of action
 19 for his job, and then after he left, it fell on the
 20 research department to deploy.
 21 MR. WELLS: All right. Give me one second.
 22 That is all the questions I have at
 23 this time.
 24 THE WITNESS: Okay.

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1 MR. LOTHSON: I just have a couple quick ones.
 2 EXAMINATION
 3 BY MR. LOTHSON:
 4 Q. Exhibit 8. If you could go to
 5 Exhibit 8. It's deep, it's way buried, but it's
 6 large. It's a spreadsheet.
 7 Do you have the electronic version of
 8 that you could pull up real quick? I just have a
 9 couple quick questions on that.
 10 A. Historical estimated MSR production and
 11 less exports.
 12 MR. TRESNOWSKI: I'm good.
 13 MR. WELLS: You need one and he needs one, and
 14 he needs to pull up --
 15 MR. TRESNOWSKI: 2351 Redacted.
 16 THE WITNESS: Come on, Chris. Tell me
 17 where --
 18 MR. WELLS: 2351 Redacted. I knew it had a 50
 19 in there, but it was 52.
 20 BY MR. LOTHSON:
 21 Q. If you could go to cell AB23. I believe
 22 it was 108,000. Do you see that? Right. So then
 23 during the course of questioning, there was a
 24 direction to you to review the comments to that, to

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1 that particular box, AB23.
 2 So if I can direct you to AB23, and
 3 I'll go ahead and read it just so that we're back
 4 to square one on this. It says "75 percent of
 5 total are MSR/AK made in US, but not sure if all
 6 are AK, need to contact. 90,000 rifles plus 54,000
 7 miscellaneous equals 144,000. Going to use 90K to
 8 be safe, as no response from co."
 9 All right. Now, did you -- in answer
 10 to the questions related to the 108,000 that we
 11 ultimately see in that box, were you asked to do
 12 any calculations?
 13 A. I don't think I was asked to do any
 14 calculations.
 15 Q. All right. So if you add 90 plus
 16 54,000, does that equal 144,000?
 17 A. Yes.
 18 Q. All right. So if you take 144,000 and
 19 multiply it by .75, which is the equivalent of
 20 75 percent, does that equal 108,000?
 21 A. I don't have a calculator in front of
 22 me. But just based off proportions, that sounds
 23 right. Can I use that, actually? That would be
 24 great.


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1 MR. LOTHSON: Let the record reflect we're
 2 handing the witness a calculator.
 3 MR. WELLS: That was brought by the state's
 4 counsel.
 5 THE WITNESS: Thank you very much, state's
 6 counsel.
 7 Yeah, if you apply a 75 percent
 8 factor to 144,000, it results in 108,000, which is
 9 reflected in the content of AB23.
 10 BY MR. LOTHSON:
 11 Q. Okay. So then if, in Jim Curcuruto's
 12 assessment here, he took the "going to use 90K" for
 13 the rifles to be safe, and then 54,000 for the
 14 miscellaneous, which you've identified to include
 15 frames and receivers --
 16 A. Yes.
 17 Q. -- you get 144 total thousand,
 18 multiplied by .75, does, in fact, equal the 108,000
 19 that you see in AB23; is that correct?
 20 A. That's correct.
 21 MR. LOTHSON: No further questions.
 22 FURTHER EXAMINATION
 23 BY MR. WELLS:
 24 Q. That 75 percent is a figure that's just

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1 generated by a manufacturer that NSSF does not
 2 validate, correct?
 3 A. That is a number designated by the
 4 manufacturer. And while we do not have a way of
 5 verifying that through another party, we take our
 6 manufacturer's word that that is an accurate
 7 representation of that proportion.
 8 Q. You're trusting the manufacturer,
 9 correct?
 10 A. Yes.
 11 MR. WELLS: No further questions based on
 12 that.
 13 MR. LOTHSON: All right. We will read and
 14 sign, as well.
 15 MR. WELLS: Reserve signature?
 16 MR. LOTHSON: Yeah.
 17 FURTHER DEPONENT SAITH NAUGHT
 18 (Proceedings concluded at
 19 5:50 p.m.)
 20
 21
 22
 23
 24

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1 STATE OF ILLINOIS)
) SS:
 2 COUNTY OF COOK)
 3 I, Valerie M. Calabria, CSR, RPR, do hereby
 certify that SALAM FATOHI was duly sworn by me to
 4 testify the whole truth, and that the foregoing
 deposition was recorded stenographically by me and
 5 was reduced to computerized transcript under my
 direction, and that the said deposition constitutes
 6 a true record of the testimony given by said
 witness.
 7
 I further certify that the reading and
 8 signing of the deposition was not waived, and that
 the deposition was submitted to Mr. Andrew A.
 9 Lothson, plaintiff's counsel, for signature.
 Pursuant to Rule 30(e) of the Federal Rules of
 10 Procedure, if deponent does not appear or read and
 sign the deposition within 30 days, the deposition
 11 may be used as fully as though signed, and this
 certificate will then evidence such failure to
 12 appear as the reason for signature not being
 obtained.
 13
 I further certify that I am not a relative or
 14 employee or attorney or counsel of any of the
 parties, or a relative or employee of such attorney
 15 or counsel, or financially interested directly or
 indirectly in this action.
 16
 IN WITNESS WHEREOF, I have hereunto set my
 17 hand this 30th day of May, A.D. 2024.
 18
 19
 20 
 21 Valerie M. Calabria, CSR, RPR
 Illinois CSR License 084-003928
 22
 23
 24

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1 Veritext Legal Solutions
 1100 Superior Ave
 2 Suite 1820
 Cleveland, Ohio 44114
 3 Phone: 216-523-1313
 4 May 30, 2024
 5 To: Mr. Lothson
 6 Case Name: Barnett, Caleb, Et Al. v. Raoul, Kwame, Et Al.
 7 Veritext Reference Number: 6708458
 8 Witness: Salam Fatohi Deposition Date: 5/22/2024
 9
 Dear Sir/Madam:
 10
 11 Enclosed please find a deposition transcript. Please have the witness
 12 review the transcript and note any changes or corrections on the
 13 included errata sheet, indicating the page, line number, change, and
 14 the reason for the change. Have the witness' signature notarized and
 15 forward the completed page(s) back to us at the Production address
 shown
 16
 above, or email to production-midwest@veritext.com.
 17
 18 If the errata is not returned within thirty days of your receipt of
 19 this letter, the reading and signing will be deemed waived.
 20
 Sincerely,
 21
 Production Department
 22
 23
 24 NO NOTARY REQUIRED IN CA

Page 345

1 DEPOSITION REVIEW
 CERTIFICATION OF WITNESS
 2
 ASSIGNMENT REFERENCE NO: 6708458
 3 CASE NAME: Barnett, Caleb, Et Al. v. Raoul, Kwame, Et Al.
 DATE OF DEPOSITION: 5/22/2024
 4 WITNESS' NAME: Salam Fatohi
 5 In accordance with the Rules of Civil
 Procedure, I have read the entire transcript of
 6 my testimony or it has been read to me.
 7 I have made no changes to the testimony
 as transcribed by the court reporter.
 8
 9 Date Salam Fatohi
 10 Sworn to and subscribed before me, a
 Notary Public in and for the State and County,
 11 the referenced witness did personally appear
 and acknowledge that:
 12
 They have read the transcript;
 13 They signed the foregoing Sworn
 Statement; and
 14 Their execution of this Statement is of
 their free act and deed.
 15
 I have affixed my name and official seal
 16 this ____ day of _____, 20____.
 17
 18 _____
 Notary Public
 19 _____
 Commission Expiration Date
 20
 21
 22
 23
 24
 25

1 DEPOSITION REVIEW
CERTIFICATION OF WITNESS

2 ASSIGNMENT REFERENCE NO: 6708458
3 CASE NAME: Barnett, Caleb, Et Al. v. Raoul, Kwame, Et Al.
DATE OF DEPOSITION: 5/22/2024

4 WITNESS' NAME: Salam Fatohi
5 In accordance with the Rules of Civil
Procedure, I have read the entire transcript of
6 my testimony or it has been read to me.

7 I have listed my changes on the attached
Errata Sheet, listing page and line numbers as
8 well as the reason(s) for the change(s).

9 I request that these changes be entered
as part of the record of my testimony.

10
11 I have executed the Errata Sheet, as well
as this Certificate, and request and authorize
12 that both be appended to the transcript of my
testimony and be incorporated therein.

13 _____
Date Salam Fatohi

14
15 Sworn to and subscribed before me, a
Notary Public in and for the State and County,
the referenced witness did personally appear
16 and acknowledge that:

17 They have read the transcript;
18 They have listed all of their corrections
in the appended Errata Sheet;
19 They signed the foregoing Sworn
Statement; and
20 Their execution of this Statement is of
their free act and deed.

21 I have affixed my name and official seal
22 this _____ day of _____, 20____.

23 _____
Notary Public

24 _____
25 Commission Expiration Date

1 ERRATA SHEET
VERITEXT LEGAL SOLUTIONS MIDWEST

2 ASSIGNMENT NO: 6708458
3 PAGE/LINE(S) / CHANGE /REASON

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18	_____
19	_____

20 _____
Date Salam Fatohi
21 SUBSCRIBED AND SWORN TO BEFORE ME THIS _____
22 DAY OF _____, 20____.

23 _____
Notary Public

24 _____
25 Commission Expiration Date

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Illinois Code of Civil Procedure

Article II, Part E

Rule 207, Signing and Filing Depositions

Signing and Filing Depositions

(a) Submission to Deponent; Changes; Signing.

Unless signature is waived by the deponent, the officer shall instruct the deponent that if the testimony is transcribed the deponent will be afforded an opportunity to examine the deposition at the office of the officer or reporter, or elsewhere, by reasonable arrangement at the deponent's expense, and that corrections based on errors in reporting or transcription which the deponent desires to make will be entered upon the deposition with a statement by the deponent that the reporter erred in reporting or transcribing the answer or answers involved. The deponent may not otherwise change either the form or substance of his or her answers. The deponent shall provide the officer with an electronic or physical address to which notice is to be sent when the transcript is available for examination and signing. When the deposition is fully transcribed, the officer shall deliver to the deponent, at the address supplied,

notice that it is available and may be examined at a stated place at stated times, or pursuant to arrangement. After the deponent has examined the deposition, the officer shall enter upon it any changes the deponent desires to make, with the reasons the deponent gives for making them. If the deponent does not appear at the place specified in the notice within 28 days after the mailing of the notice, or within the same 28 days make other arrangements for examination of the deposition, or after examining the deposition refuses to sign it, or after it has been made available to the deponent by arrangement it remains unsigned for 28 days, the officer's certificate shall state the reason for the omission of the signature, including any reason given by the deponent for a refusal to sign. The deposition may then be used as fully as though signed, unless on a motion to suppress under Rule 211(d) the court holds that the reasons given by the deponent for a refusal to sign require rejection of the deposition in whole or in part.

(b) Certification, Filing, and Notice of Filing.

(1) If the testimony is transcribed, the officer

shall certify within the deposition transcript that the deponent was duly sworn by the officer and that the deposition is a true record of the testimony given by the deponent. A deposition so certified requires no further proof of authenticity

(2) Deposition transcripts shall not be filed with the clerk of the court as a matter of course. The party filing a deposition shall promptly serve notice thereof on the other parties and shall file the transcript and any exhibits in the form and manner specified by local rule.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE STATE RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted

fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

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Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at www.veritext.com.



IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CALEB BARNETT, *et al.*,
Plaintiffs,

vs.

KWAME RAOUL, *et al.*,
Defendants.

Case No. 3:23-cv-209-SPM

**AMENDED RULE 30(b)(6) NOTICE OF DEPOSITION OF
NATIONAL SHOOTING SPORTS FOUNDATION, INC.**

TO:

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PLEASE TAKE NOTICE that pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Defendants will take the deposition upon oral examination of Plaintiff National Shooting Sports Foundation, Inc. (“NSSF”) through one or more of its officers, directors, agents, or other representatives who shall be designated to testify on NSSF’s behalf regarding all information known or reasonably available to NSSF with respect to the subjects listed in the attached Rider. The deposition shall take place before an officer authorized to administer oaths as required by Rule 28(a) and shall be recorded by video and/or by stenographic means.

Deponent Name	Date & Time	Location
National Shooting Sports Foundation, Inc.	Wednesday, May 22, 2024, at 9:00 a.m.	Swanson, Martin & Bell LLP 330 N. Wabash Suite 3300 Chicago, Illinois 60611

**RIDER TO AMENDED RULE 30(b)(6) NOTICE OF DEPOSITION OF
NATIONAL SHOOTING SPORTS FOUNDATION, INC.**

Plaintiff National Shooting Sports Foundation, Inc. (“NSSF”), through one or more of its officers, directors, agents, or other representatives, shall testify on NSSF’s behalf regarding all information known or reasonably available to NSSF with respect to the subjects listed below.

Subjects for Deposition:

1. NSSF’s purpose and mission, including its advocacy and lobbying work.
2. The composition of NSSF’s membership, including its total number of members and the number of members that are firearm manufacturers, firearm retailers, and/or individuals.
3. The injuries that NSSF contends that NSSF or its members have suffered or will suffer as a result of the enactment or enforcement of the Protect Illinois Communities Act (“PICA”).
4. NSSF’s use of the term “modern sporting rifle,” including which firearm models are included in the category.
5. The firearm models other than those included in the term “modern sporting rifle” for which NSSF seeks an injunction of PICA.
6. The marketing and advertisement of firearms in the category of “modern sporting rifles” by NSSF’s members, including designation of products for military and law enforcement.
7. The market for firearms in the category of “modern sporting rifles,” including the rates of purchase of such firearms by individuals, law enforcement entities, and military entities.
8. Industry trends in the sale of firearms, including trends in specific firearm categories, such as pistols, revolvers, rifles, and shotguns.
9. The research, methodology, and preparation of NSSF’s 2021 “Firearms Retailer Survey Report” (NSSF 000053–83).
10. The research, methodology, and preparation of NSSF’s “Modern Sporting Rifle Consumer Comprehensive Report” (NSSF 000100–80).
11. The research, methodology, and preparation of NSSF’s report “Firearm Production in the United States” (2023 edition) (NSSF 000035–52), including the data sources and methodology underlying the table provided on page 7 of the report (NSSF 000041). This topic includes the data-gathering and calculations used to generate the data in the document produced at NSSF 003251.
12. The research, methodology, and preparation of NSSF’s report “Detachable Magazine Report: 1990–2021” (NSSF 001994–97).

Date: May 15, 2024

/s/ Christopher G. Wells
Christopher G. Wells, No. 6304265
Kathryn Hunt Muse
Office of the Attorney General
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Counsel for Defendants

CERTIFICATE OF SERVICE

The undersigned attorney certifies that a copy of the foregoing **Amended Rule 30(b)(6) Notice of Deposition of National Shooting Sports Foundation, Inc.** was served upon the individuals listed below by email on May 15, 2024.

/s/ Christopher G. Wells

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Project Management
Microsoft Excel

Certifications

Become a Data Analytics Specialist
Epidemiology: The Basic Science of Public Health

Salam Fatohi

Director of Research at National Shooting Sports Foundation | NSSF
Detroit Metropolitan Area

Experience

NSSF—The Firearm Industry Trade Association
4 years

Director of Research
April 2023 - Present (1 year 2 months)

Manager, Research
August 2022 - Present (1 year 10 months)

Manager, Legislative and Policy Research
June 2020 - August 2022 (2 years 3 months)

Michigan CAT
College Graduate in Training
November 2018 - June 2020 (1 year 8 months)
Novi, Michigan

Edw. C. Levy Co.
Mine Planning Technician
August 2007 - February 2018 (10 years 7 months)
Wixom, Michigan

Education

Wayne State University
Bachelor of Science (BS), Business Administration and Management,
General · (2012 - 2017)





IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

<p>CALEB BARNETT, <i>et al.</i>, Plaintiffs, vs. KWAME RAOUL, <i>et al.</i>, Defendants.</p>	<p>Case No. 3:23-cv-209-SPM ** designated Lead Case</p>
<p>DANE HARREL, <i>et al.</i>, Plaintiffs, vs. KWAME RAOUL, <i>et al.</i>, Defendants.</p>	<p>Case No. 3:23-cv-141-SPM</p>
<p>JEREMY W. LANGLEY, <i>et al.</i>, Plaintiffs, vs. BRENDAN KELLY, <i>et al.</i>, Defendants.</p>	<p>Case No. 3:23-cv-192-SPM</p>
<p>FEDERAL FIREARMS LICENSEES OF ILLINOIS, <i>et al.</i>, Plaintiffs, vs. JAY ROBERT "JB" PRITZKER, <i>et al.</i>, Defendants.</p>	<p>Case No. 3:23-cv-215-SPM</p>

**NATIONAL SHOOTING SPORTS FOUNDATION, INC.'S ANSWERS AND
OBJECTIONS TO DEFENDANTS' FIRST SET OF INTERROGATORIES**

Plaintiff National Shooting Sports Foundation, Inc. ("NSSF"), by its undersigned attorneys and pursuant to Federal Rules of Civil Procedure 26 and 33, answers and responds to Defendants' First Set of Interrogatories as follows:

PRELIMINARY STATEMENT AND GENERAL OBJECTIONS

1. NSSF objects to these discovery requests to the extent that Defendants seek to compel the disclosure or production of "any" or "all" or "any and all" documents or "each and every"

document or piece of information of a given nature, type, or description. By their very nature, such requests are burdensome and oppressive in that the collection of “any” or “all” or “every” potentially responsive document or piece of information would and has already required a substantial effort. Furthermore, Defendants’ requests that include the phrase “relating to”—which apparently is intended to expand, without any reasonable limit, the scope of each request—are objectionable. For the same reasons, such requests are improper in scope, are not proportional to the needs of the case, and create an unreasonable burden on NSSF.

2. NSSF objects to discovery requests which call for a legal conclusion.

3. NSSF objects to discovery requests which infringe upon the attorney/client privilege, attorney work-product doctrine, or any other applicable privilege or doctrine that limits the scope of discoverable material. NSSF is responding to Defendants’ First Set of Interrogatories without waiving or intending to waive, but on the contrary, preserving and intending to preserve: (a) the right to object, on the grounds of competency, privilege, relevance, or materiality, or any other proper grounds, to the use of such documents or information for any purpose, in whole or in part, in any subsequent proceedings, in this action or in any other action; (b) the right to object on all grounds, at any time, to requests or other discovery procedures involving or relating to the subject of these requests to which NSSF has responded herein; and (c) the right at any time to revise, correct, add to, or clarify any of the answers made herein.

4. Because of the overbreadth of Defendants’ requests at this stage in the litigation, it is not possible for NSSF to anticipate all possible grounds for objection with respect to the particular requests set forth herein. NSSF reserves the right to supplement these responses and to raise any additional objections deemed necessary and appropriate in light of the results of any further review.

5. The continuing objections set forth above are hereby incorporated in the responses below as if set forth in full.

Subject to the foregoing terms, conditions and objections, NSSF responds as follows to Defendants' First Set of Interrogatories:

SPECIFIC RESPONSES TO DEFENDANTS' FIRST SET OF INTERROGATORIES

1. Identify all persons with knowledge relating to the allegations in the *Barnett* Plaintiffs' Complaint and all persons whom you may call to testify at a trial or evidentiary hearing in this lawsuit, including a description of the information known by each such person.

ANSWER: Objection. This interrogatory is overly broad, unduly burdensome, and not proportional to the needs of the case as required by Federal Rule of Civil Procedure 26(b)(1). It is also premature. NSSF will disclose trial and/or evidentiary witnesses in accordance with Federal Rule of Civil Procedure 26(a)(1)-(a)(3) and the scheduling order(s) deadlines entered by the Court. Subject to and without waiving these objections, NSSF states that countless persons have knowledge of allegations made in the Complaint, including the injurious effects that 720 ILCS 5/24-1.9 and 5/24-1.10 have on lawful firearm, magazine, and firearm accessory sales and ownership in Illinois, and the exercise of the constitutional right to keep and bear arms. Further stating, Caleb Barnett, Brian Norman, James Hood, and Paul Smith have knowledge of the information set forth in the Complaint and in their Declarations filed in this case and dated January 24, 2023.

2. Identify each item regulated by the Protect Illinois Communities Act (Illinois Public Act 102-1116) for which you contend the Act's regulations violate the Second Amendment, providing the manufacturer and model or product name for each such item.

ANSWER: Objection. This interrogatory is overly broad, unduly burdensome and not proportional to the needs of the case as required by Federal Rule of Civil Procedure 26(b)(1). There are literally thousands of "items" subject to the unconstitutional restrictions imposed by 720 ILCS 5/24-1.9 and 720 ILCS 5/24-1.10. *See* the statutory restrictions set forth therein.

3. For each item you identified in response to Interrogatory #2, above, describe in detail what evidence you have that such item is in common use in the United States.

ANSWER: Objection. This interrogatory is overly broad, unduly burdensome, and not proportional to the needs of the case as required by Federal Rule of Civil Procedure 26(b)(1). There are literally thousands of "items" subject to the unconstitutional restrictions imposed by 720 ILCS 5/24-1.9 and 720 ILCS 5/24-1.10. Subject to and without waiving these objections, NSSF states there is overwhelming evidence that the rifles, pistols, and shotguns listed in 720 ILCS 5/24-1.9 or described by their design features are commonly owned by law-abiding

persons for lawful purposes, including self-defense, throughout the United States. Further stating, there is overwhelming evidence that the ammunition feeding devices used with these firearms are also commonly owned by law-abiding persons for lawful purposes, including self-defense, throughout the United States. *See, e.g.*, National Shooting Sports Foundation, Inc., *Modern Sporting Rifle, Comprehensive Consumer Report* (2022); National Shooting Sports Foundation, Inc., *Commonly Owned: NSSF Announces over 24 Million MSRs in Circulation* (July 20, 2022); National Shooting Sports Foundation, Inc., *Over 28.1 Million Modern Sporting Rifles in Circulation* (January 11, 2024); William English, PhD, 2021 National Firearms Survey: Updated Analysis Including Types of Firearms Owned (May 13, 2022); National Shooting Sports Foundation, Inc., *Firearm Production in the United States* (2020); National Shooting Sports Foundation, Inc., *Firearm Production in the United States* (2023); National Shooting Sports Foundation, Inc., *Hunting and Target Shooting Participation* (2020). Additional documents may be relied upon to the extent they contain legislative facts and/or by expert witnesses who may testify on the Plaintiffs' behalf.

4. For each item you identified in response to Interrogatory #2, above, describe in detail what evidence you have that such item has been used for self-defense in the United States, including by providing, where applicable, the date, location, and incident description for any specific incident you identify.

ANSWER: Objection. This interrogatory is overly broad, unduly burdensome, and not proportional to the needs of the case as required by Federal Rule of Civil Procedure 26(b)(1). Subject to and without waiving these objections, NSSF states that the frequency with which the core constitutional right to self-defense is exercised is irrelevant to its existence and protection from government infringement. Further, there are literally thousands of "items" commonly possessed by persons who are subject to the unconstitutional restrictions imposed by 720 ILCS 5/24-1.9 and 720 ILCS 5/24-1.10, and ownership of semiautomatic rifles, pistols, and shotguns for self-defense and other lawful purposes is common throughout the United States. *See* William English, PhD, 2021 National Firearms Survey: Updated Analysis Including Types of Firearms Owned (May 13, 2022); Ownership of standard capacity magazines for these firearms is equally, if not more, common. *See, e.g.*, National Shooting Sports Foundation, Inc., *Modern Sporting Rifle, Comprehensive Consumer Report* (2022); National Shooting Sports Foundation, Inc., *Firearm Production in the United States* (2020); and National Shooting Sports Foundation, Inc., *Detachable Magazine Report* (1990 – 2021) (2024). NSSF does not have data reflecting the specific instances in which persons have displayed, brandished, discharged, or otherwise relied upon their firearms to defend themselves, their families, or their property. However, the common ownership of the restricted arms is evidence that they have in fact been displayed, brandished, discharged, or otherwise relied upon in defensive situations. Finally, NSSF recognizes that armed self-defense and armed defense of other persons and property are broader than merely brandishing (let alone actually discharging) a weapon, and it actively supports the fundamental Second Amendment right to keep arms "at the ready for self-defense." *N.Y. State Rifle & Pistol Ass'n, Inc. v. Bruen*, 597 U.S. 1, 32 (2022).

5. If your response to Interrogatory #2, above, identified any semiautomatic rifles with the capacity to accept a detachable magazine, identify which such rifles have only one, and no more, of the features listed in 720 ILCS (a)(1)(A)(i)-(vi).

ANSWER: Objection. This interrogatory is overly broad, unduly burdensome, and not proportional to the needs of the case as required by Federal Rule of Civil Procedure 26(b)(1). Subject to and without waiving these objections, a semiautomatic rifle, with the capacity to accept a detachable magazine, that has one or more features identified in 720 ILCS 5/24-1.9 (a)(1)(A)(i)-(vi) is restricted regardless of whether it has one or multiple prohibited features.

6. If your response to Interrogatory #2, above, identified any semiautomatic pistols with the capacity to accept a detachable magazine, identify which such pistols have only one, and no more, of the features listed in 720 ILCS (a)(1)(C)(i)-(vi).

ANSWER: Objection. This interrogatory is overly broad, unduly burdensome, and not proportional to the needs of the case as required by Federal Rule of Civil Procedure 26(b)(1). Subject to and without waiving these objections, a semiautomatic pistol, with the capacity to accept a detachable magazine, that has one or more features identified in 720 ILCS 5/24-1.9 (a)(1)(C)(i)-(vi) is restricted regardless of whether it has one or multiple prohibited features.

7. If your response to Interrogatory #2, above, identified any semiautomatic shotguns, identify which such shotguns have only one, and no more, of the features listed in 720 ILCS (a)(1)(E)(i)-(vi).

ANSWER: Objection. This interrogatory is overly broad, unduly burdensome, and not proportional to the needs of the case as required by Federal Rule of Civil Procedure 26(b)(1). Subject to and without waiving these objections, a semiautomatic shotgun that has one or more features identified in 720 ILCS 5/24-1.9 (a)(1)(F)(i)-(vi) is restricted regardless of whether it has one or multiple prohibited features.

8. Describe with specificity all ways in which you contend that the National Shooting Sports Foundation has been or will be directly injured as a result of the enactment and/or enforcement of the Protect Illinois Communities Act (Illinois Public Act 102-1116).

ANSWER: The harm caused by 720 ILCS 5/24-1.9 and 720 ILCS 5/24-1.10 has been suffered by NSSF's members, who manufacture, deliver, sell, import, or purchase or cause to be

manufactured, delivered, sold, imported, or purchased in Illinois the firearms, ammunition feeding devices, and firearm attachments restricted under 720 ILCS 5/24-1.9 and 720 ILCS 5/24-1.10. Moreover, the “very existence” of these laws “stands as a fixed harm to every [Illinois resident’s] Second Amendment right,” including all NSSF members in the state. *Ezell v. City of Chicago*, 651 F.3d 684, 699 (7th Cir. 2011).

9. Identify the member(s) of your association you contend have suffered or will suffer injuries as a result of the enactment and/or enforcement of the Protect Illinois Communities Act (Illinois Public Act 102-1116), and describe each such member’s injury or injuries.

ANSWER: Objection. This interrogatory is overly broad, unduly burdensome, and not proportional to the needs of the case as required by Federal Rule of Civil Procedure 26(b)(1). In further objection, the identity of NSSF members is confidential proprietary information. Subject to and without waiving these objections, NSSF states that it has approximately 10,500 members, including manufacturers, distributors, and retailers of firearms, ammunition feeding devices, and firearm attachments that are now unlawful to manufacture, deliver, sell, import, or purchase or cause to be manufactured, delivered, sold, imported, or purchased in Illinois under 720 ILCS 5/24-1.9 and 720 ILCS 5/24-1.10, including but not limited to Beretta U.S.A. Corp., Colt’s Manufacturing Company, LLC, Sig Sauer Company, Smith & Wesson Corp., Hood’s Guns & More, and Pro Gun and Indoor Range. The identity of each of the many other members of NSSF that have been harmed by these laws, whether manufacturer, distributor, and/or retailer, is irrelevant to the issues in this case.

10. Identify all items that your members have ceased offering for sale in Illinois to non-exempt purchasers' due to restrictions under the Protect Illinois Communities Act (Illinois Public Act 102-111), as well as any items your members would offer for sale in Illinois to non-exempt purchasers but for restrictions under the Act.

ANSWER: To NSSF’s knowledge, its members have ceased offering for sale in Illinois to non-exempt purchasers the firearms, ammunition feeding devices, and firearm attachments identified as restricted under 720 ILCS 5/24-1.9 and 720 ILCS 5/24-1.10 but would resume doing so but for the restrictions. *See, e.g.*, the Declarations referenced in response to Interrogatory No. 1.

11. Identify all persons involved in researching, coding, writing, and/or creating the NSSF documents relied upon by Plaintiffs in this litigation, including the NSSF's 2021 Firearms Retailer Survey Report (*see Barnett Complaint* ¶ 49); the July 20, 2022 NSSF Press Release “Commonly

Owned: NSSF Announces over 24 Million MSRs in Circulation” (see *Barnett* Complaint ¶ 30); NSSF’s Modern Sporting Rifle Consumer Comprehensive Report (see *Harrel* Complaint ¶ 39); NSSF’s Report “Firearm Production in the United States” (see page 7 of *Barnett* Plaintiffs’ reply in support of preliminary injunction motion (ECF 67)); and NSSF’s Report “Sport Shooting Participation in the U.S. in 2020” (see *Harrel* Complaint ¶ 37).

ANSWER: Objection. This interrogatory is overly broad, unduly burdensome, and not proportional to the needs of the case as required by Federal Rule of Civil Procedure 26(b)(1). Subject to and without waiving these objections, NSSF’s 2021 Firearms Retailer Survey Report was prepared by Ben Scuderi, of Southwick Associates and former NSSF employee Jim Curcuruto; the July 20, 2022 NSSF Press Release “Commonly Owned: NSSF Announces over 24 Million MSRs in Circulation” was prepared by NSSF employee Mark Oliva; NSSF’s 2022 Modern Sporting Rifle Consumer Comprehensive Report was prepared by Adam Hile of Sports Marketing Surveys USA and former NSSF employee Jim Curcuruto; NSSF’s Report “Firearm Production in the United States” was prepared by NSSF employees Salam Fatohi and Dianne Vrablic; and NSSF’s Report “Sport Shooting Participation in the U.S. in 2020” was prepared by NSSF employee Dianne Vrablic.

12. Identify all characteristics, attributes, capabilities, features, components, design elements, or other traits associated with the category of “modern sporting rifles” as that term is used in the *Barnett* Plaintiffs’ Complaint and the NSSF documents cited in *Barnett* Plaintiffs’ court filings.

ANSWER: Objection. This interrogatory is overly broad, unduly burdensome, and not proportional to the needs of the case as required by Federal Rule of Civil Procedure 26(b)(1). Subject to and without waiving these objections, NSSF states that a modern sporting rifle (“MSR”) is an AR- or AK-platform rifle, and variants thereof, and has the same general design features of these rifles. MSRs typically have a semiautomatic action, meaning they can fire one round each time the trigger is pulled, but no more than one round per function of the trigger. MSRs are modular and can be customized for various applications and body types; the “ready-made retail parts without the need for specialized tools or expertise[] is part of what makes these rifles popular.” *Miller v. Bonta*, 542 F.Supp.3d 1009, 1019-20 (S.D. Cal, 2021), *vacated on other grounds*. MSRs “do not look like the iconic rifles from years gone by,” but instead are “fabricated with synthetic polymers and anodized aluminum in cerakoted colors of black and brown and green” and are “constructed of lightweight alloys and titanium nitride barrels in angular skeletonized shapes.” *Id.* MSRs are “useful for more than just sport.” *Id.* MSRs are accurate, reliable, rugged, versatile, modular, adaptable, customizable, easy to use, and have relatively low recoil, and for those reasons are used by millions of Americans for recreational target shooting and shooting competitions, hunting, and for home- and self-defense.

13. Identify each and every firearm included in the category of “modern sporting rifles” as that term is used in the *Barnett* complaint or NSSF documents cited in Plaintiffs’ court filings, including by providing the manufacturer and model or product name for each such firearm.

ANSWER: Objection. This interrogatory is overly broad, unduly burdensome, and not proportional to the needs of the case as required by Federal Rule of Civil Procedure 26(b)(1). Subject to and without waiving these objections, NSSF refers the State to 720 ILCS 5/24-1.9(J) for a listing and description of restricted rifles. In further answer, the identity of MSR manufacturers and the models they manufacture is publicly available information. Manufacturers of MSRs include, but are not limited to, Armalite, Alexander Arms, Barrett, Beretta, Black Rain Ordnance, Bushmaster, Chiappa Firearms, Colt’s, Daniel Defense, Devil Dog Arms, Diamondback, Doublestar, DPMS, DSA Inc., Heckler & Koch, High Standard, Jesse James, Knight’s Armament, Lancer, MGI, Mossberg, Noreen Firearms, Olympic Arms, POF USA, Precision Firearms, Remington, Rhino Arms, Rock River Arms, Sig Sauer, Smith & Wesson, Stag Arms, Sturm Ruger & Co., Uselton Arms, WMD Guns, and Yankee Hill Machine. Model and product names can be found on company websites.

14. For each person you have disclosed in response to Interrogatory #1, above, or in your disclosures under Federal Rule of Civil Procedure 26(a), state whether you may rely upon that person to present opinion testimony under Federal Rule of Evidence 702, 703, or 705, and, if so, specifically describe the subject matter of their opinion testimony and their qualifications to testify as an expert.

ANSWER: NSSF does not presently anticipate that the persons identified in answer to Interrogatory No. 1 will offer opinion testimony under Federal Rule of Evidence 702, 703, or 705. NSSF will disclose expert witnesses in accordance with the Court’s scheduling order(s) and Federal Rule of Civil Procedure 26(a).

s/ Matthew D. Rowen

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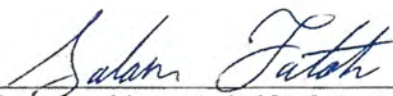
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* *pro hac vice*

Counsel for Barnett Plaintiffs

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.



Salam Fatohi, on behalf of the National Shooting Sports
Foundation, Inc.

Dated: April 3, 2024

CERTIFICATE OF SERVICE

I hereby certify that on April 3, 2024, I caused a copy of the foregoing to be sent to Defendants' counsel by e-mail, at the following addresses:

Christopher.Wells@ilag.gov

Kathryn.Muse@ilag.gov

Laura.Bautista@ilag.gov

darren.kinhead@ilag.gov

s/Matthew D. Rowen

Matthew D. Rowen

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

Annual Firearms Manufacturing and Exportation Report (AFMER) Under 18 U.S.C. Chapter 44, Firearms

NOTE: This report **MUST** be filed even if no firearms were exported or distributed into commerce. Please read the Instruction Sheet before completing this form.

Original Annual Report - Calendar Year Ending December 31, _____ (fill out year) Out of Business Final Report Amended Report - Year _____ (fill out year)

1. Name of Licensee (As reflected on your FFL):	2. Trade Name (As reflected on your FFL) (If any):
3. Federal Firearms License Number (Type 07 or Type 10 only):	4. Employer Identification Number (EIN):
5. Address (Number, Street, City, State, ZIP Code):	6. Mailing Address (If different than item 5):
7. If Business has Been Discontinued*: _____ (Date of Discontinuance)	Note: Even if you have discontinued business, you are still required to complete this form for any year for which you have maintained your manufacturer's license for 1 or more days. (See Instruction #4 and Definition #6)

*Not selling firearms while maintaining your FFL is NOT considered "discontinued."

FIREARMS PRODUCED AND SOLD OR DISTRIBUTED INTO UNITED STATES (U.S.) COMMERCE - EVEN IF NO MONETARY VALUE RECEIVED

8. Number of firearms by type (See Instruction #6 and Definition #5) that were **SOLD or DISTRIBUTED INTO U.S. COMMERCE** during the reported calendar year you listed above (even if produced in a previous year). **Fill in all totals for items 8a-j. Enter "0" (zero) if no firearm was distributed into commerce** (See definition #2).

Type of Firearm Distributed into Commerce	Number of Firearms Distributed into Commerce Pistols and Revolvers by Caliber						Total Distributed into Commerce
	Up to .22	Up to .25	Up to .32	Up to .380	Up to 9MM PARA.	Up to .50	
a. Pistols	+	+	+	+	+	+	=
b. Revolvers	Up to .22	Up to .32	Up to .38 SPEC.	Up to .357 MAG.	Up to .44 MAG.	Up to .50	=
c. Rifles	Total Distributed into Commerce		Type of Firearm Distributed into Commerce		Total Distributed into Commerce		
d. Shotguns and Combination Guns			h. Short-Barreled Shotguns				
e. Machineguns			i. Silencers				
f. Any Other Weapons			j. Miscellaneous Firearms*				
g. Short-Barreled Rifles			*Describe misc. firearms (8j) here:				

FIREARMS PRODUCED AND EXPORTED OUT OF THE U.S.

9. Number of firearms by type (See definition #5) that were **EXPORTED out of the UNITED STATES** during the reported calendar year you listed above (even if produced in a previous year). **Fill in all totals for items 9a-j. Enter "0" (zero) if no firearm was exported, or if the firearm was only temporarily exported** (See Instruction #7).

Type of Firearm Exported	Total Exported	Type of Firearm Exported	Total Exported
a. Pistols		g. Short-Barreled Rifles	
b. Revolvers		h. Short-Barreled Shotguns	
c. Rifles		i. Silencers	
d. Shotguns and Combination Guns		j. Miscellaneous Firearms*	
e. Machineguns		*Describe misc. firearms (9j) here:	
f. Any Other Weapon			

Under penalties of perjury, I declare that I have examined this report and to the best of my knowledge and belief, it is true, correct and complete.

10. Name:	11. Title:	
12. Signature:	13. Date:	14. Telephone Number:



Instructions

Please obtain your downloadable forms from atf.gov to ensure you are using the most current version. Hardcopy forms can be obtained from the ATF Distribution Center (Type "ATF Distribution Center" into a search engine or call 240-828-5316 to order.)

1. This form must be submitted annually for all **Type 07** (manufacturer of firearms), and **Type 10** (manufacturer of destructive devices) Federal Firearms Licenses, in compliance with 18 U.S.C. § 923 (g)(5)(A). **Purpose: The AFMER is intended for manufacturers to report only the number of firearms distributed into commerce or exported during the reported calendar year regardless of when they were manufactured; not the total number of firearms you manufactured.** The AFMER is not a tax form - it is used for statistical purposes.

NOTE: A hardcopy of this form is sent to all 07 and 10 manufacturers at the beginning of the next year. If you need a replacement form, are discontinuing business, or need to file an amended form, this form is accessible via atf.gov. Type "AFMER" or "5300.11" in the search box to obtain a downloadable version of this form. You may also complete this form via eForms if you have registered to do so. (See Instruction #10 below)

2. **IMPORTANT:** Even if no firearms have been exported or distributed into commerce, an annual report must still be filed. The current reporting period is for the previous calendar year ending on December 31.
3. **This form MUST be submitted by April 1st.** Please retain a copy for your files.
4. When a manufacturing license is discontinued (see Definition #6 Out of Business/Discontinuance of Business), submit this form no later than 30 days following the discontinuance of business; and include the date of discontinuance in Item 7. Check "Out of Business Final Report" at the top of the form and complete form.

NOTE: When discontinuing your license, you must complete your final report for the current year if you were in business 1 or more days of the current year. If, for example, you discontinue business on January 5th of the current year, you must complete a form for both the full previous year and a final report for the 5 days of the current year. If, however, you discontinued business on December 31st or prior, this can, and should, be marked as your "final" report. Not selling firearms while maintaining your FFL is not considered "discontinued."

5. You must identify/briefly describe all miscellaneous firearms accounted for in item 8j and/or item 9j.
6. When completing Items 8a-8b for Pistols and Revolvers, please do your best to most accurately put items within the calibers provided since we cannot list all existing calibers. Enter a "0" (zero) in all caliber boxes for which NO firearms of that type were sold/distributed into commerce.
7. (a) Export data in item 9 is not a sub-set of the data in item 8. They should be separate counts. For example, if you manufactured 10 pistols and distributed 7 of them into commerce and exported the other 3, 7 should be reported in item 8, and 3 should be reported in item 9.
(b) If a DSP-73 application was approved for an export, and thus the firearm was only exported temporarily, the export does not need to be reported on this form.
8. This form must be executed (signed) by an active responsible person authorized to sign and be responsible for the completeness and accuracy of the information furnished.
9. If at any time after filing your report you discover an error in what you reported, please submit a corrected AFMER. Be sure to check "Amended Report" at the top of the form and be sure to indicate the correct calendar year for which you are reporting the corrected information.
10. Submission of the completed form can only be submitted in two acceptable formats:
 - **Electronically submit via eForms:** www.atf.gov/firearms/application-eforms
(Electronic submissions **MUST** be completed by an active responsible person on the license and requires a one-time registration process and authorized ATF approval which can take a few days)
 - **OR - Mail** this form to: ATF-FFLC, AFMER program, 244 Needy Road, Martinsburg, WV 25405
(If you mail in your form you will not receive confirmation of receipt.)

HELP WITH AFMER:

- General questions regarding form completion: Call customer service @ **866-662-2750**
- Questions regarding the functionality of the **E-Form system** i.e. registration, associating FFL through E-Forms, or submissions: please email questions only to eforms.admin@atf.gov (**DO NOT send forms by email - forms accepted via mail or eForms only - See Instruction #10 above**)

Definitions

1. **Produced** - Firearms manufactured by a Type 07 or Type 10 Federal Firearms Licensee. Separate frames or receivers, actions or barreled actions, are considered firearms and are to be included in this report when they are exported or distributed into commerce to someone other than a licensed manufacturer. Enter "0" (zero) in each category in which NO firearms were exported or sold/distributed into commerce for the reporting year. GCA to NFA conversions on previously owned firearms should also be reported.

Do NOT report the following:

- a. Firearms manufactured but NOT distributed into commerce or exported (still in your possession);
 - b. Firearms distributed to another licensed manufacturer (FFL Type 07 or Type 10) for further manufacturing (including if you are contracted by another manufacturer by approved marking variance, and after completion return the firearm back to the original manufacturer). Those firearms will be reported by the Type 07 or Type 10 FFL who finally distributes the firearms into commerce, or exports them;
 - c. Firearms received solely for the purpose of the manufacturer to act as a Dealer, thus only receiving for purposes of transferring. Those firearms should be reported by the Type 07 or Type 10 FFL who distributes the firearms to the Dealer;
 - d. Firearms remanufactured or customized that were previously in the possession of a non-manufacturer;
 - e. Firearms incorporating frames or receivers of foreign manufacture;
 - f. Firearms produced solely for the official use of the Armed Forces of the United States;
 - g. Destructive devices as defined under 18 U.S.C. § 921(a)(4) and 26 U.S.C. § 5845(f) - see definition #3 below; or
 - h. Antique firearms as defined under 18 U.S.C. § 921 (a)(16) - see definition #4 below;
 - i. Firearms exported temporarily under an approved DSP-73 application.
2. **Commerce** - a purchase or sale, business deal or transaction, within or between any of the following: a State of the United States; District of Columbia; U.S. Territory or possession.

3. **Destructive Device** - (A) any explosive, incendiary, or poison gas - (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge of more than one-quarter ounce, (v) mine, or (vi) device similar to any of the devices described in the preceding clauses; (B) any type of weapon (other than a shotgun or a shotgun shell which the Attorney General finds is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and (C) any combination of parts either designed or intended for use in converting any device into any destructive device described in subparagraph (A) or (B) and from which a destructive device may be readily assembled. The term "destructive device" shall not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 4684(2), 4685, or 4686 of Title 10; or any other device which the Attorney General finds is not likely to be used as a weapon, is an antique, or is a rifle which the owner intends to use solely for sporting, recreational or cultural purposes.
4. **Antique Firearm** - (A) any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898; or (B) any replica of any firearm described in subparagraph (A) if such replica - (i) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or (ii) uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade; or (C) any muzzle loading rifle, muzzle loading shotgun, or muzzle loading pistol, which is designed to use black powder, or a black powder substitute, and which cannot use fixed ammunition. For purposes of this subparagraph, the term "antique firearm" shall not include any weapon which incorporates a firearm frame or receiver, any firearm which is converted into a muzzle loading weapon, or any muzzle loading weapon which can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock, or any combination thereof.
5. **Types of Firearms (as identified on the form in items 8a-j and 9a-j)**
- Pistol** - A weapon originally designed, made, and intended to fire a projectile (bullet) from one or more barrels when held in one hand, and having (a) a chamber(s) as an integral part(s) of, or permanently aligned with, the bore(s); and (b) a short stock designed to be gripped by one hand and at an angle to and extending below the line of the bore(s). (See Instruction #6 for information in completing 8a, which requires reporting by caliber categories.)
 - Revolver** - A projectile weapon, of the pistol type, having a breechloading chamber cylinder so arranged that the cocking of the hammer or movement of the trigger rotates it and brings the next cartridge in line with the barrel for firing. (See Instruction #6 for information in completing 8b, which requires reporting by caliber categories.)
 - Rifle** - A weapon designed or redesigned, made or remade, and intended to fire from the shoulder, and designed or redesigned and made or remade to use the energy of the explosive in a fixed cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger and shall include any such weapon which may be readily restored to fire a fixed cartridge. Having barrels at least 16 inches in length and at least 26 inches in overall length.
 - Shotgun** - A weapon firearm designed and intended to be fired from the shoulder, and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger and shall include any such weapon which may be readily restored to fire a fixed shotgun shell. Having barrels at least 18 inches in length, and at least 26 inches in overall length.
 - Machinegun** - Any weapon which shoots, is designed to shoot, or can be readily restored to shoot automatically more than one shot within manual reloading by a single function of the trigger, the frame or receiver of any such weapon, any part designed and intended solely and exclusively, or any combination of parts designed and intended for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person.
 - Any Other Weapon** - Any weapon or device capable of being concealed on the person from which a shot can be discharged through the energy of an explosive, a pistol or revolver having a barrel with a smooth bore designed or redesigned to fire a fixed shotgun shell, weapons with combination shotgun and rifle barrels 12 inches or more, less than 18 inches in length, from which only a single discharge can be made from either barrel without manual reloading, and shall include any such weapon which may be readily restored to fire. Such term shall not include a pistol or a revolver having a rifled bore, or rifled bores, or weapons designed, made, or intended to be fired from the shoulder and not capable of firing fixed ammunition.
 - Short-Barreled Rifle** - A rifle having one or more barrels less than 16 inches in length, and any weapon made from a rifle, whether by alteration, modification, or otherwise, if such weapon as modified has an overall length of less than 26 inches, or a barrel or barrels less than 16 inches in length.
 - Short-Barreled Shotgun** - A shotgun having one or more barrels less than 18 inches in length, and any weapon made from a shotgun, whether by alteration, modification, or otherwise, if such weapon as modified has an overall length of less than 26 inches, or a barrel or barrels of less than 18 inches in length.
 - Silencer** - Any device for silencing, muffling or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer or firearm muffler, and any part intended only for use in such assembly or fabrication.
 - Miscellaneous Firearms** - Any firearms not included in the other categories, such as frames or receivers, etc. that are not identified as particular firearms. YOU MUST IDENTIFY OR BRIEFLY DESCRIBE THE FIREARM(S). Attach a separate sheet if necessary.
6. **Out of Business (OOB) Discontinuance of Business** - If your firearms business was permanently discontinued, the Gun Control Act (GCA) and its implementing regulations require that your firearms records be sent within 30 days to the ATF Out-of-Business Records Center, 244 Needy Road, Martinsburg, WV 25405, or to any ATF office in the division in which the business was located. As it pertains to the AFMER report, you must complete a report for each year in which you have maintained your manufacturers license for 1 day or more (see Instruction #4 above.)

Please NOTE: Not selling firearms while maintaining your FFL is not considered "discontinued."

Paperwork Reduction Act Notice

This form is in accordance with the Paperwork Reduction Act of 1995. The information you provide is used to compile statistics on firearms that have been manufactured and distributed in U.S. commerce and/or manufactured and exported out of the U.S. The furnishing of this information is mandatory (18 U.S.C. § 923(g)(5)(A)).

The estimated average burden associated with this collection of information is 20 minutes per respondent or recordkeeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be addressed to Reports Management Officer, Resource Management Staff, Bureau of Alcohol, Tobacco, Firearms and Explosives, Washington, DC 20226.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

ANNUAL FIREARMS MANUFACTURING AND EXPORT REPORT



YEAR 2021 MANUFACTURED



<i>PISTOLS</i>		<i>REVOLVERS</i>	
TO .22	737,374	TO .22	781,246
TO .25	183,390	TO .32	3,641
TO .32	56,226	TO .357 MAG	153,737
TO .380	790,323	TO .38 SPEC	167,901
TO 9MM	4,301,814	TO .44 MAG	28,927
TO .50	682,779	TO .50	24,456
TOTAL	6,751,919	TOTAL	1,159,918
 <i>RIFLES</i>	 3,934,374		
<i>SHOTGUNS</i>	675,426		
<i>MISC. FIREARMS</i>	1,283,282		

EXPORTED

<i>PISTOLS</i>	237,194
<i>REVOLVERS</i>	25,367
<i>RIFLES</i>	160,294
<i>SHOTGUNS</i>	27,487
<i>MISC. FIREARMS</i>	8,342

* FOR PURPOSES OF THIS REPORT ONLY, "PRODUCTION" IS DEFINED AS: FIREARMS, INCLUDING SEPARATE FRAMES OR RECEIVERS, ACTIONS OR BARRELED ACTIONS, MANUFACTURED AND DISPOSED OF IN COMMERCE DURING THE CALENDAR YEAR.

PREPARED BY LED 1/20/2023
REPORT DATA AS OF 1/20/2023



INDUSTRY INTELLIGENCE REPORTSSM
HELPING OUR MEMBERS MAKE INFORMED DECISIONS

EXHIBIT
NSSF
6
VC 5-22-24
PENGAD 800-631-8888

FIREARM PRODUCTION IN THE UNITED STATES WITH FIREARM IMPORT AND EXPORT DATA

2023 EDITION

KEY FINDINGS

- The average annual production of firearms in the U.S. was 5,753,055 for the last 30 years.
 - Total firearm production reported in the 2021 AFMER was 12,521,614 – an increase of 28.6% over 2020 reported figures.
 - Long guns totaled 4,609,800 and accounted for 36.8% of total 2021 U.S. firearm production. Of that, rifles totaled 3,934,374 (85.3% of long gun production) and shotguns totaled 675,426 (14.7%).
- * See back page for all Key Findings

Providing a comprehensive overview of firearm production trends spanning a period of 31 years, this report is based primarily on the data sourced from the Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF's) Annual Firearms Manufacturing and Export Reports (AFMER). Every effort has been made to provide accurate and updated information so the reader may keep this edition as a reliable resource for trend information. Production data is a leading indicator of industry performance; this is especially true when combined with other valuable sources of information.

This edition includes manufacturing trends for ammunition as sourced from Census Bureau's Annual Survey of Manufacturers (ASM) used for all years that fall between the fifth-year economic census reports. Import and export statistics for firearms compiled from the U.S. International Trade Commission (USITC) are presented in conjunction with the AFMER numbers to provide a more accurate picture of the historical production that has been made available to the U.S. market. These data sources, when used collectively, help to provide an overview of the firearm and ammunition manufacturing industries.

Information on production, imports, exports and other manufacturing variables are only a piece of a more complex puzzle of the firearm industry. Other factors outside of the manufacturing sector, such as the retail sector, the economy and frequently the political climate, must all be taken into consideration. The limitation of the AFMER data is that it reflects historic trends; however, using the data in combination with other reports does provide a more complete picture of the industry. Firearm and ammunition production provide a very significant contribution to the national economy in terms of jobs, wages and benefits. In addition, capital expenditures on materials (energy, equipment, fuels) help boost local economies.

NSSF
The Firearm Industry
Trade Association

NSSF 000035

INDUSTRY INTELLIGENCE REPORTS

U.S. Firearm Production (1991 – 2021)

Year	Pistols	Revolvers	Total Handguns	Rifles	Shotguns	Total Long Guns	Production Total (a)	% Change in Total Production Year over Year
1991	1,378,252	456,966	1,835,218	883,482	828,426	1,711,908	3,547,126	-7.8%
1992	1,669,537	469,413	2,138,950	1,001,708	1,018,204	2,019,912	4,158,862	17.2%
1993	2,093,362	562,292	2,655,654	1,173,694	1,148,939	2,322,633	4,978,287	19.7%
1994	2,004,298	586,450	2,590,748	1,316,607	1,254,924	2,571,531	5,162,279	3.7%
1995	1,195,284	527,664	1,722,948	1,441,120	1,176,958	2,618,078	4,341,026	-15.9%
1996	987,528	498,944	1,486,472	1,424,315	925,732	2,350,047	3,836,519	-11.6%
1997	1,036,077	370,428	1,406,505	1,251,341	915,978	2,167,319	3,573,824	-6.8%
1998	960,365	324,390	1,284,755	1,345,899	1,036,520	2,382,419	3,667,174	2.6%
1999	995,446	335,784	1,331,230	1,569,685	1,106,995	2,676,680	4,007,910	9.3%
2000	962,901	318,960	1,281,861	1,583,042	898,442	2,481,484	3,763,345	-6.1%
2001	626,836	320,143	946,979	1,284,554	679,813	1,964,367	2,911,346	-22.6%
2002	741,514	347,070	1,088,584	1,515,286	741,325	2,256,611	3,345,195	14.9%
2003	811,660	309,364	1,121,024	1,430,324	726,078	2,156,402	3,277,426	-2.0%
2004	728,511	294,099	1,022,610	1,325,138	731,769	2,056,907	3,079,517	-6.0%
2005	803,425	274,205	1,077,630	1,431,372	709,313	2,140,685	3,218,315	4.5%
2006	1,021,260	382,069	1,403,329	1,496,505	714,618	2,211,123	3,614,452	12.3%
2007	1,219,664	391,334	1,610,998	1,610,923	645,231	2,256,154	3,867,152	7.0%
2008	1,387,271	431,753	1,819,024	1,746,139	630,710	2,376,849	4,195,873	8.5%
2009	1,868,268	547,547	2,415,815	2,253,103	752,699	3,005,802	5,421,617	29.2%
2010	2,087,577	558,927	2,646,504	1,830,556	743,378	2,573,934	5,220,438	-3.7%
2011	2,464,255	572,857	3,037,112	2,305,854	862,401	3,168,255	6,205,367	18.9%
2012	3,311,081	667,357	3,978,438	3,109,940	949,010	4,058,950	8,037,388	29.5%
2013	4,314,550	725,282	5,039,832	3,996,673	1,203,072	5,199,745	10,239,577	27.4%
2014	3,602,577	744,047	4,346,624	3,379,009	935,411	4,314,420	8,661,044	-15.4%
2015	3,553,035	884,578	4,437,613	3,701,443	777,273	4,478,716	8,916,329	2.9%
2016	4,705,930	856,288	5,562,218	4,198,692	848,615	5,047,307	10,609,525	19.0%
2017	3,691,006	720,917	4,411,923	2,821,945	667,350	3,489,295	7,901,218	-25.5%
2018	3,842,344	664,832	4,507,176	2,905,178	536,119	3,441,297	7,948,473	0.6%
2019	3,046,009	580,601	3,626,610	2,062,966	480,735	2,543,701	6,170,311	-22.4%
2020	5,509,183	993,078	6,502,261	2,761,297	476,682	3,237,979	9,740,240	57.9%
2021	6,751,906	1,159,908	7,911,814	3,934,374	675,426	4,609,800	12,521,614	28.6%
TOTALS (1991-2021)	69,370,912	16,877,547	86,248,459	64,092,164	25,798,146	89,890,310	176,138,769	

Source: Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Annual Firearms Manufacturing and Export Report (AFMER).

(a): Does not include AFMER MISC firearms category which includes items such as: pen guns and starter guns. Also adjusted to exclude/include, as noted:

From 2011 – 2018 several adjustments were made to the data in this chart due to omissions in the AFMER report (i.e.: figures for long guns manufactured by Savage Arms were omitted from the 2017 AFMER), duplication of production due to parts manufactured by machine shops (i.e.: parts reported by machine shop in addition to being reported by the firearm manufacturer resulting in double-counting) and adjustments to the miscellaneous category (i.e: Aero Precision).



U.S. Firearm Production (1992 – 2021)

ANNUAL AVERAGES

Years	Pistols	Revolvers	Total Handguns	Rifles	Shotguns	Total Long Guns	Production Totals
30 Years (1992 to 2021)	2,266,422	547,353	2,813,775	2,106,956	832,324	2,939,280	5,753,055
25 Years (1997 to 2021)	2,401,706	551,033	2,952,739	2,274,050	777,799	3,051,848	6,004,587
20 Years (2002 to 2021)	2,773,051	605,306	3,378,357	2,490,836	740,361	3,231,197	6,609,554
15 Years (2007 to 2021)	3,423,644	699,954	4,123,597	2,841,206	745,607	3,586,814	7,710,411
10 Years (2012 to 2021)	4,232,762	799,689	5,032,451	3,287,152	754,969	4,042,121	9,074,572
5 Years (2017 to 2021)	4,568,090	823,867	5,391,957	2,897,152	567,262	3,464,414	8,856,371

Source: Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Annual Firearms Manufacturing and Export Report (AFMER). Data is in total units and represents the number of firearms *manufactured and disposed of in commerce during the calendar year.* Totals include firearms sold for export and law enforcement, but not military sales.

2022 Interim data prepared July 6, 2023. The interim report indicates preliminary data for which the following number of units were reported as manufactured by the manufacturer. This interim AFMER report represents firearms (including separate frames or receivers, actions or barreled actions) manufactured and disposed of in commerce during the calendar year.

Year	Pistols	Revolvers	Total Handguns	Rifles	Shotguns	Total Long-Guns	Production Total
MANUFACTURED							
2022 Interim	6,148,877	830,800	6,979,677	3,575,322	662,389	4,237,711	11,217,388

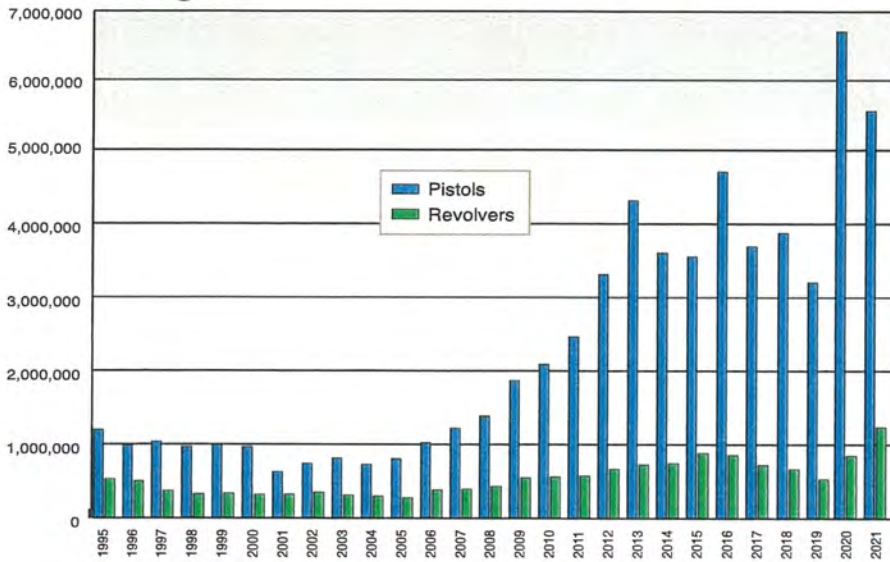
The full 2022 report is expected to be available approximately January 2024. Look for it at www.atf.gov



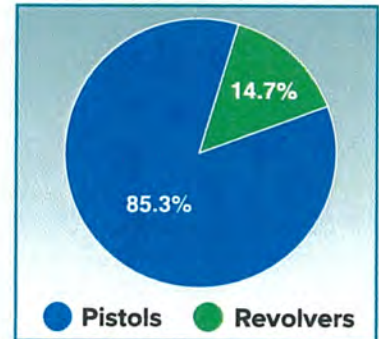
INDUSTRY INTELLIGENCE REPORTS

U.S. Firearm Production (1995 – 2021)

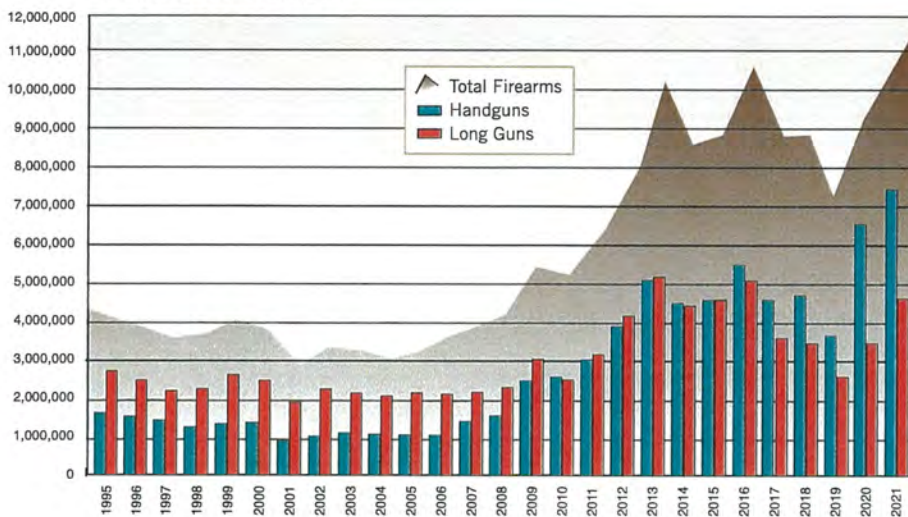
Handguns



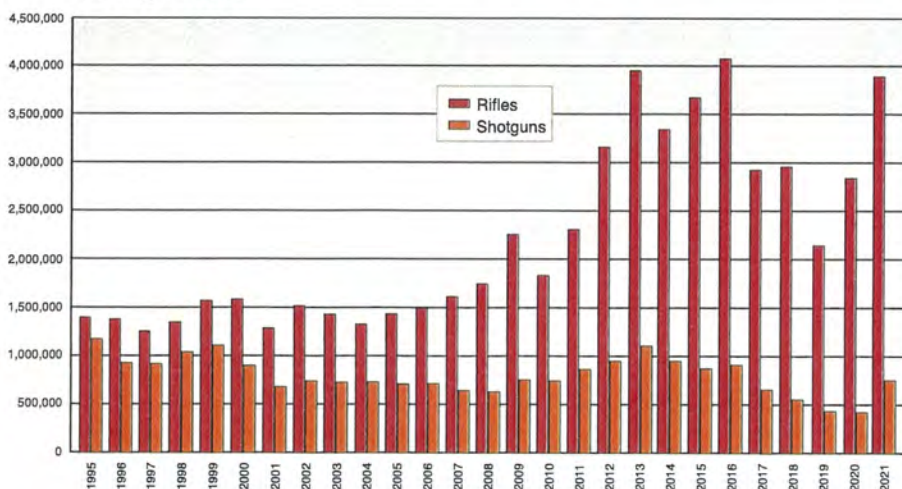
2021 Production At A Glance



Total Production



Long Guns



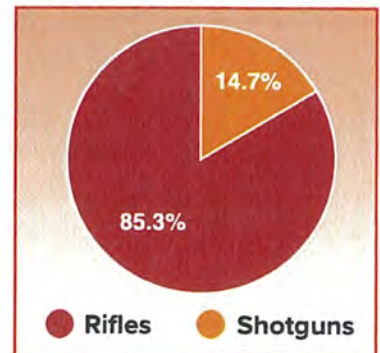
Pistols by Caliber

To .22	737,374	10.9%
To .25	183,390	2.7%
To .32	56,226	0.8%
To .380	790,323	11.7%
To 9mm	4,301,814	63.7%
To .50	682,779	10.1%
Total	6,751,906	100.0%

Revolver by Caliber

To .22	781,246	67.4%
To .32	3,641	0.3%
To .357 M	153,737	13.3%
To .38 Sp	167,901	14.5%
To .44 M	28,927	2.5%
To .50	24,456	2.1%
Total	1,159,908	100.0%

NOTE: Caliber designations as reported in ATF reports are preceded by the word "to." This represents a range of calibers in a category. For example, the pistol "To .50" category includes .40- and .45-caliber models among others that are larger than 9mm.

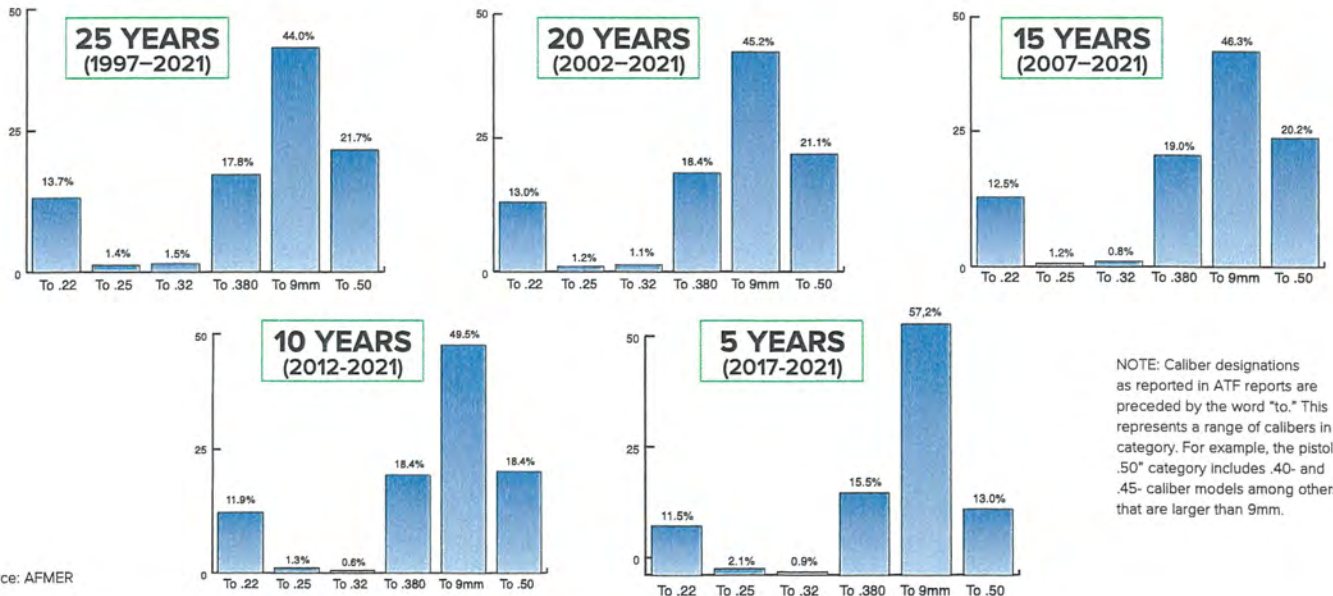


Source: AFMER

U.S. Pistol Production by Caliber (1991 – 2021)

Year	To .22	To .25	To .32	To .380	To 9mm	To .50	Totals
1991	306,088	252,370	55,007	215,595	358,228	190,964	1,378,252
1992	352,621	253,955	50,916	371,095	468,182	172,768	1,669,537
1993	452,509	277,306	52,268	508,469	586,039	216,771	2,093,362
1994	449,495	119,769	25,972	313,915	750,693	344,454	2,004,298
1995	260,059	51,025	19,220	182,801	398,472	283,707	1,195,284
1996	206,485	41,156	20,709	166,089	319,696	233,393	987,528
1997	250,983	43,103	43,623	154,046	303,212	241,110	1,036,077
1998	184,836	50,936	62,338	98,266	284,374	279,615	960,365
1999	229,852	24,393	52,632	81,881	270,298	336,390	995,446
2000	184,577	23,198	60,527	108,523	277,176	308,900	962,901
2001	123,374	5,697	57,823	41,634	213,378	184,930	626,836
2002	144,722	10,009	53,999	59,476	205,197	268,111	741,514
2003	189,785	10,987	43,471	79,788	219,668	267,961	811,660
2004	211,473	10,140	32,435	68,291	182,493	223,679	728,511
2005	139,178	10,455	29,024	107,386	299,681	217,701	803,425
2006	141,651	9,625	39,197	126,939	352,383	351,465	1,021,260
2007	180,419	11,361	43,914	138,484	391,312	454,174	1,219,664
2008	195,633	14,586	40,485	278,945	421,746	435,876	1,387,271
2009	320,697	15,053	47,396	390,897	586,364	507,861	1,868,268
2010	320,237	21,722	39,792	615,630	591,876	498,320	2,087,577
2011	357,884	19,182	13,890	537,063	838,957	697,279	2,464,255
2012	586,625	9,853	11,248	582,645	1,175,564	945,146	3,311,081
2013	554,431	18,578	6,591	852,663	1,653,900	1,228,387	4,314,550
2014	410,747	19,097	10,494	873,087	1,254,582	1,034,570	3,602,577
2015	410,041	11,567	14,763	819,103	1,531,033	766,528	3,553,035
2016	439,628	13,174	10,269	1,129,761	2,275,660	837,438	4,705,930
2017	408,705	11,135	8,152	848,425	1,756,618	657,971	3,691,006
2018	417,805	25,370	30,306	760,044	2,062,010	546,809	3,842,344
2019	382,168	53,402	44,923	470,857	1,729,833	364,826	3,046,009
2020	678,967	195,992	56,887	659,899	3,211,775	705,663	5,509,183
2021	737,374	183,390	56,226	790,323	4,301,814	682,779	6,751,906
TOTALS	10,229,049	1,817,586	1,134,497	12,432,020	29,272,214	14,485,546	69,370,912

Percentage of Pistols produced in the U.S. by caliber



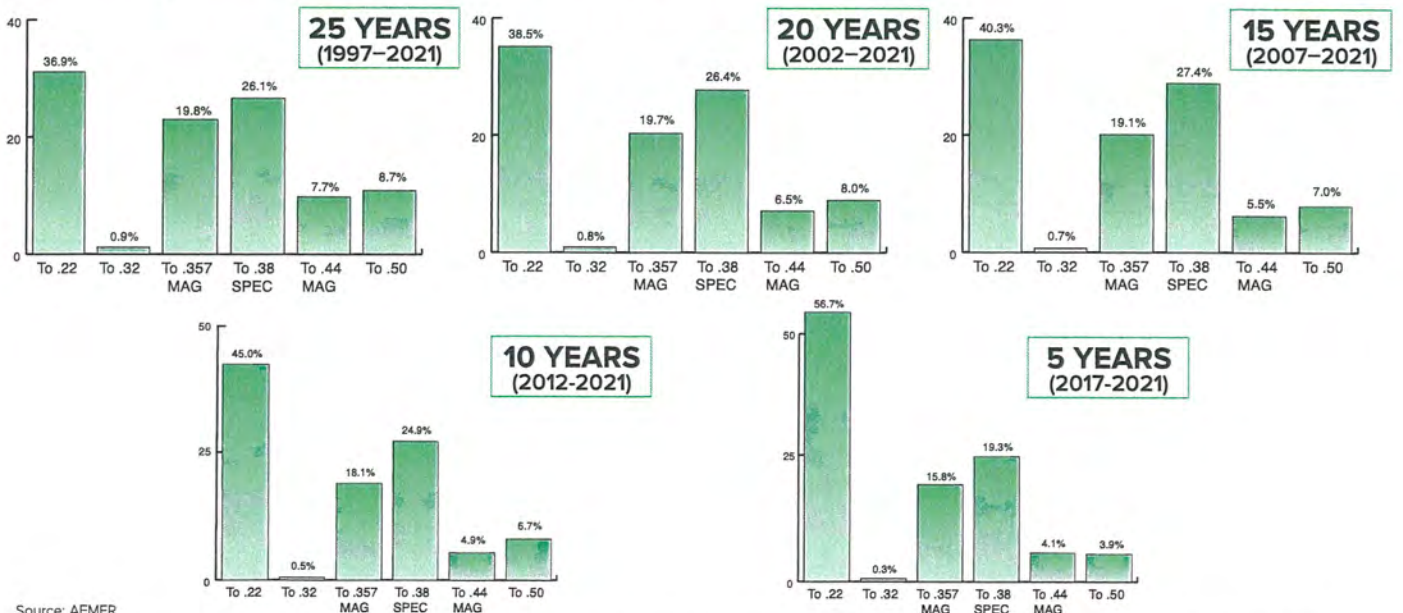
Source: AFMER

INDUSTRY INTELLIGENCE REPORTS

U.S. Revolver Production by Caliber (1991– 2021)

Year	To .22	To .25	To .32	To .380	To 9mm	To .50	TOTALS
1991	79,676	10,957	155,237	121,387	76,582	13,127	456,966
1992	74,408	10,243	168,720	120,721	80,705	14,616	469,413
1993	122,614	10,421	183,328	146,767	70,381	28,781	562,292
1994	133,990	9,160	170,856	146,630	89,713	36,101	586,450
1995	99,578	4,381	210,379	92,913	90,144	30,269	527,664
1996	127,119	3,083	134,910	115,432	80,456	37,944	498,944
1997	109,296	3,876	70,792	85,935	61,324	39,205	370,428
1998	68,108	2,602	73,905	77,289	64,236	38,250	324,390
1999	80,140	5,844	68,174	86,356	55,957	39,313	335,784
2000	79,472	1,598	81,017	59,339	46,931	50,603	318,960
2001	77,433	5,003	50,120	85,628	39,515	62,444	320,143
2002	86,806	17,599	95,570	51,472	46,080	49,543	347,070
2003	108,518	3,928	59,591	57,078	46,533	33,716	309,364
2004	88,570	3,446	62,640	54,842	35,097	49,504	294,099
2005	63,333	2,297	68,476	68,785	25,802	45,512	274,205
2006	84,452	2,242	99,562	85,321	54,308	56,184	382,069
2007	91,963	3,509	93,320	104,498	46,719	51,325	391,334
2008	115,511	6,681	105,944	133,621	31,135	38,861	431,753
2009	141,840	7,590	107,834	232,339	29,967	27,977	547,547
2010	131,543	8,605	126,525	210,762	45,361	36,131	558,927
2011	153,749	5,182	125,237	206,191	35,791	46,707	572,857
2012	234,164	1,717	126,594	203,005	36,116	65,761	667,357
2013	226,749	1,914	149,730	238,384	46,466	62,039	725,282
2014	200,739	5,260	151,635	283,990	41,640	60,783	744,047
2015	278,784	9,413	185,976	225,782	48,170	136,453	884,578
2016	320,773	7,851	182,564	248,143	51,451	45,506	856,288
2017	319,364	1,715	134,053	177,956	42,062	45,767	720,917
2018	271,553	1,100	113,394	199,028	42,434	37,323	664,832
2019	365,440	1,674	95,094	67,821	26,507	24,065	580,601
2020	597,015	4,124	152,921	181,585	27,151	30,282	993,078
2021	781,246	3,641	153,737	167,901	28,927	24,456	1,159,908
TOTALS	5,713,946	166,656	3,757,835	4,336,901	1,543,661	1,358,548	16,877,547

Percentage of Revolvers produced in the U.S. by caliber



Source: AFMER

NOTE: Caliber designations as reported in ATF report are preceded by the word "to." This represents a range of calibers in a category. For example, the pistol "To .50" category includes .40- and .45-caliber models among others that are larger than 9mm.

Modern Sporting Rifle Production in the United States 1990-2021

Year	US Production less exports of MSR platform	US Import less exports of MSR platform	ANNUAL TOTAL
1990	43,000	31,000	74,000
1991	46,000	69,000	115,000
1992	33,000	72,000	105,000
1993	62,000	226,000	288,000
1994	103,000	171,000	274,000
1995	54,000	77,000	131,000
1996	27,000	43,000	70,000
1997	44,000	81,000	125,000
1998	70,000	75,000	145,000
1999	113,000	119,000	232,000
2000	86,000	130,000	216,000
2001	60,000	119,000	179,000
2002	97,000	145,000	242,000
2003	118,000	262,000	380,000
2004	107,000	207,000	314,000
2005	141,000	170,000	311,000
2006	196,000	202,000	398,000
2007	269,000	229,000	498,000
2008	444,000	189,000	633,000
2009	692,000	314,000	1,006,000
2010	444,000	140,000	584,000
2011	653,000	163,000	816,000
2012	1,308,000	322,000	1,630,000
2013	1,882,000	393,000	2,275,000
2014	950,000	237,000	1,187,000
2015	1,360,000	245,000	1,605,000
2016	2,217,000	230,000	2,447,000
2017	1,406,000	158,000	1,564,000
2018	1,731,000	225,000	1,956,000
2019	1,679,000	169,000	1,848,000
2020	2,466,000	332,000	2,798,000
2021	3,178,000	520,000	3,698,000
TOTALS	22,079,000	6,065,000	28,144,000

Source: ATF AFMER, US ITC, Industry Reporting



U.S. Manufacturers Direct Exports at a Glance (2021)

PISTOL MANUFACTURER	EXPORTS
SIG SAUER INC	99,783
GLOCK INC	67,106
SMITH & WESSON SALES COMPANY	18,478
TAURUS INTERNATIONAL MANUFACTURING, INC	15,187
STURM, RUGER & COMPANY, INC	7,445
BERETTA USA CORP	7,245
DIAMONDBACK FIREARMS LLC	3,693
SPRINGFIELD INC	3,585
ZEV TECHNOLOGIES INC	2,492
COLT'S MANUFACTURING COMPANY LLC	2,185
KIMBER MFG INC	1,878
KEL TEC CNC INDUSTRIES INC	1,077
CABOT GUN COMPANY LLC	989
MAVERICK ARMS, INC	780
MAGNUM RESEARCH INC	765
IWI US INC	540
RABLAND, LLC	400
RAINIER ARMS LLC	345
TIPPMANN ARMS COMPANY LLC	335
AMERICAN TACTICAL INC	320
FREEDOM ORDNANCE MANUFACTURING INC	230
WILSONS GUN SHOP INC	215
STI FIREARMS, LLC	200
INVERIS TRAINING SOLUTIONS INC	153
KRISS USA, INC	142
FMK FIREARMS INCORPORATED	137
DEBORD, CURTIS LEE	103
NEXT LEVEL ARMAMENT LLC	100
PISTOL TOTAL	382,758

REVOLVER MANUFACTURER	EXPORTS
SMITH & WESSON SALES COMPANY	13,418
STURM, RUGER & COMPANY, INC	7,608
COLT'S MANUFACTURING COMPANY LLC	2,153
NORTH AMERICAN ARMS INC	1,319
KIMBER MFG INC	820
REVOLVER TOTAL	25,367

SHOTGUN MANUFACTURER	EXPORTS
MAVERICK ARMS, INC	23,281
SAVAGE ARMS, INC	1,625
KEL TEC CNC INDUSTRIES INC	1,361
BERETTA USA CORP	720
OHIO ORDNANCE WORKS INC	294
HENRY RAC HOLDING CORP	139
SHOTGUN TOTAL	27,487

RIFLE MANUFACTURER	EXPORTS
STURM, RUGER & COMPANY, INC	63,162
SAVAGE ARMS, INC	41,469
HENRY RAC HOLDING CORP	8,434
MAVERICK ARMS, INC	6,442
SMITH & WESSON SALES COMPANY	4,935
KEL TEC CNC INDUSTRIES INC	4,736
KRISS USA, INC	3,073
LEGACY SPORTS INTERNATIONAL INC	2,959
TIPPMANN ARMS COMPANY LLC	2,797
SIG SAUER INC	2,732
SPRINGFIELD INC	2,407
AMERICAN TACTICAL INC	1,955
M+M INC	1,495
DANIEL DEFENSE LLC	1,118
BARRETT FIREARMS MFG INC	966
DIAMONDBACK FIREARMS LLC	964
TDJ BUYER, LLC	923
JUST RIGHT CARBINES LLC	801
TNW FIREARMS INC	762
BP FIREARMS COMPANY LLC	612
STRATEGIC ARMORY CORPS LLC	557
WINDHAM WEAPONRY INC	541
WEATHERBY INC	541
ZEV TECHNOLOGIES INC	510
COLT'S MANUFACTURING COMPANY LLC	501
FREEDOM ORDNANCE MANUFACTURING INC	500
DESERT TECH LLC	419
CENTRE FIREARMS CO INC	415
TROY INDUSTRIES, INC	408
AERO PRECISION LLC	401
TROY INDUSTRIES INC	235
PNEU DART INC	231
LEWIS MACHINE & TOOL CO	143
JARD INC	141
RAINIER ARMS LLC	139
PROOF RESEARCH INC	133
NORDIC COMPONENTS INC	131
RWC GROUP LLC	100
RIFLE TOTAL	160,294

Source: Annual Firearms Manufacturing and Export Report (AFMER) 2021
 NOTE: A manufacturer that reported exporting less than 100 units does not appear in the tables above. TOTAL includes all reported exports.



Source: AFMER

INDUSTRY INTELLIGENCE REPORTS

Industry Statistics (current Snapshot)

The data listed on this page is sourced from the most current Census Bureau report. At this time, it is the 2021 Annual Survey of Manufacturers (released in December 2022). NAICS (North American Industry classification System) code 332992 represents "Small-Arms Ammunition," and NAICS code 332 represents "Fabricated-Metal-Product Manufacturing."

DEFINITION OF TERMS

Employees: includes all full-time and part-time employees on the payroll of operating manufacturing establishments.

Production workers: includes workers (up through the line-supervisor level) actively engaged in the manufacturing process.

Payroll: includes the gross earnings of all employees paid in a calendar year.

Value added: measure of manufacturing activity derived by subtracting the cost of materials and supplies from the value of shipments (finished products and services rendered).

Capital expenditures: represents the total new and used expenditures reported by establishments in operation and any known plants under construction.

Inventories: includes products and materials held outside of the establishment, such as in warehouses (private or public).



**NOTE: The fabricated metal product manufacturing (NAICS code 332) subsector consists of all of these industry groups. Forging and Stamping: NAICS 3321; Cutlery and Handtool Manufacturing: NAICS 3322; Architectural and Structural Metals Manufacturing: NAICS 3323; Boiler, Tank, and Shipping Container Manufacturing: NAICS 3324; Hardware Manufacturing: NAICS 3325; Spring and Wire Product Manufacturing: NAICS 3326; Machine Shops; Turned Product; and Screw, Nut, and Bolt Manufacturing: NAICS 3327; Coating, Engraving, Heat Treating, and Allied Activities: NAICS 3328; Other Fabricated Metal Product Manufacturing: NAICS 3329.

INDUSTRY STATISTIC	(332) Fabricated Metal Product Manufacturing (2021)	(332992) Firearms Ammunition Manufacturing (2021)	Ammunition Manufacturing as Percent of Total Fabricated Metal Product Manufacturing
Employment & Labor Costs			
Total number of employees	1,296,417	12,407	1.0%
Number of production workers	968,873	10,589	1.1%
Production workers annual hours worked	1,906,725,000	21,734,000	1.1%
Production workers annual wages	\$50,269,954,000	\$600,508,000	1.2%
Total annual payroll	\$78,663,323,000	\$753,233,000	1.0%
Total fringe benefits	\$21,022,522,000	\$249,060,000	1.2%
Total annual compensation	\$99,685,845,000	\$1,002,293,000	1.0%
Purchased Fuels and Electric Energy Used for Heat and Power			
Electric energy purchased (kWh)	39,793,391,000	420,788,000	1.1%
Cost of electric energy	\$3,453,929,000	\$33,927,000	1.0%
Cost of purchased fuels	\$1,316,853,000	\$17,155,000	1.3%
Total cost of fuels and electric energy	\$4,770,782,000	\$51,082,000	1.1%
Capital Expenditures for Plant and Equipment			
Capital expenditures for buildings and other structures	\$2,819,513,000	\$11,375,000	0.4%
Rental or lease payments (buildings and equipment)	\$5,357,106,000	\$34,659,000	0.6%
Capital expenditures for machinery and equipment	\$11,253,819,000	\$44,572,000	0.4%
All other operating expenses	\$29,621,138,000	\$350,076,000	1.2%
Total capital expenditures for plant and equipment	\$49,051,576,000	\$440,682,000	0.9%
Value of Manufacturers' Inventories by Stage of Fabrication			
Beginning of Year			
Finished products	\$18,134,148,000	\$275,212,000	1.5%
Work-in-process	\$12,540,321,000	\$219,521,000	1.8%
Materials and supplies inventories	\$19,298,168,000	\$234,641,000	1.2%
Total	\$49,972,637,000	\$729,374,000	1.5%
End of Year			
Finished products	\$21,976,557,000	\$305,130,000	1.4%
Work-in-process	\$14,961,666,000	\$240,673,000	1.5%
Materials and supplies inventories	\$25,265,382,000	\$304,983,000	0.9%
Total	\$62,203,605,000	\$850,786,000	1.4%
Manufacturing Activity			
Total value of shipments	\$393,280,185,000	\$5,682,188,000	1.4%
Total cost of materials	\$182,001,721,000	\$2,414,443,000	1.3%
Value added	\$217,542,218,000	\$3,318,816,000	1.5%

Source: 2021 Annual Survey of Manufacturers (ASM)

Definition of terms in table: <https://www.census.gov/programs-surveys/economic-census/about/fieldsandvariables.html>

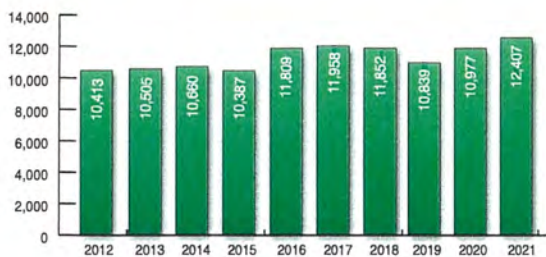
Manufacturing Trends

Small Arms Ammunition (NAICS 332992)

ALL EMPLOYEES (NUMBER)

10-Year Average

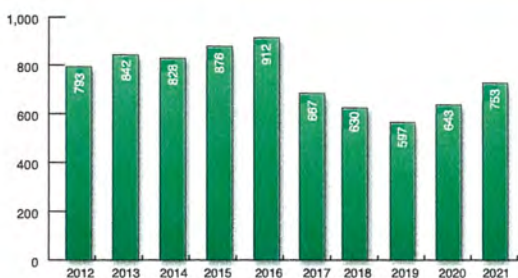
Small Arms Ammunition: 10,975



PAYROLL (\$ IN MILLIONS)

10-Year Average

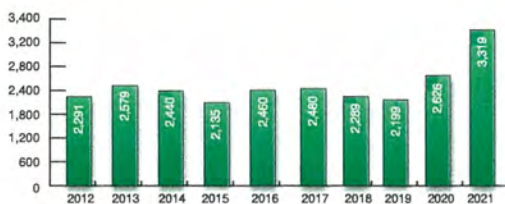
Small Arms Ammunition: \$754M



VALUE ADDED (\$ IN MILLIONS)

10-Year Average

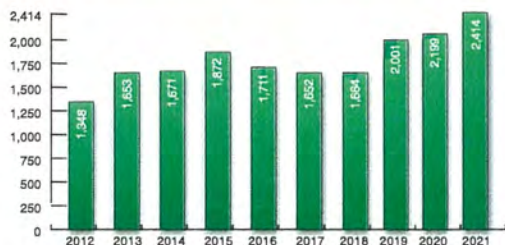
Small Arms Ammunition: \$2,308M



COST OF MATERIALS (\$ IN MILLIONS)

10-Year Average

Small Arms Ammunition: \$1,760M



Source: U.S. Census Bureau Annual Survey of Manufacturers (ASM) and Economic Census reports

INDUSTRY INTELLIGENCE REPORTS

Firearm Imports By Country (2012 – 2021) (in actual units of quantity)

Shotguns: HTS 930320 [SPORTING, HUNTING OR TARGET-SHOOTING SHOTGUNS, INCLUDING COMBINATION SHOTGUN-RIFLES, EXCEPT MUZZLELOADING FIREARMS]

Rifles: HTS 930330 [SPORTING, HUNTING OR TARGET-SHOOTING RIFLES, EXCEPT MUZZLELOADING FIREARMS AND COMBINATION SHOTGUN-RIFLES] (Adjusted to EXCLUDE HTS codes 9303304010 & 9303308005 - Telescopic Sights Imported with Rifles)

Country	Year 2012	Year 2013	Year 2014	Year 2015	Year 2016	Year 2017	Year 2018	Year 2019	Year 2020	Year 2021	TOTALS
United Kingdom	0	0	0	498	1	1	1,934	0	0	199	2,633
Austria	783	618	34	716	65	19	1,264	145	30	10	3,684
Belgium	157	9	1,377	715	546	120	3,768	68	212	12	6,984
Brazil	125,891	119,090	58,729	38,225	39,225	36,947	61,082	57,851	46,066	50,677	633,783
Canada	26	5	0	192	148	0	0	1,415	982	1,879	4,647
China	154,446	234,486	112,095	164,818	149,091	140,171	111,696	116,767	205,462	416,666	1,805,698
Croatia	0	0	0	0	0	0	0	295	0	0	295
Czechia	0	142	50	109	22	15	43	80	34	9	504
Finland	0	0	22	0	35	0	0	0	32	24	113
France	6,284	10	9	23	84	116	79	8	62	83	6,758
Germany	3,467	1,370	1,224	1,547	2,371	2,284	3,589	2,177	2,374	2,035	22,438
India	0	0	0	0	0	1	0	0	0	74	75
Israel	0	0	0	0	0	0	0	0	7,697	0	7,697
Italy	170,460	212,557	206,773	199,231	182,368	138,323	168,368	175,215	175,756	295,348	1,924,399
Japan	2,875	1,525	652	907	766	733	931	828	620	502	10,339
New Zealand	0	0	0	0	0	0	0	0	0	6	6
Norway	0	0	0	0	0	0	0	0	0	25	25
Philippines	5,500	9,800	6,496	6,400	7,100	3,100	8,050	100	0	0	46,546
Portugal	2,384	6,415	3,465	4,175	78	10	33	31	72	1,333	17,996
Russia	47,360	34,904	21,830	5,150	12,420	7,410	14	182	0	0	129,270
Spain	1,692	1,620	1,746	839	2,637	4,191	1,554	601	515	1,539	16,934
Sweden	238	143	228	2	183	91	27	0	259	168	1,339
Switzerland	0	0	1	0	0	0	0	4	35	42	82
Turkey	174,212	306,312	233,371	220,310	335,190	295,362	342,184	382,794	1,045,615	2,039,085	5,374,435
United Arab Em	0	0	0	0	0	0	0	0	750	0	750
United Kingdom	8,836	8,922	490	578	4,042	2,847	3,850	4,460	4,209	6,791	45,025
TOTALS:	704,828	937,952	648,592	644,772	736,444	631,999	708,568	743,474	1,490,783	2,816,507	10,063,919

Country	Year 2012	Year 2013	Year 2014	Year 2015	Year 2016	Year 2017	Year 2018	Year 2019	Year 2020	Year 2021	TOTALS
Australia	1	1	0	0	61	0	820	90	0	5	978
Austria	6,319	8,966	2,988	1,109	3,387	3,113	4,774	7,534	5,218	2,797	46,205
Belgium	20,634	29,920	34,067	54,497	58,129	40,268	29,651	24,984	8,525	12,343	313,018
Brazil	316,577	404,234	56,411	78,585	31,204	19,317	138,931	74,537	120,864	215,940	1,456,600
Bulgaria	10,790	31,087	12,900	5,100	290	1,816	3,000	1,500	13,653	10,000	90,136
Canada	267,993	292,404	258,803	276,821	225,108	202,119	172,406	131,866	212,218	289,849	2,329,587
Czechia	23,264	25,507	25,412	28,125	31,385	27,080	27,877	27,137	28,238	26,938	270,963
Finland	33,536	43,858	40,183	50,492	56,614	35,285	34,728	46,576	46,506	58,893	446,671
France	64	47	50	482	307	739	544	306	51	398	2,988
Georgia	0	0	0	0	0	0	0	1	1,500	0	1,501
Germany	96,013	134,305	39,376	16,008	30,229	9,976	15,034	40,406	47,565	106,306	535,218
Hungary	0	0	0	0	0	0	350	87	509	969	1,915
India	0	0	0	0	0	0	0	0	0	119	119
Israel	1	18,502	27,771	4,302	24,965	6,615	3,678	3,366	7,839	13,581	110,620
Italy	20,705	53,115	27,943	26,981	18,873	14,526	18,276	12,087	17,848	45,880	256,234
Japan	71,538	76,399	89,657	87,012	98,324	76,676	67,754	77,310	78,239	79,781	802,690
Malaysia	1,800	0	0	0	0	0	0	0	0	0	1,800
Mexico	0	200	800	0	0	0	0	0	0	0	1,000
Philippines	2,437	5,909	7,435	5,603	4,847	3,725	7,430	8,974	3,818	0	50,178
Poland	2,170	510	1,454	527	5	778	2,576	4,266	8,291	14,317	34,894
Portugal	250	4	1,298	2,117	1,842	8,037	6,287	24,322	33,796	55,030	132,983
Romania	46,533	44,734	14,039	17,870	8,220	5,735	7,053	20,575	15,911	23,022	203,692
Russia	74,512	71,230	29,864	4,404	28,832	8,430	0	3,500	1,485	1,908	224,165
Serbia	20,320	44,672	12,720	17,357	18,139	8,394	154	5,551	24,096	34,245	185,648
Singapore	0	0	0	0	0	0	0	0	0	960	960
South Africa	0	0	0	4	8	2	10	3	0	0	27
Spain	18,989	17,403	9,411	25,393	26,679	39,632	56,182	57,549	57,506	87,957	396,701
Sweden	114	375	758	113	552	298	75	2,551	819	499	6,154
Switzerland	163	3,607	3,889	510	526	674	1,917	1,786	2,121	2,072	17,265
Taiwan	919	1,396	0	0	0	0	0	0	3,140	1,604	7,059
Turkey	475	0	15	339	2,428	1,330	2,020	2,115	29,450	48,683	86,855
United Kingdom	3,575	4,243	5,028	4,683	6,019	4,748	5,680	12,978	9,752	10,704	67,410
TOTALS:	1,039,716	1,313,678	706,362	708,436	676,987	519,400	607,209	592,146	778,988	1,144,800	8,087,722

Source: Data on this page have been compiled from the U.S. Department of Commerce and the U.S. International Trade Commission (USITC).

NOTE: The bottom-line total accounts for all imports under the HTS code listed, but countries with limited activity over the period shown are not displayed.

Source: Data from the U.S. Department of Commerce and the U.S. International Trade Commission (USITC).

Note: Countries with limited activity over this 10-year period are not shown; however, the totals include the units from all countries.

Muzzleloaders: HTS 930310 [MUZZLELOADING]

Country	Year 2012	Year 2013	Year 2014	Year 2015	Year 2016	Year 2017	Year 2018	Year 2019	Year 2020	Year 2021	TOTALS
China	0	0	0	0	0	0	150	0	2,830	3,700	6,680
France	0	2,300	0	2	0	0	2,355	0	0	0	4,657
Germany	0	0	0	401	0	0	60	0	0	1	462
Hong Kong	0	0	300	0	0	0	0	0	0	0	300
India	90	135	26	28	0	0	0	0	0	10	289
Italy	40,559	44,007	51,730	42,077	37,499	38,472	31,060	33,959	35,942	54,936	410,241
Japan	0	0	0	0	0	400	0	0	0	0	400
Malaysia	0	0	0	0	2	0	0	0	0	0	2
Poland	0	0	0	0	0	0	0	0	2	0	2
Spain	124,509	133,189	122,861	111,834	112,951	107,112	104,701	96,682	118,475	132,974	1,165,288
Switzerland	0	0	0	0	0	0	0	0	0	4	4
Taiwan	0	0	0	0	65	0	87	0	0	0	152
TOTALS:	165,158	179,631	174,919	154,350	150,517	145,988	138,413	130,642	157,249	191,625	1,588,492

Source: Data on this page have been compiled from the U.S. Department of Commerce and the U.S. International Trade Commission (USITC).

NOTE: The bottom-line total accounts for all imports under the HTS code listed, but countries with limited activity over the period shown are not displayed.

INDUSTRY INTELLIGENCE REPORTS

U.S. Imports for Consumption (1990 – 2021)

Year	Revolvers & Pistols	Rifles	Shotguns	Muzzleloaders (930310)	TOTAL
	(930200)	(930330)	(930320)		FIREARMS
1990	682,974	272,709	81,228	170,282	1,207,193
1991	692,282	348,765	98,645	179,674	1,319,366
1992	876,314	407,643	325,345	148,679	1,757,981
1993	1,169,123	749,433	132,502	197,899	2,248,957
1994	1,383,279	733,277	142,590	259,975	2,519,121
1995	825,127	286,218	136,733	331,168	1,579,246
1996	663,801	234,931	145,676	221,585	1,265,993
1997	1,316,931	266,869	142,067	185,145	1,911,012
1998	590,661	229,051	163,663	186,514	1,169,889
1999	677,757	313,980	335,489	155,764	1,482,990
2000	712,661	321,316	332,704	259,315	1,625,996
2001	710,958	322,201	428,308	345,534	1,807,001
2002	971,135	458,684	498,535	380,499	2,308,853
2003	762,764	517,509	498,677	353,673	2,132,623
2004	838,856	491,932	507,050	379,883	2,217,721
2005	878,172	448,862	546,261	244,564	2,117,859
2006	1,164,973	516,127	607,894	208,279	2,497,273
2007	1,387,428	612,837	725,635	222,404	2,948,304
2008	1,468,062	538,283	535,960	170,998	2,713,303
2009	2,184,417	697,800	558,679	141,656	3,582,552
2010	1,747,635	466,799	509,792	155,818	2,880,044
2011	1,707,313	656,256	530,564	167,095	3,061,228
2012	2,591,117	1,039,716	704,828	165,158	4,500,819
2013	3,055,329	1,313,678	937,952	179,631	5,486,590
2014	2,151,591	706,362	648,592	174,919	3,681,464
2015	2,423,182	708,436	644,274	154,848	3,930,740
2016	3,614,057	676,987	736,443	150,518	5,178,005
2017	3,194,599	519,400	631,998	145,989	4,491,986
2018	2,896,353	607,209	706,634	140,347	4,350,543
2019	2,560,935	592,146	743,474	130,642	4,027,197
2020	3,997,266	778,988	1,490,783	157,249	6,424,286
2021	5,214,775	1,144,800	2,816,308	191,824	9,367,707
AVERAGE					
5-year (2017 – 2021)	3,572,786	728,509	1,277,839	153,210	5,732,344
10-year (2012 – 2021)	3,169,920	808,772	1,006,129	159,113	5,143,934
15-year (2007 – 2021)	2,679,604	737,313	861,461	163,273	4,441,651
20-year (2002 – 2021)	2,240,498	674,641	779,017	200,800	3,894,955
25-year (1997 – 2021)	1,952,757	597,849	679,303	205,931	3,435,839
30-year (1992 – 2021)	1,791,219	578,591	595,514	210,252	3,175,576

Total U.S. Exports (1990 – 2021)

Year	Revolvers & Pistols	Rifles	Shotguns	Muzzleloaders (930310)	TOTAL
	(930200)	(930330)	(930320)		FIREARMS
1990	191,446	130,952	155,957	4,198	482,553
1991	223,248	152,647	165,574	4,823	546,292
1992	210,358	152,062	157,109	5,065	524,594
1993	170,378	125,694	175,563	29,930	501,565
1994	195,031	131,034	163,031	31,872	520,968
1995	218,826	106,504	125,387	4,589	455,306
1996	193,647	101,961	115,555	15,908	427,071
1997	146,846	106,838	105,814	30,785	390,283
1998	124,295	85,755	136,652	11,248	357,950
1999	116,467	69,389	82,046	7,680	275,582
2000	80,249	67,188	95,782	6,063	249,282
2001	86,041	83,671	123,430	19,361	312,503
2002	82,338	102,588	133,559	8,290	326,775
2003	73,337	102,429	95,299	7,294	278,359
2004	69,316	236,525	94,854	10,035	410,730
2005	80,882	142,252	115,083	12,587	350,804
2006	90,944	150,493	130,310	9,536	381,283
2007	133,774	220,593	157,536	13,439	525,342
2008	151,290	264,114	171,360	11,849	598,613
2009	162,951	199,417	123,209	11,185	496,762
2010	201,231	205,950	150,956	12,842	570,979
2011	247,738	263,223	172,770	8,786	692,517
2012	220,923	315,783	180,634	9,841	727,181
2013	268,024	363,950	146,624	5,664	784,262
2014	234,329	431,890	158,471	9,180	833,870
2015	201,390	328,395	101,656	5,693	637,134
2016	240,642	266,589	81,689	10,603	599,523
2017	278,082	346,936	79,854	5,159	710,031
2018	400,172	309,312	71,994	35,711	817,189
2019	230,262	292,464	65,619	5,273	593,618
2020	458,150	239,096	60,027	4,248	761,521
2021	327,522	246,976	85,189	6,929	666,616
AVERAGE					
5-year (2017 – 2021)	338,838	286,957	72,537	11,464	709,795
10-year (2012 – 2021)	285,950	314,139	103,176	9,830	713,095
15-year (2007 – 2021)	250,432	286,313	120,506	10,427	667,677
20-year (2002 – 2021)	207,665	251,449	118,835	10,207	588,155
25-year (1997 – 2021)	188,288	217,673	116,817	11,171	533,948
30-year (1992 – 2021)	189,848	201,969	121,902	12,222	525,940

Source: U.S. International Trade Commission (USITC)

NOTE: Rifle Imports adjusted to exclude HTS codes 9303304010 and 9303308005 (telescopic sights imported with rifles.)

U.S. Firearms Total Exports (1990 – 2021) (in actual units of quantity)



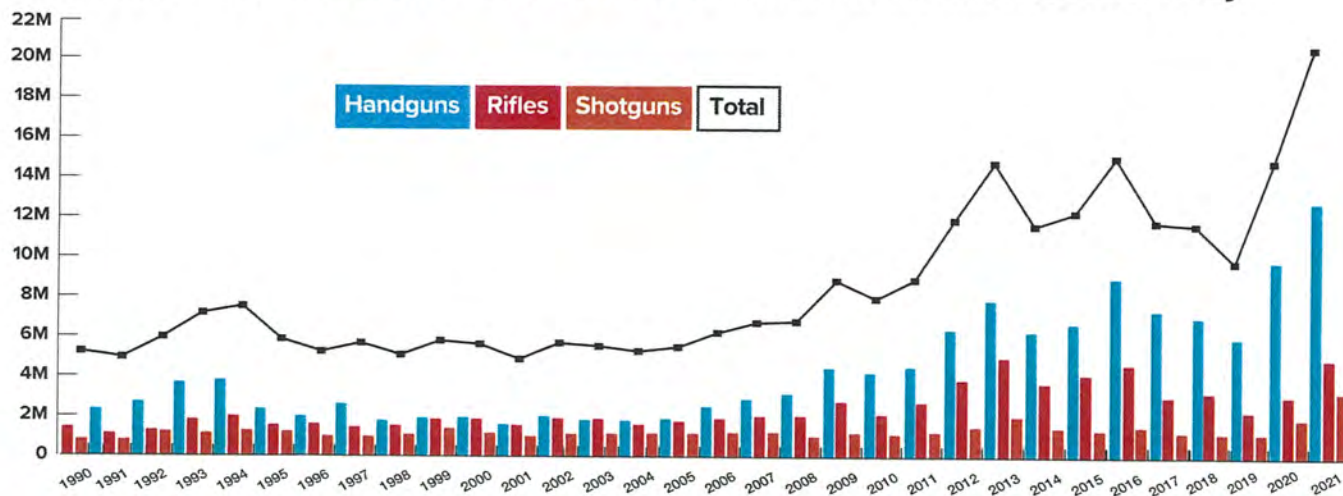
Source: U.S. International Trade Commission (USITC)

INDUSTRY INTELLIGENCE REPORTS

Total Firearm Units Produced for the United States Market Annually

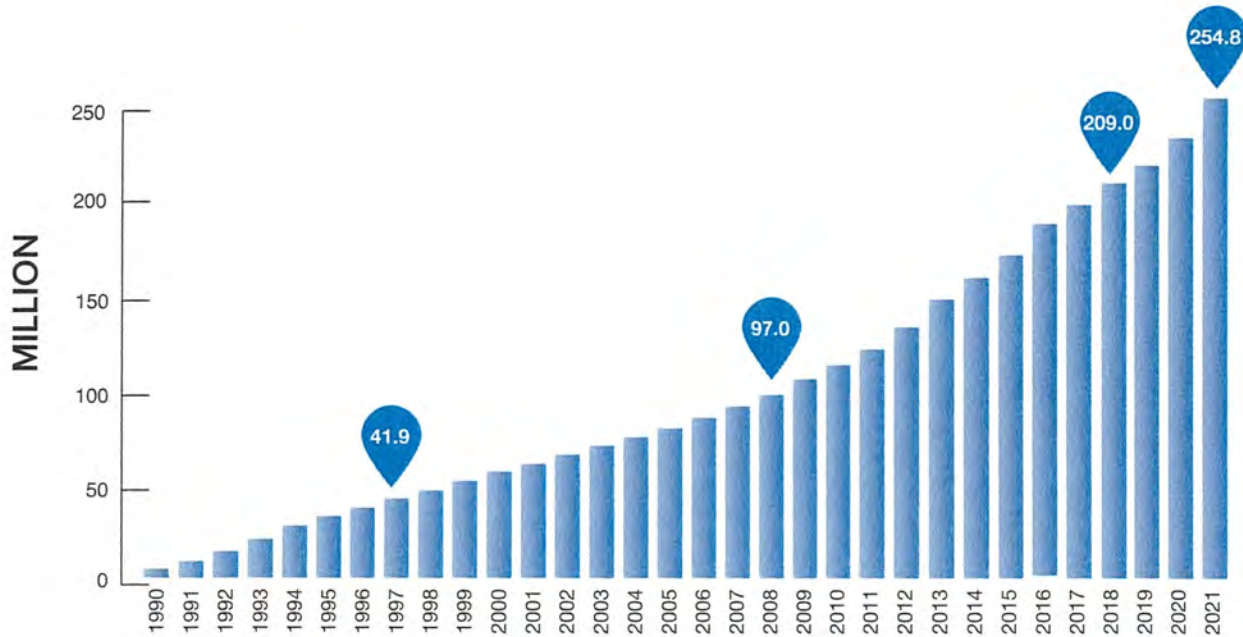
YEAR	Handguns Produced in U.S.	Handguns Imported into U.S.	Handguns Exported out of U.S.	Total Handguns	Rifles Produced in U.S.	Rifles Imported into U.S.	Rifles Exported out of U.S.	Total Rifles	Shotguns Produced in U.S.	Shotguns Imported into U.S.	Shotguns Exported out of U.S.	Total Shotguns	TOTAL HANDGUNS, RIFLES & SHOTGUNS	% Change YoY	YEAR
1990	1,841,922	682,974	191,446	2,333,450	1,211,664	272,709	130,952	1,353,421	855,970	81,228	155,957	761,241	4,468,112	-	1990
1991	1,835,218	692,282	223,248	2,304,252	883,482	348,765	152,647	1,079,600	828,426	98,645	165,574	761,497	4,145,349	-7.2%	1991
1992	2,138,950	876,314	210,358	2,804,906	1,001,833	407,643	152,062	1,257,414	1,018,204	325,345	157,109	1,186,440	5,248,760	26.6%	1992
1993	2,655,654	1,169,123	170,378	3,654,399	1,173,694	749,433	125,694	1,797,433	1,148,939	132,502	175,563	1,105,878	6,557,710	24.9%	1993
1994	2,590,748	1,383,279	195,031	3,778,996	1,316,607	733,277	131,034	1,918,850	1,254,924	142,590	163,031	1,234,483	6,932,329	5.7%	1994
1995	1,722,948	825,127	218,826	2,329,249	1,441,120	286,218	106,504	1,620,834	1,176,958	136,733	125,387	1,188,304	5,138,387	-25.9%	1995
1996	1,486,472	663,801	193,647	1,956,626	1,424,315	234,931	101,961	1,557,285	925,732	145,676	115,555	955,853	4,469,764	-13.0%	1996
1997	1,406,505	1,316,931	146,846	2,576,590	1,251,341	266,869	106,838	1,411,372	915,978	142,067	105,814	952,231	4,940,193	10.5%	1997
1998	1,284,755	590,661	124,295	1,751,121	1,345,899	229,051	85,755	1,489,195	1,036,520	163,663	136,652	1,063,531	4,303,847	-12.9%	1998
1999	1,331,230	677,757	116,467	1,892,520	1,569,685	313,980	69,389	1,814,276	1,106,995	335,489	82,046	1,360,438	5,067,234	17.7%	1999
2000	1,281,861	712,661	80,249	1,914,273	1,583,042	321,316	67,888	1,837,170	898,442	332,704	95,782	1,135,364	4,886,807	-3.6%	2000
2001	946,979	710,958	86,041	1,571,896	1,284,554	322,201	83,671	1,523,084	679,813	428,308	123,430	984,691	4,079,671	-16.5%	2001
2002	1,088,584	971,135	82,338	1,977,381	1,515,286	458,684	102,588	1,871,382	741,325	498,535	133,559	1,066,301	4,955,064	21.5%	2002
2003	1,121,024	762,764	73,337	1,810,451	1,430,324	517,509	102,429	1,845,404	726,078	498,677	95,299	1,129,456	4,785,311	-3.4%	2003
2004	1,022,610	838,856	69,316	1,792,150	1,325,138	491,932	236,525	1,580,545	731,769	507,050	94,854	1,143,965	4,516,660	-5.6%	2004
2005	1,077,630	878,172	80,882	1,874,920	1,431,372	448,862	142,252	1,737,982	709,313	546,261	115,083	1,140,491	4,753,393	5.2%	2005
2006	1,403,329	1,164,973	90,944	2,477,358	1,496,505	516,127	150,493	1,862,139	714,618	607,894	130,310	1,192,202	5,531,699	16.4%	2006
2007	1,610,998	1,387,428	133,774	2,864,652	1,610,923	612,837	220,593	2,003,367	645,231	725,635	157,536	1,213,330	6,081,149	9.9%	2007
2008	1,819,024	1,468,062	151,290	3,335,796	1,746,139	538,283	264,114	2,020,308	630,710	535,960	171,360	995,310	6,151,414	1.2%	2008
2009	2,415,815	2,184,417	162,951	4,437,281	2,253,103	697,800	199,417	2,751,486	752,699	558,679	123,209	1,188,169	8,376,936	36.2%	2009
2010	2,646,504	1,747,635	201,231	4,192,908	1,830,556	466,799	205,950	2,091,405	743,378	509,792	150,956	1,002,214	7,386,527	-11.8%	2010
2011	3,037,112	1,707,313	247,738	4,496,687	2,305,854	656,256	263,223	2,698,887	862,401	530,564	172,770	1,220,195	8,415,769	13.9%	2011
2012	3,978,438	2,591,117	220,923	6,348,632	3,109,940	1,039,716	315,783	3,833,873	949,010	704,828	180,634	1,473,204	11,655,709	38.5%	2012
2013	5,039,832	3,055,329	268,024	7,827,137	3,996,673	1,313,678	363,950	4,946,401	1,203,072	937,952	146,624	1,994,400	14,767,938	26.7%	2013
2014	4,346,624	2,151,591	234,329	6,263,886	3,379,009	705,362	431,890	3,653,481	935,411	648,592	158,471	1,425,532	11,342,899	-23.2%	2014
2015	4,437,613	2,423,182	201,390	6,659,405	3,701,443	708,436	328,395	4,081,484	777,273	644,274	101,656	1,319,891	12,060,780	6.3%	2015
2016	5,562,218	3,614,057	240,642	8,935,633	4,198,692	676,987	266,589	4,609,090	848,615	736,443	81,689	1,503,369	15,048,092	24.8%	2016
2017	4,411,923	3,194,599	278,082	7,328,440	2,821,945	519,400	346,936	2,994,409	667,350	631,998	79,854	1,219,494	11,542,343	-23.3%	2017
2018	4,507,176	2,896,353	400,172	7,003,357	2,905,178	607,209	309,312	3,203,075	536,119	706,634	71,994	1,170,759	11,377,191	-1.4%	2018
2019	3,626,610	2,560,935	230,262	5,957,283	2,062,966	592,146	292,464	2,362,648	490,735	743,474	65,619	1,158,590	9,478,521	-16.7%	2019
2020	6,502,261	3,997,266	458,150	10,041,377	2,761,297	778,988	239,096	3,301,889	476,882	1,490,783	60,027	1,907,438	15,250,004	60.9%	2020
2021	7,911,814	5,214,775	327,522	12,799,067	3,934,374	1,144,800	246,976	4,832,198	675,426	2,816,308	85,189	3,406,545	21,037,810	38.0%	2021
TOTAL	88,090,381	55,111,827	6,110,129	137,092,079	65,303,953	17,979,204	6,342,670	76,940,487	26,654,116	18,045,283	3,978,593	40,720,806	254,753,372		

Total Firearm Units Produced for the United States Market Annually



Source: AFMER and U.S. International Trade Commission (USITC)

Firearms to U.S. Market (1990 – 2021)



CUMULATIVE ANNUAL FIREARM PRODUCTION PLUS (+) IMPORTS LESS (-) EXPORTS

Source: AFMER and U.S. International Trade Commission (USITC)

FACT From 1990 to 2021, more than **254.8 million** firearms have been made available to the U.S. market. As of 2021 there are an estimated **473.2 million** firearms in civilian possession.

Estimated Number of Semi-Automatic Firearms for U.S. Market 1990 - 2021	
Estimated Semi-Automatic Handguns	109,000,000
Estimated Semi-Automatic Shotguns	14,000,000
Estimated Semi-Automatic Rifles	45,500,000
ESTIMATED TOTAL SEMI-AUTOMATIC FIREARMS 1990 - 2021	168,500,000
Sources: USITC, ATF AFMER & NSSF estimates	

During the 30-year period covered in this report (1992 – 2021),

- the violent crime reported incidents have decreased by → **33.5** percent
- the violent crime rate has decreased by → **48.9** percent
- and unintentional firearm-related fatalities have declined by → **61.0** percent

Sources: FBI Crime Data Explorer, the U.S. Census Bureau (Population Annual Estimates: April 1, 2020 to July 1, 2022), and the National Safety Council Injury Facts (online, for 2021 data)

INDUSTRY INTELLIGENCE REPORTS

KEY FINDINGS

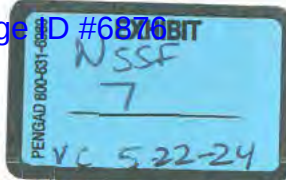
- The latest figures show that 73.8% of U.S. pistol production fell into either the “up to” 9mm calibers (63.7%) or the “up to”.50 calibers (10.1%).
- The 2021 top-25 U.S. firearm manufacturers accounted for 87.7% of the U.S. production total for the year.
- Smith & Wesson Inc. topped the list in 2021 accounting for 18.5% of total firearm production in the U.S. reported, followed by Sturm, Ruger & Company, Inc. 16.5%; Sig Sauer Inc. 10.3%; Springfield Inc. 4.7%; Glock Inc. 4.6%; and Maverick Arms, Inc. 4.0%.
- Firearm-ammunition manufacturing accounted for nearly 12,000 employees producing over \$5.6 billion in goods shipped in 2021.
- In 2021, the greatest number of imported pistols came from Austria (1,688,941) representing 34.7% of all imported pistols. Austria was followed by Brazil with 715,783 or 14.7%, Croatia 13.4% with 652,040 units, and 12.8% were imported from Turkey with 622,806.
- Brazil was the source of the greatest number of revolvers imported in 2021 (210,006), followed by Italy with 68,087, Philippines 35,724, and 28,246 imported from Germany
- The greatest number of shotguns imported in 2021 came from Turkey (2,039,085), China (416,666) and Italy (295,348); and for rifles, Canada (289,849), Brazil (215,940) and Japan (106,306). Spain (132,974) was the source of the highest of number of muzzleloaders imported, followed by Italy (54,936).
- According to USITC data, the U.S. exported 666,616 total firearms in 2021 as compared with 761,521 in 2020 — a decrease of 12.5 percent.
- According to data in reports such as ATF Firearms Commerce in the United States, ATF Annual Firearms Manufacturing and Exportation Reports and Congressional Research Service, the estimated total number of overall firearms in civilian possession is 473.2 million.
- Modern Sporting Rifle production increased 32% from 2020 to 2021. This increased the estimated amount of MSRs produced (since 1990) by 15% from 24.4 million to 28.1 million.

SOURCES

Total Production	Detail data source: The 2021 Annual Firearms Manufacturing and Export Report (AFMER). This annual report is prepared by the office of Firearms and Explosives Services Division (FESD), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Washington D.C. (Historical analysis conducted by NSSF.) For purposes of this report only, “Production” is defined as firearms, including separate frames, receivers, actions or barreled actions, manufactured and disposed of in commerce during each calendar year. The ATF’s latest full AFMER is for calendar year 2021, since the agency embargoes the data for a period of one year. Production totals data source: The AFMER 2021 as reported through January 20, 2023 – reviewed/adjusted by NSSF. For more information visit atf.gov/content/about/statistics
Manufacturing Trends	U.S. Census Bureau: Economic Census, 2021 Annual Survey of Manufactures: Tables. The 2021 data is available through the U.S. Census Bureau website: https://www.census.gov/programs-surveys/asm/data/tables.html Historical analysis conducted by NSSF.
Firearm Imports for Consumption / Total Exports	U.S. Department of Commerce and the U.S. International Trade Commission (USITC) - Interactive Tariff and Trade DataWeb: dataweb.usitc.gov U.S. Census Bureau for corrections to import/export data prior to year 2010 may be found at census.gov/foreign-trade/statistics/corrections/index.html
Manufacturers Export	The 2021 Annual Firearms Manufacturing and Export Report (AFMER) atf.gov/content/about/statistics



Report provided by NSSF. For additional research materials, please visit nssf.org/research



AFMER 2021 Corrections / Adjustments

2021 AFMER – review 8/4/2023-dv

Analysis of the 2021 AFMER production (report data as of Jan. 2023) has resulted in the following corrections, adjustments, and notations related to the following license holders, which have either confirmed, or we have conferred or surmised, to be component parts suppliers to major manufacturers who are also reporting the same quantities as complete firearms.

PISTOLS: NO ADJUSTMENTS

- Extar LLC, Lake Havasu City, AZ. 7,525 units **KEEP IN (not in MSR)**

RIFLES: Update [REDACTED] xx/xx/2023

- [REDACTED] 509 rifles & 176,485 misc (less 1,318 exports) **total: 175,686 to MSR**
CNC Turning & Machining. Company produces receivers, internal firearm components, and barrels. Reported (176,485 - 907 exp Misc FA) and (509 – 401 exp Rifles).
[NOTE: previously Using an average [REDACTED] of total their production as supplied by [REDACTED] in previous years, we would report **an ESTIMATED [REDACTED] rifles as MSR**]
- **Pauway Corp, Wallingford, CT** reviewed 8/4/2023-dv **MISSING FROM 2021 AFMER**
Pauway Corporation is a provider of industrial painting, powder coating and screen-printing services to diverse industries including Aerospace & Defense, Firearms, Electronic, Medical Device, and OEM. We normally remove from the AFMER.
- **RP Abrasives & Machine Inc, Rochester, NH** reviewed 8/4/2023-dv **MISSING FROM 2021 AFMER**
Metal finishing company that offers a variety of industrial metal finishing services, including bead blasting, burr removal, buffing, and polishing. Other services available include stainless steel polishing, titanium cleaning, citric acid passivation, and more. We normally remove from the AFMER.

===== KEEP IN AFMER and INCLUDE with MSR production history. =====

- Steyr Arms, Inc., Bessemer, AL LISTED 9,444 units to MSR
- BCI Defense, Breman, IN. LISTED misc MISSING FROM 2021 AFMER
LISTED rifles MISSING FROM 2021 AFMER
- IWI US, INC., Middletown, PA. total rifles 31,543 units to MSR
Listed rifles 31,603 less 60 units exported
- Noreen Firearms LLC LISTED misc 15,073 units to MSR
LISTED rifles 1,223 units to MSR
- Tactical Solutions Inc., Boise, ID. LISTED rifles 2,582 units Omit ONLY from MSR rpt
LISTED misc: 2,582 units Omit ONLY from MSR rpt

*NOTE: Tactical Solutions Inc. makes both MSR and traditional rifles. Unable to determine split in total count. Since it's a relatively small quantity, the number has been omitted from the MSR production report.

OTHER NOTES regarding AFMER LISTINGS . . . current / former names:

- Strassells Machine Inc / formerly Beemiller 45,000 rifles & 61,807 pistols

Last updated: April 24, 2024 - dlv

NSSF 002324

AFMER 2020 Corrections / Adjustments

March 17, 2022 & reviewed 4/30/22

Analysis of the 2020 AFMER production (report data as of 3/10/2022) has resulted in the following corrections, adjustments, and notations related to the following license holders, which have either confirmed, or we have conferred or surmised, to be component parts suppliers to major manufacturers who are also reporting the same quantities as complete firearms.

PISTOLS: NO ADJUSTMENTS

- Extar LLC, Lake Havasu City, AZ. (page 1/91) 7,537 units **KEEP IN (not in MSR)**

RIFLES: [REDACTED] (7/26)

- [REDACTED] 72 rifles & 143,648 misc (less exports) **total: . 143,648 to MSR**
 CNC Turning & Machining. Company produces receivers, internal firearm components, and barrels. Reported (143,762 -114 exp Misc FA) and (209 – 137 exp Rifles).
 [NOTE: previously Using an average [REDACTED] of total their production as supplied by [REDACTED] in previous years, we reported **an ESTIMATED [REDACTED] as MSR]**
- **Pauway Corp, Wallingford, CT** **MISSING FROM 2020 AFMER**
 Pauway Corporation is a provider of industrial painting, powder coating and screen-printing services to diverse industries including Aerospace & Defense, Firearms, Electronic, Medical Device, and OEM. We normally remove from the AFMER.
- **RP Abrasives & Machine Inc, Rochester, NH** **MISSING FROM 2020 AFMER**
 Metal finishing company that offers a variety of industrial metal finishing services, including bead blasting, burr removal, buffing, and polishing. Other services available include stainless steel polishing, titanium cleaning, citric acid passivation, and more. We normally remove from the AFMER.

===== KEEP IN AFMER and INCLUDE with MSR production history. =====

- Steyr Arms, Inc., Bessemer, AL LISTED rifles 3,043 units **to MSR**
- BCI Defense, Breman, IN. LISTED misc 26 units **to MSR**
 LISTED rifles 8 units **to MSR**
- IWI US, INC., Middletown, PA. LISTED rifles 1,905 units **to MSR**
- Noreen Firearms LLC LISTED misc 3,103 units **to MSR**
 LISTED rifles 685 units **to MSR**
- Tactical Solutions Inc., Boise, ID. LISTED rifles 1,617 units **Omit ONLY from MSR rpt**
 LISTED misc 1,595 units **Omit from MSR rpt**

Tactical Solutions Inc. makes both MSR and traditional rifles. Unable to determine split in total count. Since it's a relatively small quantity, the number is being omitted from the MSR production report!

OTHER NOTES regarding AFMER LISTINGS . . . current / former names:

- Strassells Machine Inc / formerly Beemiller 29,971 rifles & 44,775 pistols

Last updated: April 24, 2024 - dlv

NSSF 002325

AFMER 2019 Corrections / Adjustments

January 2, 2021

Analysis of the 2019 AFMER production (report data as of 1/28/20) has resulted in the following corrections, adjustments, and notations related to the following license holders, which have either confirmed, or we have conferred or surmised, to be component parts suppliers to major manufacturers who are also reporting the same quantities as complete firearms.

PISTOLS: NO ADJUSTMENTS

- Extar LLC, Lake Havasu City, AZ. (page 1/91) 3,280 units **KEEP IN (not in MSR)**

RIFLES:

- NO RIFLE & NO Misc LISTINGS**

CNC Turning & Machining. Company produces receivers, internal firearm components, and barrels. Reported 121,522 Misc FA. Using an average [redacted] of total their production as supplied by [redacted] in previous years, we reported an **ESTIMATED** [redacted] rifles produced in 2018.
- Pauway Corp, Wallingford, CT 716 units TAKE OUT.**

Pauway Corporation is a provider of industrial painting, powder coating and screen-printing services to diverse industries including Aerospace & Defense, Firearms, Electronic, Medical Device, and OEM.
- RP Abrasives & Machine Inc, Rochester, NH 4,794 units TAKE OUT**

Metal finishing company that offers a variety of industrial metal finishing services, including bead blasting, burr removal, buffing, and polishing. Other services available include stainless steel polishing, titanium cleaning, citric acid passivation, and more.

===== KEEP IN AFMER and INCLUDE with MSR production history. =====

- Steyr Arms, Inc., Bessemer, AL LISTED rifles 1,380 units **to MSR**
- BCI Defense, Breman, IN. LISTED misc 1,779 units **to MSR**
LISTED rifles 635 units **to MSR**
- IWI US, INC., Middletown, PA. MISSING FROM THE 2019 AFMER**
- Noreen Firearms LLC LISTED misc 849 units **?? to MSR**
LISTED rifles 272 units **?? to MSR**
- Tactical Solutions Inc., Boise, ID. LISTED rifles 1,800 units **Omit ONLY from MSR rpt**
LISTED misc 1,344 units **Omit from MSR rpt**

Tactical Solutions Inc. makes both MSR and traditional rifles. Unable to determine split in total count. Since it's a relatively small quantity, the number is being omitted from the MSR production report.

OTHER NOTES regarding AFMER LISTINGS . . . current / former names:

- Strassells Machine Inc / formerly Beemiller 22,300 rifles

AFMER 2018 Corrections / Adjustments

February 17, 2020

Analysis of the 2018 AFMER production (report data as of 1/28/20) has resulted in the following corrections, adjustments, and notations related to the following license holders, which have either confirmed, or we have conferred or surmised, to be component parts suppliers to major manufacturers who are also reporting the same quantities as complete firearms.

PISTOLS: (-33,592 and -5,204)

- **Pauway Corp, Wallingford, CT** LIST page 6 4,250 units **TAKE OUT.**
 Pauway Corporation is a provider of industrial painting, powder coating and screen-printing services to diverse industries including Aerospace & Defense, Firearms, Electronic, Medical Device, and OEM.
- **STI FIREARMS LLC** 5,204 units **TAKE OUT.**
 duplicate entry
- **EPP Team Inc., Rochester, NY.** LIST page 21 29,342 units **TAKE OUT.**
 Plastic, Plastic forming, Injection molds, Molds, Tooling and tool making. Feel they may be counted elsewhere.

RIFLES: (-16,482 + 41,135) Adjust to (+24,635)

- [REDACTED] LISTED 1,865 rifles & 121,522 misc. [REDACTED]
 CNC Turning & Machining. Company produces receivers, internal firearm components, and barrels. Reported 1,865 rifles and 121,522 Misc FA. Using an average [REDACTED] of total their production as supplied by [REDACTED] in previous years, we reported an *ESTIMATED* [REDACTED] rifles produced in 2018.
- **Pauway Corp, Wallingford, CT** LIST page 48 1.375 units **TAKE OUT.**
 Pauway Corporation is a provider of industrial painting, powder coating and screen-printing services to diverse industries including Aerospace & Defense, Firearms, Electronic, Medical Device, and OEM.
- **RP Abrasives & Machine Inc, Rochester, NH** LIST page 70 15,107 units **TAKE OUT**
 Metal finishing company that offers a variety of industrial metal finishing services, including bead blasting, burr removal, buffing, and polishing. Other services available include stainless steel polishing, titanium cleaning, citric acid passivation, and more.

===== KEEP IN AFMER and INCLUDE with MSR production history. =====

- Steyr Arms, Inc., Bessemer, AL LISTED rifles 1,219 units **to MSR**
- BCI Defense, Breman, IN. LISTED misc 1,632 units **?? to MSR**
 LISTED rifles 626 units **?? to MSR**
- **IWI US, INC., Middletown, PA.** **MISSING FROM THE 2018 AFMER**
- Noreen Firearms LLC LISTED misc 1,629 units **?? to MSR**
 LISTED rifles 359 units **?? to MSR**
- Tactical Solutions Inc., Boise, ID. LISTED rifles 2,988 units **Omit ONLY from MSR rpt**
 LISTED misc 1,681 units **Omit from MSR rpt**

Tactical Solutions Inc. makes both MSR and traditional rifles. Unable to determine split in total count. Since it's a relatively small quantity, the number is being omitted from the MSR production report.

Last updated: April 24, 2024 - dlw

NSSF 002327

AFMER 2017 Corrections / Adjustments

July 23, 2019

Analysis of the 2017 AFMER production (postdate 1/30/19) has resulted in the following corrections, adjustments, and notations related to the following license holders, which have either confirmed, or we have conferred or surmised, to be component parts suppliers to major manufacturers who are also reporting the same quantities as complete firearms.

PISTOLS:

- Hi Tech Plastics Inc., Wheeling, IL. NO LISTING ___ units **TAKE OUT.**
Plastic, Plastic forming, Injection molds, Molds, Tooling and tool making. Feel they may be counted elsewhere.
- Pauway Corp, Wallingford, CT NO LISTING ___ units **TAKE OUT.**
Pauway Corporation is a provider of industrial painting, powder coating and screen-printing services to diverse industries including Aerospace & Defense, Firearms, Electronic, Medical Device, and OEM.
- Tanury Industries, Inc., Lincoln, RI. LISTED 0 units **TAKE OUT.**
Electro-plating, coating, finishing, polishing, and physical vapor deposition services. Feel they may be counted elsewhere.
- Engineering & Cycle Co., Inc., Comer, GA LISTED 0 units **TAKE OUT.** CNC
Turning & Machining. Company produces receivers, internal firearm components, and barrels. Feel they may be counted elsewhere.
- EPP Team Inc., Rochester, NY. NO LISTING ___ units **TAKE OUT.**
Plastic, Plastic forming, Injection molds, Molds, Tooling and tool making. Feel they may be counted elsewhere.
- Burbak Machine, Wilton, NH NO LISTING ___ units **TAKE OUT**
- Nationwide Precision (Products), Rochester, NY LISTED 0 units **TAKE OUT.**
- Independent Plating, Worcester, MA NO LISTING since 2011 ___ units **TAKE OUT**
No information on co. but at this point the figure is too small to change overall data.
- ATW Companies, Petaluma, CA NO LISTING since 2010 ___ units **TAKE OUT**

RIFLES:

- [REDACTED] LISTED 1490 rifles & 78,033 miscFA [REDACTED]
CNC Turning & Machining. Company produces receivers, internal firearm components, and barrels. Reported 1,490 rifles and 78,033 Misc FA. Using an average [REDACTED] of total their production as supplied by [REDACTED] in previous years, we reported an **ESTIMATED** [REDACTED] rifles produced in 2017.
- Pauway Corp, Wallingford, CT NO LISTING ___ units **TAKE OUT.**
Pauway Corporation is a provider of industrial painting, powder coating and screen-printing services to diverse industries including Aerospace & Defense, Firearms, Electronic, Medical Device, and OEM.
- RP Abrasives & Machine Inc, Rochester, NH LISTED **28,982 units TAKE OUT**
Metal finishing company that offers a variety of industrial metal finishing services, including bead blasting, burr removal, buffing, and polishing. Other services available include stainless steel polishing, titanium cleaning, citric acid passivation, and more.
- Tanury Industries, Inc., Lincoln, RI LISTED 0 units **TAKE OUT**
Electro-plating, coating, finishing, polishing, and physical vapor deposition services. Feel they may be counted elsewhere.

AFMER 2017 Corrections / Adjustments continued . . .

July 23, 2019

RIFLES continued:

- John W. Heaton., Aiken, SC. LISTED 0 units **TAKE-OUT**
 Produces parts that are ultimately reported in the final product count from the firearm manufacturer.
- Engineering & Cycle Co., Inc., Comer, GA LISTED 0 units **TAKE-OUT.** CNC
 Turning & Machining. Company produces receivers, internal firearm components, and barrels. Feel they may be counted elsewhere.
- Microtool, Inc., Lenexa, KS. LISTED 0 units **TAKE-OUT.**
 Microtool, Inc. is a custom component manufacturer. Feel they may be counted elsewhere.

MISC FIREARMS:

- [REDACTED] LISTED 78,033 units [REDACTED]
 CNC Turning & Machining. Company produces receivers, internal firearm components, and barrels. Reported 1,490 rifles and 78,033 Misc FA. Using an average [REDACTED] of total their production as supplied by [REDACTED] in previous years, we reported an *ESTIMATED* [REDACTED] rifles produced in 2018.

===== **KEEP IN AFMER and INCLUDE with MSR production history.** =====

- Steyr Arms, Inc., Bessemer, AL LISTED rifles 1,360 units **?? KEEP - # to MSR**
- BCI Defense, Breman, IN. LISTED misc 1,445 units **?? KEEP - MSR**
 LISTED rifles 332 units **?? KEEP - # to MSR**
- IWI US, INC., Middletown, PA. LISTED rifles 14,133 units **KEEP - MSR**
- **Chazkat, LLC, Breckenridge, TX * [Bold Ideas]** NOT LISTED __ units **KEEP - no MSR (jc)**
 [*Colt Competition Rifles are licensed products of New Colt Holding Corp and are manufactured under license by Bold Ideas (TX)] . . . 9/21/18: NO WEBSITE, No one answered Jim's phone call. **OUT OF BUSINESS IN 2017.**
- Noreen Firearms LLC LISTED misc 15,005 units **?? KEEP - # to MSR**
 LISTED rifles 365 units **?? KEEP - # to MSR**
- Tactical Solutions Inc., Boise, ID. LISTED rifles 3,247 units **Omit only from MSR rpt**
 LISTED misc 1,127 units **?? KEEP - MSR**

Tactical Solutions Inc. makes both MSR and traditional rifles. Unable to determine split in total count. Since it's a relatively small quantity, the number is being omitted from the MSR production report.

AFMER 2016 Corrections / Adjustments

September 21, 2018

Analysis of the 2016 AFMER production (postdate 1/04/18) has resulted in the following corrections, adjustments, and notations related to the following license holders, which have either confirmed, or we have conferred or surmised, to be component parts suppliers to major manufacturers who are also reporting the same quantities as complete firearms.

PISTOLS:

- Hi Tech Plastics Inc., Wheeling, IL. (page 8 / 103) 4,520 units **TAKE OUT.**
Plastic, Plastic forming, Injection molds, Molds, Tooling and tool making. Feel they may be counted elsewhere.
- Pauway Corp, Wallingford, CT (page 4 / 103) 5,774 units **TAKE OUT**
Pauway Corporation is a provider of industrial painting, powder coating and screen-printing services to diverse industries including Aerospace & Defense, Firearms, Electronic, Medical Device, and OEM.
- Tanury Industries, Inc., Lincoln, RI. (page 16 / 103) 1,257 units **TAKE OUT.**
Electro-plating, coating, finishing, polishing, and physical vapor deposition services. Feel they may be counted elsewhere.

RIFLES:

- [REDACTED] (page 72 / 103) est. 30,000 units [REDACTED]
CNC Turning & Machining. Company produces receivers, internal firearm components, and barrels. Reported 4,931 rifles and 81,516 Misc FA. Using an average [REDACTED] of total their production as supplied by [REDACTED] in previous years, we reported an *ESTIMATED* [REDACTED] rifles produced in 2016.
- Pauway Corp, Wallingford, CT (page 33 / 103) 6,723 units **TAKE OUT**
Pauway Corporation is a provider of industrial painting, powder coating and screen-printing services to diverse industries including Aerospace & Defense, Firearms, Electronic, Medical Device, and OEM.
- RP Abrasives & Machine Inc, Rochester, NH (page 53 / 103) 51,242 units **TAKE OUT**
Metal finishing company that offers a variety of industrial metal finishing services, including bead blasting, burr removal, buffing, and polishing. Other services available include stainless steel polishing, titanium cleaning, citric acid passivation, and more.
- Tanury Industries, Inc., Lincoln, RI (page 62 / 103) 299 units **TAKE OUT.**
Electro-plating, coating, finishing, polishing, and physical vapor deposition services. Feel they may be counted elsewhere.

MISC FIREARMS:

- [REDACTED] (page / 103) 81,516 units [REDACTED]
CNC Turning & Machining. Company produces receivers, internal firearm components, and barrels. Reported 4,931 rifles and 81,516 Misc FA. Using an average [REDACTED] of total their production as supplied by [REDACTED] in previous years, we reported an *ESTIMATED* [REDACTED] rifles produced in 2016.
===== KEEP IN AFMER and INCLUDE with MSR production history. =====
- Steyr Arms, Inc., Bessemer, AL (page 23/) 1,832 units **KEEP – MSR**
- BCI Defense, Breman, IN. (page 40/) 3,700 units **KEEP – MSR**
- IWI US, INC., Harrisburg, PA. (page 60/) 28,206 units **KEEP – MSR**
- Chazkat, LLC, Breckenridge, TX * [Bold Ideas] (page 64/) 40,892 units **KEEP – no MSR (jc)**
[*Colt Competition Rifles are licensed products of New Colt Holding Corp and are manufactured under license by Bold Ideas (TX)] . . . 9/21/18: NO WEBSITE, No one answered Jim’s phone call.
- Noreen Firearms LLC 13,340 units **KEEP - 10,000 to MSR**
- Tactical Solutions Inc., Boise, ID. (page 39/) 2,340 units **Omit only from MSR rpt**
Tactical Solutions Inc. makes both MSR and traditional rifles. Unable to determine split in total count.

Last updated: April 24, 2024 - dlv

NSSF 002330

Since it's a relatively small quantity, the number is being omitted from the MSR production report.

AFMER 2015 Corrections / Adjustments

September 21, 2017

Analysis of the 2015 AFMER production (postdate 1/27/17) has resulted in the following corrections, adjustments, and notations related to the following license holders, which have either confirmed, or we have conferred or surmised, to be component parts suppliers to major manufacturers who are also reporting the same quantities as complete firearms.

PISTOLS:

- Hi Tech Plastics Inc., Wheeling, IL. (page 7/99) 1,798 units **TAKE OUT.**
Plastic, Plastic forming, Injection molds, Molds, Tooling and tool making. Feel they may be counted elsewhere.
- Tanury Industries, Inc., Lincoln, RI. (pages 16 & 21/99) 3,057 units **TAKE OUT.**
Electro-plating, coating, finishing, polishing, and physical vapor deposition services. Feel they may be counted elsewhere.

RIFLES:

- [REDACTED] (page 72/99) est. 18,000 units [REDACTED]
CNC Turning & Machining. Company produces receivers, internal firearm components, and barrels. Reported 1,118 rifles and 51,592 Misc FA. Using an average [REDACTED] of total their production as supplied by [REDACTED] in previous years, we reported an ESTIMATED [REDACTED] rifles produced in 2015.
- John W. Heaton., Aiken, SC. (page 57/99) 7,643 units **TAKE OUT**
Produces parts that are ultimately reported in the final product count from the firearm manufacturer.
- Tanury Industries, Inc., Lincoln, R (page 61/99) 2 units **TAKE OUT.**
Electro-plating, coating, finishing, polishing, and physical vapor deposition services. Feel they may be counted elsewhere.

SPECIAL NOTE from Rich Bauter regarding AFMER error:

- Cobra Enterprises of UTAH Inc, Salt Lake City, UT. Did **NOT** have any exports in 2015. AFMER is incorrect. Rich confirmed with the company.

===== KEEP IN AFMER and INCLUDE with MSR production history. =====

- Steyr Arms, Inc., Bessemer, AL (page 23/98) 2,129 units **KEEP – MSR**
- BCI Defense, Breman, IN. (page 40/98) 434 units **KEEP – MSR**
- IWI US, INC., Harrisburg, PA. (page 60/98) 14,935 units **KEEP – MSR**
- Chazkat, LLC, Breckenridge, TX * **[Bold Ideas]** (page 64/98) 1,209 units **KEEP – NO MSR (Jim)**
[*Colt Competition Rifles are licensed products of New Colt Holding Corp and are manufactured under license by Bold Ideas (TX)]
- Tactical Solutions Inc., Boise, ID. (page 39/98) 1,710 units **Omit only from MSR rpt**
Tactical Solutions Inc. makes both MSR and traditional rifles. Unable to determine split in total count. Since it's a relatively small quantity, the number is being omitted from the MSR production report.

OTHER NOTES regarding AFMER LISTINGS . . . current / former names:

- AR1510 LLC / Armalite 15,030 rifles
- Strassells Machine Inc / Beemiller Inc (High Point Firearms) 54,000 rifles

AFMER 2014 Corrections / Adjustments

March 17, 2016

Analysis of the 2014 AFMER production (postdate 2/3/16) has resulted in the following corrections, adjustments, and notations related to the following license holders, which have either confirmed, or we have conferred or surmised, to be component parts suppliers to major manufacturers who are also reporting the same quantities as complete firearms.

PISTOLS:

- Extar LLC, Lake Havasu City, AZ. (page 1/91) 1,910 units **KEEP IN (not in MSR)**
- Engineering & Cycle Co., Inc., Comer, GA (page 6/91) 2,583 units **TAKE OUT**
CNC Turning & Machining. Company produces receivers, internal firearm components, and barrels. Feel they may be counted elsewhere.
- EPP Team Inc., Rochester, NY. (page 12/91) 14,387 units **TAKE OUT.**
Plastic, Plastic forming, Injection molds, Molds, Tooling and tool making. Feel they may be counted elsewhere.
- Hi Tech Plastics Inc., Wheeling, IL. (page 7/91) 12,005 units **TAKE OUT.**
Plastic, Plastic forming, Injection molds, Molds, Tooling and tool making. Feel they may be counted elsewhere.
- Tanury Industries, Inc., Lincoln, RI. (page 14/91) 1,894 units **TAKE OUT.**
Electro-plating, coating, finishing, polishing, and physical vapor deposition services. Feel they may be counted elsewhere.

RIFLES:

- [REDACTED] (pages 66 & 81/91) est. 14,000 units [REDACTED]
CNC Turning & Machining. Company produces receivers, internal firearm components, and barrels. Reported 5 rifles and 40,557 Misc FA. Using an average [REDACTED] of total their production as supplied by [REDACTED] in previous years, we reported an *ESTIMATED* [REDACTED] rifles produced in 2014.
- Engineering & Cycle Co., Inc., Comer, GA (page 34/91) 985 units **TAKE OUT**
CNC Turning & Machining. Produces receivers, internal firearm components, and barrels. Feel they may be counted elsewhere.
- John W. Heaton., Aiken, SC. (page 57/91) 13,528 units **TAKE OUT**
Produces parts that are ultimately reported in the final product count from the firearm manufacturer.

===== KEEP IN AFMER and INCLUDE with MSR production history. =====

- Steyr Arms, Inc., Bessemer, AL (page 22/91) 1,366 units **KEEP – MSR**
- Spikes Tactical, Apopka, FL (not in Report) no units **KEEP – MSR**
- BCI Defense, Breman, IN. (page 38/91) 3,484 units **KEEP – MSR**
- IWI US, INC., Harrisburg, PA. (page 56/91) 17,771 units **KEEP – MSR**
- Chazkat, LLC, Canby, OR * (not in Report) no units **KEEP – MSR**
- Chazkat, LLC, Breckenridge, TX * (page 60/91) 4,439 units **KEEP – MSR**
[*Colt Competition Rifles are licensed products of New Colt Holding Corp and are manufactured under license by Bold Ideas (TX)]
- Tactical Solutions Inc., Boise, ID. (page 37/91) 1,724 units **Omit from MSR report**
Tactical Solutions Inc. makes both MSR and traditional rifles. Unable to determine split in total count. Since it's a relatively small quantity, the number is being omitted from the MSR production report.

AFMER 2013 Corrections / Adjustments

April 1, 2015

Analysis of the 2013 AFMER production (postdate 2/3/15) has resulted in the following corrections, adjustments, and notations related to the following license holders, which have either confirmed, or we have conferred or surmised, to be component parts suppliers to major manufacturers who are also reporting the same quantities as complete firearms.

PISTOLS:

- Extar LLC, Lake Havasu City, AZ. (page 1/81) 1,800 units **KEEP IN – MSR-PISTOLS**
- Azimuth Technology, Naples, FL. (page 3/81) 16,417 units **KEEP IN**
- Engineering & Cycle Co., Inc., Comer, GA (page 4/81) 12,148 units **TAKE OUT**
CNC Turning & Machining. Company produces receivers, internal firearm components, and barrels. Feel they may be counted elsewhere.
- EPP Team Inc., Rochester, NY. (page 9/81) 4,979 units **TAKE OUT.**
Plastic, Plastic forming, Injection molds, Molds, Tooling and tool making. Feel they may be counted elsewhere.

RIFLES:

- R & D Tactical Solutions, Ocala, FL (page 27/81) 1,887 units **TAKE OUT**
Machine shop that manufacturers small components for various fire apparatus manufacturers and automotive companies. Feel they may be counted elsewhere.
- Engineering & Cycle Co., Inc., Comer, GA (page 28/81) 1,338 units **TAKE OUT**
CNC Turning & Machining. Produces receivers, internal firearm components, and barrels. Feel they may be counted elsewhere.
- Microtool, Inc., Lenexa, KS. (page 33/81) 3,611 units **TAKE OUT**
Microtool, Inc. is a custom component manufacturer. Feel they may be counted elsewhere.
- [REDACTED] (not in report) est. 20,000 units [REDACTED]
CNC Turning & Machining. Company produces receivers, internal firearm components, and barrels. No figure reported in 2013 AFMER. [REDACTED] estimate [REDACTED] lower receivers, along with an additional estimate of [REDACTED] which may be counted elsewhere in the AFMER.

===== **KEEP IN AFMER and INCLUDE with MSR production history.** =====

- Steyr Arms, Inc., Bessemer, AL (page 17/81) 3,180 units **KEEP – MSR**
- Spikes Tactical, Apopka, FL. (page 27/81) 2,414 units **KEEP – MSR**
- BCI Defense, Breman, IN. (page 31/81) 1,302 units **KEEP – MSR**
- IWI US, INC., Harrisburg, PA. (page 48/81) 14,599 units **KEEP – MSR**
- Chazkat, LLC, Canby, OR * (page 46/81) 6,223 units **KEEP – MSR**
- Chazkat, LLC, Breckenridge, TX * (page 51/81) 4,647 units **KEEP – MSR**
[*Colt Competition Rifles are licensed products of New Colt Holding Corp and are manufactured under license by Bold Ideas (TX)]
- Tactical Solutions Inc., Boise, ID. (page 31/81) 1,450 units Omit from MSR report
Tactical Solutions Inc. makes both MSR and traditional rifles. Unable to determine split in total count. Since it's a relatively small quantity, the number is being omitted from the MSR production report.

Last updated: April 24, 2024 - dlv

NSSF 002333

2012 AFMER -- * Corrected/Adjusted (3/31/15):**RIFLES**

- [REDACTED] (page 48/68) 73,172 units [REDACTED]
CNC Turning & Machining. Produces receivers, internal firearm components, and barrels.
[REDACTED] estimate about [REDACTED] of total accounted for lower receivers.
- John W. Heaton, Aiken, SC 14,339 units **TAKE OUT.**

PISTOLS:

- Hi Tech Plastics, Wheeling, IL. (page 5/68) 14,749 units **TAKE OUT.**
Hi Tech Plastics produces pistol frames with serial numbers for a handgun manufacturer.
- Burbak Machine, Wilton, NH (page 7/68) 129,984 units **TAKE OUT**
- Nationwide Precision, Rochester, NY (page 8/68) 33,051 units **TAKE OUT**

2011 AFMER Corrections for Components:

Jim's updates in Red. May 28, 2013

April 10, 2013

Analysis of the 1/7/2013 report of 2011 production has been corrected by the following license holder which have confirmed, or we have surmised, to be component parts suppliers to major manufacturers who are also reporting the same quantities as complete firearms.

PISTOLS:

- Hi Tech Plastics, Wheeling, IL. (page 4/57) 20,021 units **TAKE OUT.**
Hi Tech Plastics produces pistol frames with serial numbers for a handgun manufacturer.
- Independent Plating, Worchester, MA (page 5/57) 3,719 units **TAKE OUT.**
No information on company but at this point the figure is too small to change overall data.
- Burbak Machine, Wilton, NH (page 7/57) 102,688 units **TAKE OUT**
- Nationwide Precision, Rochester, NY (page 7/57) 7,573 units **TAKE OUT**

RIFLES:

- John W. Heaton, Aiken, SC (page 33/57) 12,353 units **TAKE OUT.**
John Heaton is the same company as Precision Machine Works that produce rifle actions for FN Manufacturing for rifle models such as Winchester Model 70. The actions are included in the final product reported by FN Manufacturing.

Last updated: April 24, 2024 - dlw

NSSF 002334

NOTE RE: 2010 AFMER

PISTOLS:

2010 AFMER figures from the following pistol parts and components manufacturers were not included in the NSSF Firearms Production in the United States Industry Intelligence Report: ATW Companies 49,882; Burbak Machine Corp. 93,841; and Precision Tool & Molding 27,150

- ATW Companies, Petaluma, CA (page 2/47) 48,882 units **TAKE OUT.**
 - Burbak Machine Corporation, Wilton, NH (page 5/47) 93,841 units **TAKE OUT.**
 - Precision Tool & Molding LLC, Derry, NH (page 5/47) 27,150 units **TAKE OUT.**
-

Cell: AG4
Note: Dianne Vrablic:
count all rifles:
Total is Rifle mfg less rifles exported.

Cell: AA7
Note: Jim Curcuruto:
51500 MISC

Cell: AD7
Note: Jim Curcuruto:
All MSR or lowers

Cell: AE7
Note: Dianne Vrablic:
rifles: 1,817
lowers: 216,461

Cell: AF7
Note: Dianne Vrablic:
rifles: 1,114
lowers: 249,807
minus 251 exports

Cell: AG7
Note: Dianne Vrablic:
rifles: 2,046
lowers: 277,731

Cell: AB9
Note: Jim Curcuruto:
combo Rifles + MISC

Cell: AB11
Note: Jim Curcuruto:
55000 Rifles + 23700 MISC

Cell: AB15
Note: Jim Curcuruto:
mix trad / msr?

Cell: AD15
Note: Jim Curcuruto:
est of the 6,187 total

Cell: AB16
Note: Jim Curcuruto:
combo rifles + MISC

Cell: AD17
Note: Jim Curcuruto:
5000 produced
8000 exported???

Cell: AF17
Note: Dianne Vrablic:
5,487 produced and 10,000 exported???

Cell: AB19
Note: Jim Curcuruto:
combo Rifles + 13800 MISC

Cell: AE19
Note: Dianne Vrablic:
rifles + Misc

Cell: AF19
Note: Dianne Vrablic:
Rifles + Misc

Cell: AG19
Note: Dianne Vrablic:
Rifles + Misc

Cell: AC22
Note: Jim Curcuruto:
See Remington #

Cell: AE22
Note: Dianne Vrablic:
Trademark owned by Remington

Cell: AF22
Note: Dianne Vrablic:
Trademark owned by Remington

Cell: AG22
Note: Dianne Vrablic:
Bushmaster.com
Jay Jacobson
1st year of production:
2,158 rifles & 82 lowers.

Cell: AB23
Note: Jim Curcuruto:
75% of total are "MSR" / AK made in US but not sure if all are AK, Need to contact. 90,000 rifles+ 54000 MISC = 144,000, Going to use 90k to be safe as no response from co.

Cell: AG23
Note: Jim Curcuruto:

75% of total = MSR / AK

Cell: AD23
Note: Jim Curcuruto:
75% of total (Rifle + Misc) = MSR/AK

Cell: AE23
Note: Dianne Vrablic:
75% of total
Rifles + Misc FA

Cell: AF23
Note: Dianne Vrablic:
75% of Rifles & Misc

Cell: AG23
Note: Dianne Vrablic:
75% of Rifles & Misc

Cell: AB24
Note: Jim Curcuruto:
No website. No answer to call. 503-351-3254
40,000

Cell: AB25
Note: Jim Curcuruto:
Combo Rifles & MISC

Cell: AE25
Note: Dianne Vrablic:
Rifles + Misc

Cell: AF25
Note: Dianne Vrablic:
Rifles + Misc

Cell: AG25
Note: Dianne Vrablic:
Rifles + Misc

Cell: AB26
Note: Jim Curcuruto:
2,286 exported

Cell: AG26
Note: Dianne Vrablic:
Total= Rifles minus rifle export, minus MISC exports

Cell: AB27
Note: Jim Curcuruto:
550 exported

Cell: AE27
Note: Dianne Vrablic:
(Rifles + Misc) rounded
minus
(Rifles + Misc exported)
rounded

Cell: AF27
Note: Dianne Vrablic:
Rifles mfg - 588 rifles exported

Cell: AG27
Note: Dianne Vrablic:
Rifles mfg -1,118 rifles exported

Cell: AE30
Note: Dianne Vrablic:
Rifles: 31,013
Pistols: 4,600

Cell: AF30
Note: Dianne Vrablic:
Rifles 33,435
Pistols: 5,108

Cell: AG30
Note: Dianne Vrablic:
Rifles 27,498
Pistols: 2,342

Cell: AF33
Note: Dianne Vrablic:
Rifles: 2,092
Misc: 504

Cell: AG33
Note: Dianne Vrablic:
Rifles: 1,695
Misc: 1,633

Cell: AC34
Note: Jim Curcuruto:
See Remington #

Cell: AE35
Note: Dianne Vrablic:
Rifles: 1,399
Pistols: 88
Misc: 2,952

Cell: AF35
Note: Dianne Vrablic:
rifles: 1,723
Pistols: 204
Misc: 6,109

Cell: AG35
Note: Dianne Vrablic:
rifles: 1,097
Pistols: 151
Misc: 6,737

Cell: AG39
Note: Dianne Vrablic:
Rifles: 7,596
Pistols: 1,090
Misc: 0

Cell: AE40
Note: Dianne Vrablic:
307 Rifles counted only

Cell: AF40
Note: Dianne Vrablic:
Rifles counted only

Cell: AG40
Note: Dianne Vrablic:
Rifles counted only

Cell: AE44
Note: Dianne Vrablic:
rifles: 15,671

Cell: AF44
Note: Dianne Vrablic:
rifles: 15,802

Cell: AG44
Note: Dianne Vrablic:
rifles: 37,202

Cell: AF45
Note: Dianne Vrablic:
Mfg 770 rifles.
Exported 775 rifles???

Cell: AG45
Note: Dianne Vrablic:
Mfg 770 rifles.
Exported 775 rifles???

Cell: AE47
Note: Dianne Vrablic:
about 1/2 of their rifle models are MSR and 1/2 are traditional.

MSR est is 1/2 the reported rifle figure.
(DV_10/16/23)

Cell: AF47
Note: Dianne Vrablic:
as with previous year, estimate 50% of rifles as MSR.

Total rifles: 2,780 * .50

Reported(DV_10/16/23)

Cell: AG47
Note: Dianne Vrablic:
MSRs counted at 50% of rifle total of 1,999:

Tot reported= 1,000

Cell: AB54
Note: Jim Curcuruto:
all MISC

Cell: AG56
Note: Dianne Vrablic:
Rifles: 4,855
Pistols: 221

Cell: AB58
Note: Jim Curcuruto:
2800 exported

Cell: AE60
Note: Dianne Vrablic:
Rifles: 1,562
Pistols: 3,504

Cell: AF60
Note: Dianne Vrablic:
Rifles: 2,709
Pistols: 4,157
after deducting exported).

Cell: AG60
Note: Dianne Vrablic:
Rifles: 2,598
Pistols (1/2): 3318

minus
Rifle + Misc exports
rounded down to nearest 100

Cell: AF94
Note: Dianne Vrablic:
Rifles + Misc minus
Rifles + Misc exports

rounded to 100's

Cell: AG94
Note: Dianne Vrablic:
Rifles + Misc minus
Rifles + Misc exports

Cell: AB98
Note: Dianne Vrablic:
AFMER posted 0,
not the 9,512 that was included in here for 2016.
7/5/22: revised count to zero 0 (dv)

Cell: AB101
Note: Jim Curcuruto:
458 exported

Cell: AF101
Note: Dianne Vrablic:
Rifles: 1,773
Pistols: 1,424

Cell: AG101
Note: Dianne Vrablic:
Rifles: 1,823
Pistols: 1,419

Cell: AB102
Note: Jim Curcuruto:
754 exported

Cell: AF102
Note: Dianne Vrablic:
Pistols: 895
Rifles + Misc: 8,330

Cell: AG102
Note: Dianne Vrablic:
Pistols: 1,394
Rifles: 1,215
Misc: 2,651

Cell: AE103
Note: Dianne Vrablic:
Rifles: 1,175
Pistols: 172

Misc & exports: 0

Cell: AF103
Note: Dianne Vrablic:
Rifles: 1,021
Pistols: 440
Misc: 0
Exports: 0

Cell: AG103
Note: Dianne Vrablic:
Rifles: 1,272
Pistols: 15
Misc: 0
Exports: 0

Cell: AF105
Note: Dianne Vrablic:
This count was for Rifles only

Cell: AG105
Note: Dianne Vrablic:
counted Rifles only (less rifle exports)

Cell: AE106
Note: Dianne Vrablic:
Rifles + Misc: 6,272
Pistols: 458

Cell: AF106
Note: Dianne Vrablic:

Rifles: 14,070
Pistols: 779
excluded SG & misc

Cell: AG106
Note: Dianne Vrablic:

Rifles: 19,860 plus
Pistols: 1,258 rounded
excluded MISC of 1,445

Cell: AB107

Note: Jim Curcuruto:
Spoke with Tom Steffner. 80% are stamped lowers sold at \$105 that people build to full MSR.

Cell: AE107
Note: Dianne Vrablic:
Rifles 3,373
& Misc (lowers) 342,271

verified (2022)

Cell: AF107
Note: Dianne Vrablic:
Rifles 22,481
& Misc (lowers) 439,559

Verified (2022)

Cell: AG107
Note: Dianne Vrablic:
Rifles 32,405
& Misc (lowers) 471,787

Verified (2022)

Cell: AE108
Note: Dianne Vrablic:
Rifles: 31
Pistols: 8
Misc: 340

Cell: AF108
Note: Dianne Vrablic:
Rifles 119
Pistols: 34
Misc: 1,266

Cell: AG108
Note: Dianne Vrablic:
Rifles 144
Pistols: 2
Misc: 0

Cell: AF109
Note: Dianne Vrablic:
Rifles: 2,040

Cell: AG109
Note: Dianne Vrablic:
Rifles: 1,467

Cell: AF110
Note: Dianne Vrablic:
Misc: 1,546

Cell: AG110
Note: Dianne Vrablic:
Misc: 1,177 less
Misc exports: 150 for total of 1,027

Cell: AF111
Note: Dianne Vrablic:
Rifles only: 29,971

Cell: AG111
Note: Dianne Vrablic:
Rifles only: 45,000

	AI	AJ	AK	AL	AM	AN	AO	AP	AQ	AR	AS	AT	AU	AV
1				NOTES:	MSR PISTOL ESTIMATES (subset of Total MSRs)									
2	this color highlighting labels the confidential estimates (calls)	10/9/2023 - 10/16/2023 Notes for 2021 recording	Potential problems are highlighted with this color (re: 2019 -2021)	This color identifies reference notes for annual updates	NOTE: These pistol estimates are included in the Total MSR Production Estimates (under the green-highlighted headings for MSRs.)									
3					2019	2020	2021						2,280,833	
4				need to contact if we want pistol count	N	N							2,054,164	
5													1,325,521	
6													1,283,629	
7				Combo AR rifles and AR lowers (listed as misc) 218,278 not listed in the 2019 AFMER									1,193,173	
8													1,122,059	
9													672,820	
10													571,480	
11													566,780	
12													502,600	
13														
14														
15				3/27/2022: rifles appear to be all MSR (AFMER 2020) 10/9/2023: rifles appear to be all MSR (FMER 2021)										
16														
17														
18														
19				2016 = 13,800 misc rifles										
20														
21														
22														
23														
24														
25				2015 MISC = 3,300. 2016 MISC = 5500										
26														
27														
28														
29														
30					4,600	5,108	2,342							
31														
32														
33				2020: Mfg MSR rifles & one MSR pistol. Pistols not counted. 2021: Mfg MSR rifles & 8 MSR pistol models plus 5 1911 models. Pistols not counted -- unless we contact for info.										
34														
35					88	204	151							
36														
37														
38														
39				MSR rifles and Misc. (some pistol option -- 2019-2020 exclded from MSR table)			1,090							
40														
41														
42														
43				recorded: Rifles & Misc										
44				recorded: Rifles & Misc										
45														
46														
47				Mfg some MSR rifles & some MSR pistols. Rifles counted at 50%. Pistols not counted.										
48														
49														
50														
51														
52														
53														

2,280,833
2,054,164
1,325,521
1,283,629
1,193,173
1,122,059
672,820
571,480
566,780
502,600

EXHIBIT
 NSSF
 9
 VC 5-22-24
 PENGAD 900-631-6869

	A	B	C	D	E	F	G	H	I	J	K
	Issue:	Company:	Contact	Title	Phone	Email	NOTES				
1	They make AR-15 pistols, but other pistols as well. Need to call for number or % to work with.								12/12/2023: no responses. Proceed with IIR.		
2	AFMER: 1,127 total rifles less 50 rifle exports. Not all rifles are MSR. Need to call for number or %.										
3	Most of the rifles appear to be MSR style except for this one CBX TACHUNTER 308 . Not sure how to account for quantities. Call would be helpful.										
4	2021: Pistols NOT counted -- unless we contact for quantity into.										
5	SALAM: I believe the MSR totals for 2019 and 2020 should be revised, now that I've discovered this information "CORE Rifle Systems is a manufacturer of quality AR-15 Rifles and Pistols built in Ocala, FL. Established in 2010 as a subsidiary to Good Time Outdoors, Inc." and realized that Good Time Outdoors webpage appears to be more of a retail location selling other Brand Name firearms. Looks like Core Rifle Systems also offers online sales (but I can't get a hyperlink to work. Copy & paste in the browser does work.) https://core15rifles.com/										
6	SALAM: I'M NOT SURE THEIR RIFLES ARE MSR's - (M14'S) , they don't "look like" MSR's. I don't see anything on the website that looks like an MSR. Do you? The web address is on the right, but hyperlinks haven't been copying over for me for many of these websites.										
7	NOT listed in the AFMER for 2021. We have MSR numbers from the last round of inquiries to use for this year's report purpose. Their missing production figures may impact the overall total results for production in general (IIR), assuming they had production.										
8	Do NOT KNOW What to count for the MSR estimate. Their website currently displays: ... 1 rifle model is Lever Action. ... 12 rifle models appear to be MSR styles. ... 6 short-barreled rifle models ... 7 pistol models appear to be MSR styles ... Parts include uppers, lowers and other misc.										
9	Website displays a mix of product for both pistol & for rifles. Not sure how to account for quantities. Call would be helpful.										
10											
11											
12	INFORMATION:										
14	Internet search/Wiki (dv 10.16.2023): February 28th, 2017 will be the last day of operation for Olympic Arms, Inc," noted the company on social media, January 26, 2017. Despite that announcement, they continued to sell parts and fill orders in a limited capacity until 2020, when they finally ceased all operations.										
15	NOTE: from website 2023 It is with deep regret that we announce the closing of Windham Weaponry. Our website/online retail ordering system will remain active through Tuesday night, Sept 12.										
16											

PENGAD 800-631-6899
 EXHIBIT
 NSSF
 10
 VC 5-22-24



	A	B	C	D	E	F	G
1	NSSF® MSR History. 1990 - 2020 estimated US firearm production - exports + imports of MSR/AR, AK Platform Semi-automatic Rifles and Lowers						
2	YEAR	U.S. Production less exports of MSR platform	U.S. Import less exports of MSR platform	ANNUAL TOTAL			Top US Manufacturers of MSR's
3	1990	43,000	31,000	74,000			
4	1991	46,000	69,000	115,000			
5	1992	33,000	72,000	105,000			
6	1993	62,000	226,000	288,000			
7	1994	103,000	171,000	274,000			
8	1995	54,000	77,000	131,000			
9	1996	27,000	43,000	70,000			
10	1997	44,000	81,000	125,000			
11	1998	70,000	75,000	145,000			
12	1999	113,000	119,000	232,000			
13	2000	86,000	130,000	216,000			
14	2001	60,000	119,000	179,000			
15	2002	97,000	145,000	242,000			
16	2003	118,000	262,000	380,000			
17	2004	107,000	207,000	314,000			
18	2005	141,000	170,000	311,000			
19	2006	196,000	202,000	398,000			
20	2007	269,000	229,000	498,000			
21	2008	444,000	189,000	633,000			
22	2009	692,000	314,000	1,006,000			
23	2010	444,000	140,000	584,000			
24	2011	653,000	163,000	816,000			
25	2012	1,308,000	322,000	1,630,000			
26	2013	1,882,000	393,000	2,275,000			
27	2014	950,000	237,000	1,187,000			
28	2015	1,360,000	245,000	1,605,000			
29	2016	2,217,000	230,000	2,447,000			
30	2017	1,406,000	158,000	1,564,000			
31	2018	1,731,000	225,000	1,956,000			
32	2019	1,679,000	169,000	1,848,000			
33	2020	2,466,000	332,000	2,798,000			
34	2021	3,178,000	520,000	3,698,000			
35	TOTALS	22,079,000	6,065,000	28,144,000			
36	<i>Sources: ATF AFMER, US ITC, Industry estimates</i>						
37	<i>10/1/2020: thru 2018</i>						
38	<i>7/5/2022: thru 2020</i>						
39	<i>12/12/2023: thru 2021</i>						
40							
41							
42							

INDUSTRY INTELLIGENCE REPORTSSM

HELPING OUR MEMBERS MAKE INFORMED DECISIONS



FIREARM PRODUCTION IN THE UNITED STATES

WITH FIREARM IMPORT AND EXPORT DATA

Providing a comprehensive overview of firearm production trends spanning a period of 28 years, this report is based primarily on the data sourced from the Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF's) Annual Firearms Manufacturing and Export Reports (AFMER). Every effort has been made to provide accurate and updated information so the reader may keep this edition as a reliable resource for trend information. Production data is a leading indicator of industry performance; this is especially true when combined with other valuable sources of information.

This edition includes manufacturing trends for ammunition as sourced from Census Bureau's Annual Survey of Manufacturers (ASM) used for all years that fall between the fifth-year economic census reports. Import and export statistics for firearms compiled from the U.S. International Trade Commission (USITC) are presented in conjunction with the AFMER numbers to provide a more accurate picture of the historical production that has been made available to the U.S. market. These data sources, when used collectively, help to provide an overview of the firearm and ammunition manufacturing industries.

Information on production, imports, exports and other manufacturing variables are only a piece of a more complex puzzle of the firearm industry. Other factors outside of the manufacturing sector, such as the retail sector, the economy and frequently the political climate, must all be taken into consideration. The limitation of the AFMER data is that it reflects historic trends; however, using the data in combination with other reports does provide a more complete picture of the industry. Firearm and ammunition production provide a very significant contribution to the national economy in terms of jobs, wages, and benefits. In addition, capital expenditures on materials (energy, equipment, fuels) help boost local economies.

KEY FINDINGS

- The average annual production of firearms in the U.S. was 5,400,893 for the last quarter century.
- Total firearm production reported in the 2018 AFMER was 7,948,473 – an increase of 0.6% over 2017 reported figures.
- Long guns totaled 3,441,297 and accounted for 43.3% of total 2018 U.S. firearm production. Of that, rifles totaled 2,905,178 (84.4% of long gun production) and shotguns totaled 536,119 (15.6%).

* See back for all Key Findings

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Trade Association

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INDUSTRY INTELLIGENCE REPORTS

U.S. Firearm Production (1991 – 2018)

Year	Pistols	Revolvers	Total Handguns	Rifles	Shotguns	Total Long Guns	Production Total (a)	% Change in Total Production Year over Year
1991	1,378,252	456,966	1,835,218	883,482	828,426	1,711,908	3,547,126	-7.8%
1992	1,669,537	469,413	2,138,950	1,001,708	1,018,204	2,019,912	4,158,862	17.2%
1993	2,093,362	562,292	2,655,654	1,173,694	1,148,939	2,322,633	4,978,287	19.7%
1994	2,004,298	586,450	2,590,748	1,316,607	1,254,924	2,571,531	5,162,279	3.7%
1995	1,195,284	527,664	1,722,948	1,441,120	1,176,958	2,618,078	4,341,026	-15.9%
1996	987,528	498,944	1,486,472	1,424,315	925,732	2,350,047	3,836,519	-11.6%
1997	1,036,077	370,428	1,406,505	1,251,341	915,978	2,167,319	3,573,824	-6.8%
1998	960,365	324,390	1,284,755	1,345,899	1,036,520	2,382,419	3,667,174	2.6%
1999	995,446	335,784	1,331,230	1,569,685	1,106,995	2,676,680	4,007,910	9.3%
2000	962,901	318,960	1,281,861	1,583,042	898,442	2,481,484	3,763,345	-6.1%
2001	626,836	320,143	946,979	1,284,554	679,813	1,964,367	2,911,346	-22.6%
2002	741,514	347,070	1,088,584	1,515,286	741,325	2,256,611	3,345,195	14.9%
2003	811,660	309,364	1,121,024	1,430,324	726,078	2,156,402	3,277,426	-2.0%
2004	728,511	294,099	1,022,610	1,325,138	731,769	2,056,907	3,079,517	-6.0%
2005	803,425	274,205	1,077,630	1,431,372	709,313	2,140,685	3,218,315	4.5%
2006	1,021,260	382,069	1,403,329	1,496,505	714,618	2,211,123	3,614,452	12.3%
2007	1,219,664	391,334	1,610,998	1,610,923	645,231	2,256,154	3,867,152	7.0%
2008	1,387,271	431,753	1,819,024	1,746,139	630,710	2,376,849	4,195,873	8.5%
2009	1,868,268	547,547	2,415,815	2,253,103	752,699	3,005,802	5,421,617	29.2%
2010	2,087,577	558,927	2,646,504	1,830,556	743,378	2,573,934	5,220,438	-3.7%
2011	2,464,255	572,857	3,037,112	2,305,854	862,401	3,168,255	6,205,367	18.9%
2012	3,311,081	667,357	3,978,438	3,109,940	949,010	4,058,950	8,037,388	29.5%
2013	4,314,550	725,282	5,039,832	3,996,673	1,203,072	5,199,745	10,239,577	27.4%
2014	3,602,577	744,047	4,346,624	3,379,009	935,411	4,314,420	8,661,044	-15.4%
2015	3,553,035	884,578	4,437,613	3,701,443	777,273	4,478,716	8,916,329	2.9%
2016	4,705,930	856,288	5,562,218	4,198,692	848,615	5,047,307	10,609,525	19.0%
2017	3,691,006	720,917	4,411,923	2,821,945	667,350	3,489,295	7,901,218	-25.5%
2018	3,842,344	664,832	4,507,176	2,905,178	536,119	3,441,297	7,948,473	0.6%
TOTALS	54,063,814	14,143,960	68,207,774	55,333,527	24,165,303	79,498,830	147,706,604	

Source: Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Annual Firearms Manufacturing and Export Report (AFMER).

NOTE: Data is in total units and represents the number of firearms "manufactured and disposed of in commerce during the calendar year.

* Totals include firearms sold for export and law enforcement, but not military sales.

(a) Does not include AFMER MISC firearms category which includes items such as: pen guns and starter guns. Also adjusted to exclude/include, as noted: From 2011 – 2018 several adjustments were made to the data in this chart due to omissions in the AFMER report (i.e.: figures for long guns manufactured by Savage Arms were omitted from the 2017 AFMER), duplication of production due to parts manufactured by machine shops (i.e.: parts reported by machine shop in addition to being reported by the firearm manufacturer resulting in double-counting) and adjustments to the miscellaneous category (i.e: Aero Precision).



U.S. Firearm Production (1994 – 2018)

ANNUAL AVERAGES

Years	Pistols	Revolvers	Total Handguns	Rifles	Shotguns	Total Long Guns	Production Total
25 YR (1994 to 2018)	1,956,907	506,212	2,463,118	2,090,986	846,789	2,937,775	5,400,893
20 YR (1999 to 2018)	2,136,956	517,371	2,654,326	2,274,768	792,981	3,067,749	5,722,075
15 YR (2004 to 2018)	2,573,384	581,073	3,154,456	2,540,831	780,465	3,321,296	6,475,752
10 YR (2009 to 2018)	3,344,062	694,263	4,038,326	3,050,239	827,533	3,877,772	7,916,098
5 YR (2014 to 2018)	3,878,978	774,132	4,653,111	3,401,253	752,954	4,154,207	8,807,318

Source: Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Annual Firearms Manufacturing and Export Report (AFMER). Data is in total units and represents the number of firearms *manufactured and disposed of in commerce during the calendar year.* Totals include firearms sold for export and law enforcement, but not military sales.

2019 Interim data prepared July 7, 2020. The interim report indicates preliminary data for which the following number of units were reported as manufactured by the manufacturer. This interim AFMER report represents firearms (including separate frames or receivers, actions or barreled actions) manufactured and disposed of in commerce during the calendar year.

Year	Pistols	Revolvers	Total Handguns	Rifles	Shotguns	Total Long-Guns	Production Total
MANUFACTURED							
2019 Interim	3,035,719	579,263	3,614,982	1,951,898	480,444	2,432,342	6,047,324

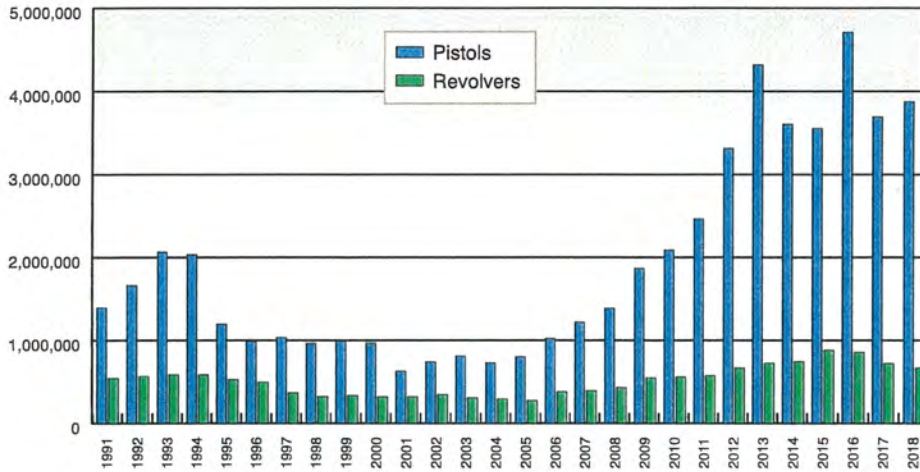
The full 2019 report is expected to be available approximately February 2021. Look for it at www.atf.gov.



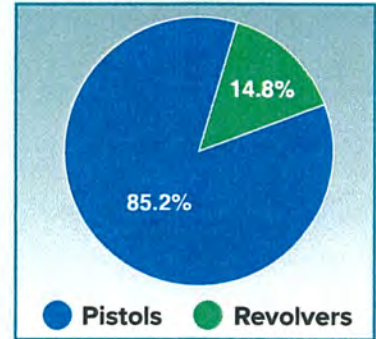
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U.S. Firearm Production (1991 – 2018)

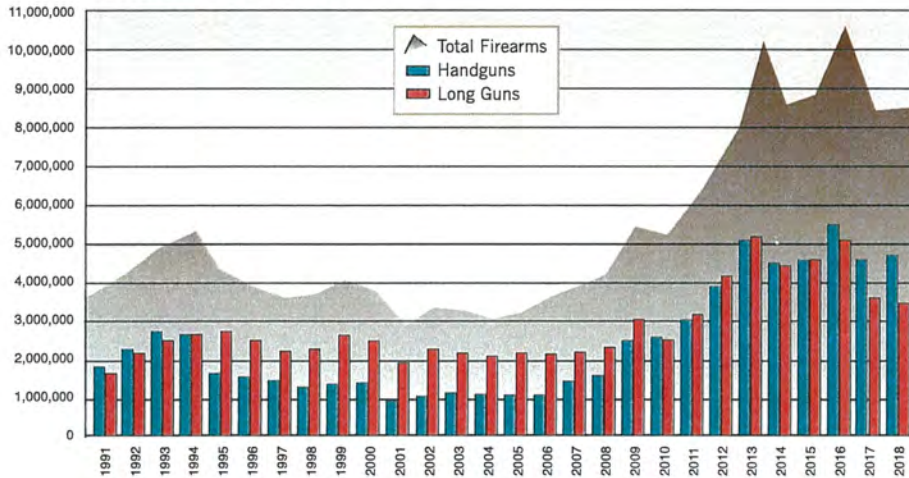
Handguns



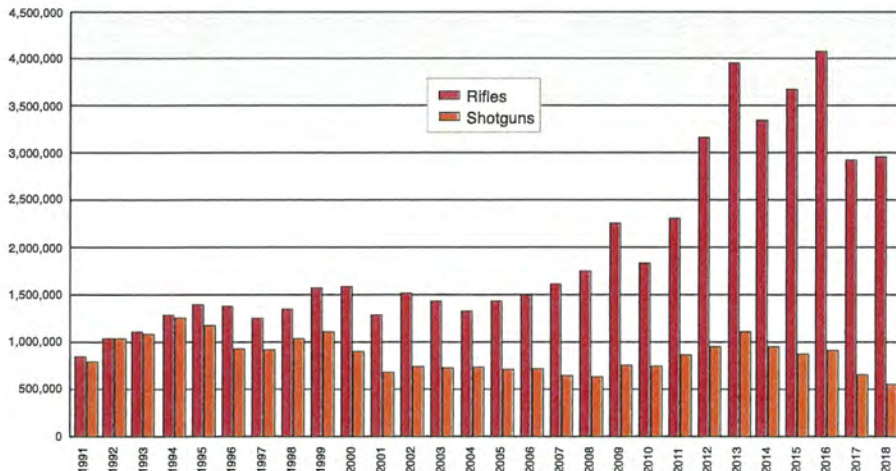
2018 Production At A Glance



Total Production



Long Guns



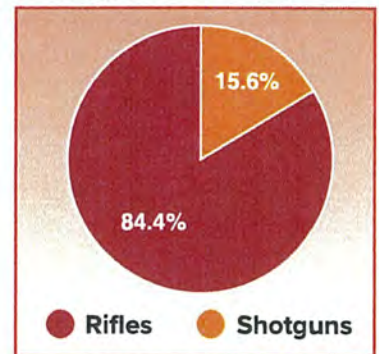
Pistols by Caliber

To .22	417,805	10.9%
To .25	25,370	0.7%
To .32	30,306	0.8%
To .380	760,044	19.8%
To 9mm	2,062,010	53.7%
To .50	546,809	14.2%
Total	3,842,344	100.0%

Revolver by Caliber

To .22	271,553	40.8%
To .32	1,100	0.2%
To .357 M	113,394	17.1%
To .38 Sp	199,028	29.9%
To .44 M	42,434	6.4%
To .50	37,323	5.6%
Total	664,832	100.0%

NOTE: Caliber designations as reported in ATF reports are preceded by the word "to." This represents a range of calibers in a category. For example, the pistol "To .50" category includes .40- and .45-caliber models among others that are larger than 9mm.



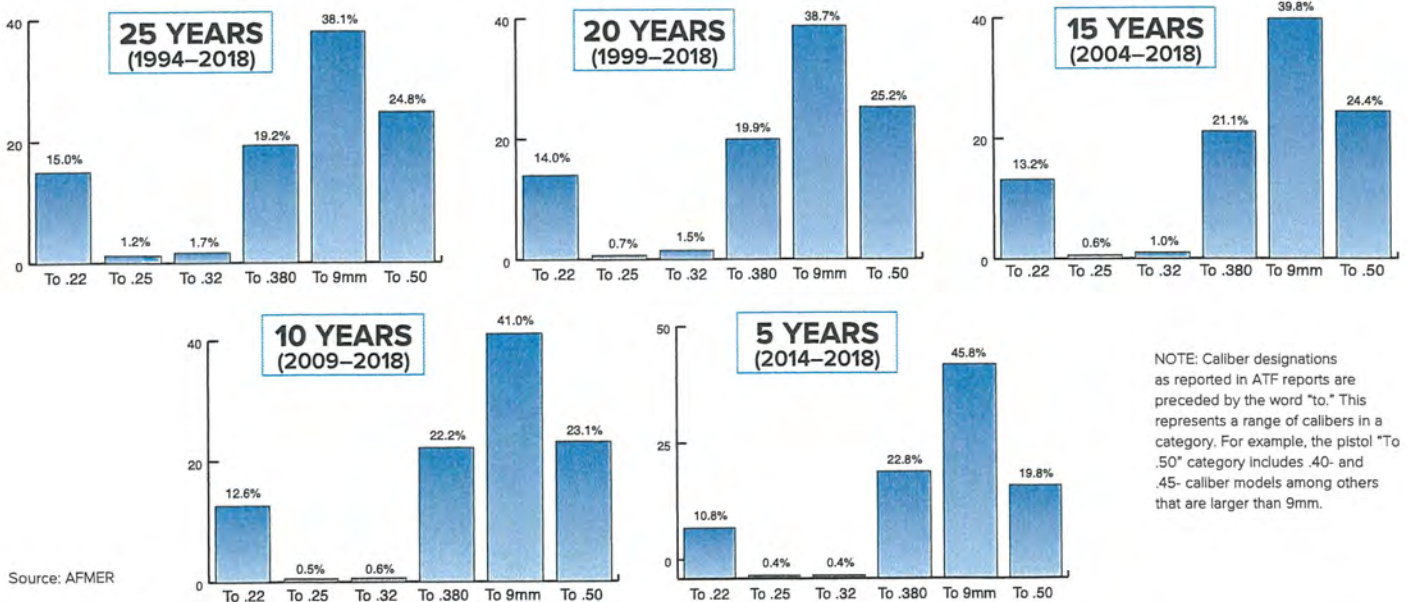
Source: AFMER

U.S. Pistol Production by Caliber (1991 – 2018)



Year	To .22	To .25	To .32	To .380	To 9mm	To .50	TOTALS
1991	306,088	252,370	55,007	215,595	358,228	190,964	1,378,252
1992	352,621	253,955	50,916	371,095	468,182	172,768	1,669,537
1993	452,509	277,306	52,268	508,469	586,039	216,771	2,093,362
1994	449,495	119,769	25,972	313,915	750,693	344,454	2,004,298
1995	260,059	51,025	19,220	182,801	398,472	283,707	1,195,284
1996	206,485	41,156	20,709	166,089	319,696	233,393	987,528
1997	250,983	43,103	43,623	154,046	303,212	241,110	1,036,077
1998	184,836	50,936	62,338	98,266	284,374	279,615	960,365
1999	229,852	24,393	52,632	81,881	270,298	336,390	995,446
2000	184,577	23,198	60,527	108,523	277,176	308,900	962,901
2001	123,374	5,697	57,823	41,634	213,378	184,930	626,836
2002	144,722	10,009	53,999	59,476	205,197	268,111	741,514
2003	189,785	10,987	43,471	79,788	219,668	267,961	811,660
2004	211,473	10,140	32,435	68,291	182,493	223,679	728,511
2005	139,178	10,455	29,024	107,386	299,681	217,701	803,425
2006	141,651	9,625	39,197	126,939	352,383	351,465	1,021,260
2007	180,419	11,361	43,914	138,484	391,312	454,174	1,219,664
2008	195,633	14,586	40,485	278,945	421,746	435,876	1,387,271
2009	320,697	15,053	47,396	390,897	586,364	507,861	1,868,268
2010	320,237	21,722	39,792	615,630	591,876	498,320	2,087,577
2011	357,884	19,182	13,890	537,063	838,957	697,279	2,464,255
2012	586,625	9,853	11,248	582,645	1,175,564	945,146	3,311,081
2013	554,431	18,578	6,591	852,663	1,653,900	1,228,387	4,314,550
2014	410,747	19,097	10,494	873,087	1,254,582	1,034,570	3,602,577
2015	410,041	11,567	14,763	819,103	1,531,033	766,528	3,553,035
2016	439,628	13,174	10,269	1,129,761	2,275,660	837,438	4,705,930
2017	408,705	11,135	8,152	848,425	1,756,618	657,971	3,691,006
2018	417,805	25,370	30,306	760,044	2,062,010	546,809	3,842,344
TOTALS	8,430,540	1,384,802	976,461	10,510,941	20,028,792	12,732,278	54,063,814

Percentage of Pistols produced in the U.S. by caliber



Source: AFMER

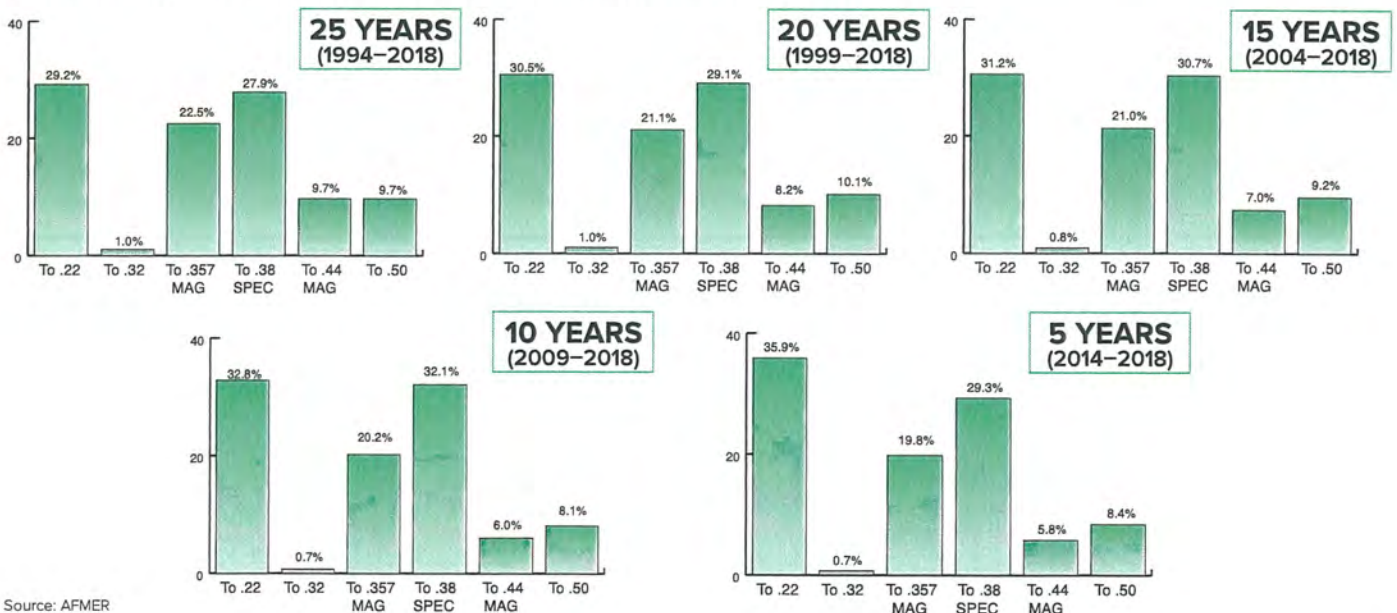
INDUSTRY INTELLIGENCE REPORTS

U.S. Revolver Production by Caliber (1991 – 2018)



Year	To .22	To .32	To .357 MAG	To .38 SPEC	To .44 MAG	To .50	TOTALS
1991	79,676	10,957	155,237	121,387	76,582	13,127	456,966
1992	74,408	10,243	168,720	120,721	80,705	14,616	469,413
1993	122,614	10,421	183,328	146,767	70,381	28,781	562,292
1994	133,990	9,160	170,856	146,630	89,713	36,101	586,450
1995	99,578	4,381	210,379	92,913	90,144	30,269	527,664
1996	127,119	3,083	134,910	115,432	80,456	37,944	498,944
1997	109,296	3,876	70,792	85,935	61,324	39,205	370,428
1998	68,108	2,602	73,905	77,289	64,236	38,250	324,390
1999	80,140	5,844	68,174	86,356	55,957	39,313	335,784
2000	79,472	1,598	81,017	59,339	46,931	50,603	318,960
2001	77,433	5,003	50,120	85,628	39,515	62,444	320,143
2002	86,806	17,599	95,570	51,472	46,080	49,543	347,070
2003	108,518	3,928	59,591	57,078	46,533	33,716	309,364
2004	88,570	3,446	62,640	54,842	35,097	49,504	294,099
2005	63,333	2,297	68,476	68,785	25,802	45,512	274,205
2006	84,452	2,242	99,562	85,321	54,308	56,184	382,069
2007	91,963	3,509	93,320	104,498	46,719	51,325	391,334
2008	115,511	6,681	105,944	133,621	31,135	38,861	431,753
2009	141,840	7,590	107,834	232,339	29,967	27,977	547,547
2010	131,543	8,605	126,525	210,762	45,361	36,131	558,927
2011	153,749	5,182	125,237	206,191	35,791	46,707	572,857
2012	234,164	1,717	126,594	203,005	36,116	65,761	667,357
2013	226,749	1,914	149,730	238,384	46,466	62,039	725,282
2014	200,739	5,260	151,635	283,990	41,640	60,783	744,047
2015	278,784	9,413	185,976	225,782	48,170	136,453	884,578
2016	320,773	7,851	182,564	248,143	51,451	45,506	856,288
2017	319,364	1,715	134,053	177,956	42,062	45,767	720,917
2018	271,553	1,100	113,394	199,028	42,434	37,323	664,832
TOTALS	3,693,547	125,596	2,848,798	3,530,719	1,233,408	1,223,221	12,655,289

Percentage of Revolvers produced in the U.S. by caliber



Source: AFMER

Modern Sporting Rifle Production Plus Imports Less Exports (1990 – 2018)

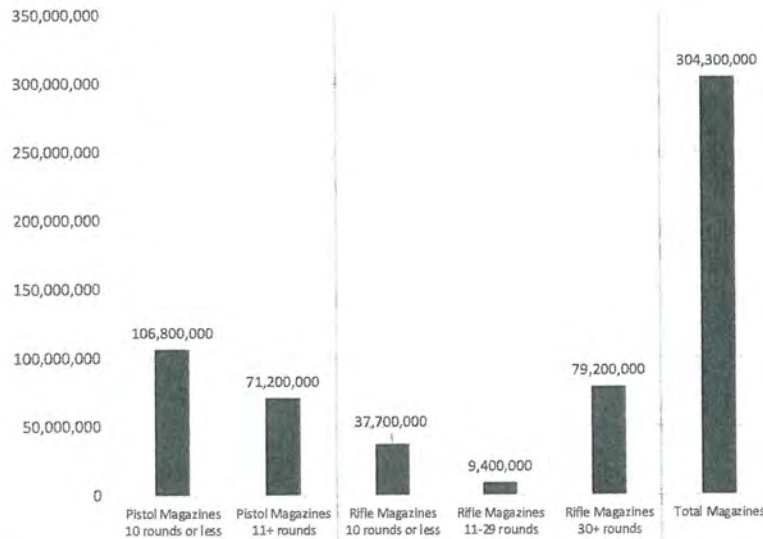
(estimated)

Year	US Production less exports of MSRs	US Imports less exports of MSRs	TOTALS
1990	43,000	31,000	74,000
1991	46,000	69,000	115,000
1992	33,000	72,000	105,000
1993	62,000	226,000	288,000
1994	103,000	171,000	274,000
1995	54,000	77,000	131,000
1996	27,000	43,000	70,000
1997	44,000	81,000	125,000
1998	70,000	75,000	145,000
1999	113,000	119,000	232,000
2000	86,000	130,000	216,000
2001	60,000	119,000	179,000
2002	97,000	145,000	242,000
2003	118,000	262,000	380,000
2004	107,000	207,000	314,000
2005	141,000	170,000	311,000
2006	196,000	202,000	398,000
2007	269,000	229,000	498,000
2008	444,000	189,000	633,000
2009	692,000	314,000	1,006,000
2010	444,000	140,000	584,000
2011	653,000	163,000	816,000
2012	1,308,000	322,000	1,630,000
2013	1,882,000	393,000	2,275,000
2014	950,000	237,000	1,187,000
2015	1,360,000	244,000	1,604,000
2016	2,217,000	230,000	2,447,000
2017	1,406,000	158,000	1,564,000
2018	1,729,000	225,000	1,954,000
TOTALS	14,754,000	5,043,000	19,797,000



NSSF® Magazine Chart

Estimated 304 Million Detachable Pistol and Rifle Magazines in U.S. Consumer Possession 1990 – 2018



Source: ATF AFMER, US ITC, Industry estimates

INDUSTRY INTELLIGENCE REPORTS

U.S. Production by Manufacturer (2018)

LICENSE NAME	HANDGUN	PISTOLS	REVOLVERS	TOTALS
SMITH & WESSON CORP		886,917	210,333	1,097,250
STURM, RUGER & COMPANY, INC		704,588	145,534	850,122
SIG SAUER INC		635,155	0	635,155
GLOCK INC		247,546	0	247,546
KIMBER MFG INC		201,338	9,609	210,747
HERITAGE MANUFACTURING INC		0	187,104	187,104
SCCY INDUSTRIES LLC		169,819	0	169,819
SPRINGFIELD INC		140,037	0	140,037
BROWNING ARMS COMPANY		125,486	0	125,486
TAURUS INTERNATIONAL MANUFACTURING INC		94,600	0	94,600
BERETTA USA CORP		79,432	0	79,432
KEL TEC CNC INDUSTRIES INC		67,151	0	67,151
COLT'S MANUFACTURING COMPANY LLC		40,973	16,697	57,670
FN AMERICA, LLC		51,843	0	51,843
NORTH AMERICAN ARMS INC		365	49,171	49,536
STRASSELLS MACHINE INC		36,900	0	36,900
DIAMONDBACK FIREARMS LLC		36,591	0	36,591
REMINGTON ARMS COMPANY LLC		33,821	0	33,821
COBRA ENTERPRISES OF UTAH, INC		30,330	6	30,336
CHARCO 2000 INC		0	21,761	21,761
VALLEY STEEL STAMP INC		0	21,438	21,438
PHOENIX ARMS		20,000	0	20,000
JIMENEZ ARMS INC		19,927	0	19,927
BOND ARMS, INC		15,854	0	15,854
AMERICAN TACTICAL INC		14,946	0	14,946
SAEIL, INC		13,449	0	13,449
HASKELL MANUFACTURING INC		12,800	0	12,800
PALMETTO STATE ARMORY, LLC		9,613	0	9,613
CZ-USA INC (subsidi: Dan Wesson)		8,764	440	9,204
FMK FIREARMS INCORPORATED		8,359	0	8,359
DANIEL DEFENSE INC		7,565	0	7,565
IBERIA FIREARMS INC		7,400	0	7,400
CZ USA		6,444	0	6,444
FREEDOM ORDNANCE MANUFACTURING INC		6,229	0	6,229
WILSONS GUN SHOP INC		5,759	0	5,759
CMMG INC		5,730	0	5,730
TRAILBLAZER FIREARMS LLC		5,337	0	5,337
STI FIREARMS LLC		5,204	0	5,204
ALPHATECH INC		4,775	0	4,775
KRISS USA, INC		4,378	0	4,378
HENRY RAC HOLDING CORP		4,326	0	4,326
HECKLER & KOCH, INC		4,308	0	4,308
PAUWAY CORP		4,250	0	4,250
RADICAL FIREARMS LLC		3,907	0	3,907
FULL CONCEAL INC		3,675	0	3,675
CENTURY ARMS INC		3,299	0	3,299
MASTERPIECE ARMS HOLDING COMPANY		3,045	0	3,045
DEL-TON, INC		2,750	0	2,750
PTR INDUSTRIES INC		2,676	0	2,676
VLH INC		2,587	0	2,587
HONOR DEFENSE LLC		2,447	0	2,447
NIGHTHAWK CUSTOM LLC		2,429	0	2,429
POLYMER80 INC		2,203	0	2,203
EXTAR LLC		1,609	0	1,609
FRANK ROTH CO INC		0	1,490	1,490
WHALLEY PRECISION INC		1,479	0	1,479
FEDERAL ARMAMENT LLC		1,158	0	1,158
LES BAER CUSTOM INC		1,153	0	1,153
LWRC INTERNATIONAL		1,135	0	1,135
ARES DEFENSE SYSTEMS INC		1,126	0	1,126
TOTALS		3,842,344	664,832	4,507,176

NOTE: Manufacturers producing less than 1,000 handguns in 2018 are not displayed above, but all reported units are included in the total.

LICENSE NAME	LONG GUNS	RIFLES	SHOTGUNS	TOTALS
STURM, RUGER & COMPANY, INC		731,585	10	731,595
REMINGTON ARMS COMPANY LLC		273,246	155,488	428,734
SAVAGE ARMS, INC		370,443	15,265	385,708
MAVERICK ARMS, INC		77,747	249,183	326,930
SMITH & WESSON CORP		278,372	228	278,600
HENRY RAC HOLDING CORP		238,158	3,914	242,072
KEL TEC CNC INDUSTRIES INC		74,557	22,698	97,255
SPRINGFIELD INC		63,536	0	63,536
BP FIREARMS COMPANY LLC		58,243	0	58,243
HENRY WISCONSIN LLC		42,443	14,439	56,882
KEYSTONE SPORTING ARMS LLC		48,300	0	48,300
DIAMONDBACK FIREARMS LLC		46,593	0	46,593
AERO PRECISION LLC		43,000	0	43,000
STRASSELLS MACHINE INC		39,500	0	39,500
WEATHERBY INC		28,925	10,297	39,222
AMERICAN TACTICAL INC		31,747	3,116	34,863
DEL-TON, INC		33,416	0	33,416
OUTDOOR COLORS LLC		15,137	17,853	32,990
BERETTA USA CORP		2,496	25,669	28,165
SIG SAUER INC		26,799	0	26,799
CENTURY ARMS INC		24,249	0	24,249
DANIEL DEFENSE INC		23,884	47	23,931
COLT'S MANUFACTURING COMPANY LLC		21,613	0	21,613
PALMETTO STATE ARMORY, LLC		20,990	0	20,990
TDJ INC		17,191	0	17,191
RADICAL FIREARMS LLC		15,809	0	15,809
STAG ARMS LLC		13,735	0	13,735
KIMBER MFG INC		13,674	0	13,674
WM C ANDERSON INC		13,336	0	13,336
WINDHAM WEAPONRY INC		11,240	0	11,240
STRATEGIC ARMORY CORPS LLC		8,120	0	8,120
ROCK RIVER ARMS INC		7,679	0	7,679
LWRC INTERNATIONAL		7,414	0	7,414
I O INC		7,343	0	7,343
FEDERAL ARMAMENT LLC		2,205	5,115	7,320
CZ USA		7,152	137	7,289
BRAVO COMPANY MFG INC		7,001	0	7,001
PTR INDUSTRIES INC		6,924	0	6,924
BARRETT FIREARMS MFG INC		6,187	286	6,473
SAEIL, INC		6,166	0	6,166
O F MOSSBERG & SONS INC		5,601	0	5,601
PATRIOT ORDNANCE FACTORY INC		4,863	0	4,863
FN AMERICA, LLC		4,803	0	4,803
BEAR CREEK ARSENAL LLC		4,305	0	4,305
KRISS USA, INC		4,170	0	4,170
FORGE METAL FINISHING INC		0	3,958	3,958
BLACK RAIN ORDNANCE INC		3,933	0	3,933
CMMG INC		3,621	0	3,621
STANDARD MANUFACTURING CO LLC		197	3,119	3,316
JAMES RIVER ARMORY		3,187	0	3,187
TACTICAL SOLUTIONS INC		2,988	0	2,988
BROWNELLS INC		2,687	0	2,687
ALEX PRO FIREARMS LLC		2,587	0	2,587
PRIMARY WEAPONS SYSTEMS INC		2,374	0	2,374
TROY INDUSTRIES INC		2,271	0	2,271
WILSONS GUN SHOP INC		2,003	144	2,147
ADAMS ARMS LLC		2,095	0	2,095
FMK FIREARMS INCORPORATED		2,075	0	2,075
GOOD TIME OUTDOORS INC		2,021	0	2,021
DESERT TECH LLC		2,013	0	2,013
TOTALS		2,905,178	536,119	3,441,297

NOTE: Manufacturers producing less than 2,000 long guns in 2018 are not displayed above, but all reported units are included in the total.

Top 25 Manufacturers of Firearms Manufactured in the U.S.

(Based on Total U.S. Production in 2018)

LICENSE NAME	PISTOLS	REVOLVERS	TOTAL HANDGUNS	RIFLES	SHOTGUNS	TOTAL LONG GUNS	TOTAL FIREARMS MANUFACTURED	% OF TOTAL 2018 U.S. HANDGUN & LONG GUN PRODUCTION
STURM, RUGER & COMPANY, INC	704,588	145,534	850,122	731,585	10	731,595	1,581,717	19.9%
SMITH & WESSON CORP	886,917	210,333	1,097,250	278,372	228	278,600	1,375,850	17.3%
SIG SAUER INC	635,155	0	635,155	26,799	0	26,799	661,954	8.3%
REMINGTON ARMS COMPANY LLC	33,821	0	33,821	273,246	155,488	428,734	462,555	5.8%
SAVAGE ARMS, INC	0	0	0	370,443	15,265	385,708	385,708	4.9%
MAVERICK ARMS, INC	0	0	0	77,747	249,183	326,930	326,930	4.1%
GLOCK INC	247,546	0	247,546	0	0	0	247,546	3.1%
HENRY RAC HOLDING CORP	4,326	0	4,326	238,158	3,914	242,072	246,398	3.1%
KIMBER MFG INC	201,338	9,609	210,747	13,674	0	13,674	224,421	2.8%
SPRINGFIELD INC	140,037	0	140,037	63,536	0	63,536	203,573	2.6%
HERITAGE MANUFACTURING INC	0	187,104	187,104	0	0	0	187,104	2.4%
SCCY INDUSTRIES LLC	169,819	0	169,819	0	0	0	169,819	2.1%
KEL TEC CNC INDUSTRIES INC	67,151	0	67,151	74,557	22,698	97,255	164,406	2.1%
BROWNING ARMS COMPANY	125,486	0	125,486	912	0	912	126,398	1.6%
BERETTA USA CORP	79,432	0	79,432	2,496	25,669	28,165	107,597	1.4%
TAURUS INTERNATIONAL MANUFACTURING INC	94,600	0	94,600	97	0	97	94,697	1.2%
DIAMONDBACK FIREARMS LLC	36,591	0	36,591	46,593	0	46,593	83,184	1.0%
COLT'S MANUFACTURING COMPANY LLC	40,973	16,697	57,670	21,613	0	21,613	79,283	1.0%
STRASSELLS MACHINE INC	36,900	0	36,900	39,500	0	39,500	76,400	1.0%
BP FIREARMS COMPANY LLC	0	0	0	58,243	0	58,243	58,243	0.7%
HENRY WISCONSIN LLC	11	0	11	42,443	14,439	56,882	56,893	0.7%
FN AMERICA, LLC	51,843	0	51,843	4,803	0	4,803	56,646	0.7%
AMERICAN TACTICAL INC	14,946	0	14,946	31,747	3,116	34,863	49,809	0.6%
NORTH AMERICAN ARMS INC	365	49,171	49,536	0	0	0	49,536	0.6%
KEYSTONE SPORTING ARMS LLC	823	0	823	48,300	0	48,300	49,123	0.6%
Total Produced in 2018 by Top 25 Manufacturers	3,572,468	618,448	4,190,916	2,444,864	490,010	2,934,874	7125,790	89.6%
	93.0%	93.0%	93.0%	84.2%	91.4%	85.3%	89.6%	

Source:AFMER

INDUSTRY INTELLIGENCE REPORTS

U.S. Manufacturers Direct Exports at a Glance (2018)

PISTOL MANUFACTURER	EXPORTS
SIG SAUER INC	167,851
GLOCK INC	110,943
SMITH & WESSON CORP	25,406
STURM, RUGER & COMPANY, INC	10,196
BERETTA USA CORP	5,145
FN AMERICA, LLC	2,377
KIMBER MFG INC	2,225
COLT'S MANUFACTURING COMPANY LLC	1,812
STI FIREARMS LLC	1,048
REMINGTON ARMS COMPANY LLC	827
HENRY RAC HOLDING CORP	720
SPRINGFIELD INC	693
ANGSTADT ARMS LLC	469
TAURUS INTERNATIONAL MANUFACTURING INC	390
SCCY INDUSTRIES LLC	270
STRAYER VOIGT INC / STRAYER-VOIGT LLC	251
LES BAER CUSTOM INC	242
KEL TEC CNC INDUSTRIES INC	213
KRISS USA, INC	197
FMK FIREARMS INCORPORATED	165
SAEIO, INC	121
NIGHTHAWK CUSTOM LLC	110
WILSONS GUN SHOP INC	103
V CUSTOM INC	52
FEDERAL ARMAMENT LLC	51
CABOT GUN COMPANY LLC	51
PISTOL TOTAL	332,218

REVOLVER MANUFACTURER	EXPORTS
SMITH & WESSON CORP	17,009
STURM, RUGER & COMPANY, INC	3,736
KIMBER MFG INC	254
NORTH AMERICAN ARMS INC	232
COLT'S MANUFACTURING COMPANY LLC	223
REVOLVER TOTAL	21,498

SHOTGUN MANUFACTURER	EXPORTS
REMINGTON ARMS COMPANY LLC	13,503
MAVERICK ARMS, INC	9,610
KEL TEC CNC INDUSTRIES INC	1,378
SAVAGE ARMS, INC	1,059
WEATHERBY INC	801
HENRY RAC HOLDING CORP	718
GOOD, WILLIAM J	341
BERETTA USA CORP	308
SHOTGUN TOTAL	27,774

RIFLE MANUFACTURERS	EXPORTS
REMINGTON ARMS COMPANY LLC	44,239
STURM, RUGER & COMPANY, INC	39,731
SAVAGE ARMS, INC	26,335
HENRY RAC HOLDING CORP	10,885
SMITH & WESSON CORP	10,483
BEAR CREEK ARSENAL LLC	8,501
MAVERICK ARMS, INC	5,758
CREED MONARCH INC	2,510
SIG SAUER INC	2,254
WEATHERBY INC	1,790
KEL TEC CNC INDUSTRIES INC	1,412
DANIEL DEFENSE INC	897
BARRETT FIREARMS MFG INC	797
BP FIREARMS COMPANY LLC	782
TDJ INC	754
TNW FIREARMS INC	648
KRISS USA, INC	647
LEWIS MACHINE & TOOL CO	576
FREEDOM ORDNANCE MANUFACTURING INC	540
JUST RIGHT CARBINES LLC	530
DESERT TECH LLC	497
KIMBER MFG INC	478
COLT'S MANUFACTURING COMPANY LLC	461
M+M INC	446
STRATEGIC ARMORY CORPS LLC	316
FEDERAL ARMAMENT LLC	298
TROY INDUSTRIES INC	280
PNEU DART INC	244
TIPPMANN ARMS COMPANY LLC	236
PATRIOT ORDNANCE FACTORY INC	207
NORDIC COMPONENTS INC	172
STAG ARMS LLC	160
SPRINGFIELD INC	156
ZDF IMPORT/EXPORT, LLC	156
AMCHAR WHOLESALE, INC	130
JARD INC	126
V CUSTOM INC	118
WINDHAM WEAPONRY INC	70
AERO PRECISION LLC	69
GUNWERKS LLC	51
RIFLE TOTAL	165,573

Source: Annual Firearms Manufacturing and Export Report (AFMER)
 NOTE: A manufacturer that reported exporting less than 50 units does not appear in the tables above.



Source: AFMER

INDUSTRY INTELLIGENCE REPORTS

Industry Statistics (current Snapshot)

The data listed on this page is sourced from the most current Census Bureau report. At this time it is the 2018 Annual Survey of Manufacturers. NAICS (North American Industry Classification System) code 332992 represents "Small-Arms Ammunition," and NAICS code 332 represents "Fabricated-Metal-Product Manufacturing."

DEFINITION OF TERMS

Employees: includes all full-time and part-time employees on the payroll of operating manufacturing establishments.

Production workers: includes workers (up through the line-supervisor level) actively engaged in the manufacturing process.

Payroll: includes the gross earnings of all employees paid in a calendar year.

Value added: measure of manufacturing activity derived by subtracting the cost of materials and supplies from the value of shipments (finished products and services rendered).

Capital expenditures: represents the total new and used expenditures reported by establishments in operation and any known plants under construction.

Inventories: includes products and materials held outside of the establishment, such as in warehouses (private or public).



**NOTE: The fabricated metal product manufacturing (NAICS code 332) subsector consists of all of these industry groups. Forging and Stamping: NAICS 3321; Cutlery and Handtool Manufacturing: NAICS 3322; Architectural and Structural Metals Manufacturing: NAICS 3323; Boiler, Tank, and Shipping Container Manufacturing: NAICS 3324; Hardware Manufacturing: NAICS 3325; Spring and Wire Product Manufacturing: NAICS 3326; Machine Shops; Turned Product; and Screw, Nut, and Bolt Manufacturing: NAICS 3327; Coating, Engraving, Heat Treating, and Allied Activities: NAICS 3328; Other Fabricated Metal Product Manufacturing: NAICS 3329.

INDUSTRY STATISTIC	(332) Fabricated Metal Product Manufacturing (2018)	(332992) Firearms Ammunition Manufacturing (2018)	Ammunition Manufacturing as Percent of Total Fabricated Metal Product Manufacturing
Employment & Labor Costs			
Total number of employees	1,400,643	11,851	0.8%
Number of production workers	1,058,271	10,313	1.0%
Production workers hours worked	2,048,355,000	21,128,000	1.0%
Production workers wages	\$50,421,928,000	\$522,928,000	1.0%
Total annual payroll	\$77,612,291,000	\$655,992,000	0.8%
Total fringe benefits	**	**	not available
Total annual compensation	\$77,612,291,000	\$655,992,000	0.8%
Purchased Fuels and Electric Energy Used for Heat and Power			
Electric energy purchased (kWh)	42,369,630,000	400,619,000	0.9%
Cost of electric energy	\$3,617,620,000	\$31,563,000	0.9%
Cost of purchased fuels	\$1,263,081,000	D*	not available
Total cost of fuels and electric energy	\$4,880,701,000	\$31,563,000	0.6%
Capital Expenditures for Plant and Equipment			
Capital expenditures for buildings and other structures	**	**	not available
Rental or lease payments (buildings and equipment)	\$4,973,295,000	\$27,886,000	0.6%
Capital expenditures for machinery and equipment	**	**	not available
All other operating expenses	\$29,322,789,000	\$317,891,000	1.1%
Total capital expenditures for plant and equipment	\$34,296,084,000	\$345,777,000	1.0%
Value of Manufacturers' Inventories by Stage of Fabrication			
Beginning of Year			
Finished products	\$18,033,061,000	\$350,082,000	1.9%
Work-in-process	\$12,548,241,000	\$232,261,000	1.9%
Materials and supplies inventories	\$18,501,248,000	\$202,336,000	1.1%
Total	\$49,082,550,000	\$784,679,000	1.6%
End of Year			
Finished products	\$19,272,292,000	\$379,817,000	2.0%
Work-in-process	\$13,786,425,000	\$195,571,000	1.7%
Materials and supplies inventories	\$20,902,305,000	\$204,010,000	1.0%
Total	\$53,961,022,000	\$779,398,000	1.4%
Manufacturing Activity			
Total value of shipments	\$375,880,137,000	\$3,960,277,000	1.1%
Total cost of materials	\$171,539,777,000	\$1,659,962,000	1.0%
Value added	\$206,817,774,000	\$2,293,361,000	1.1%

Source: 2018 Annual Survey of Manufacturers (ASM)

NOTE: The D* indicates that information was withheld to avoid disclosing data for individual companies. Double asterisks, **, identify data fields that are expected to be available between November 2020 and January 2021.

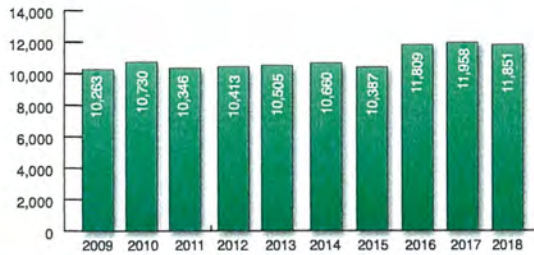
Manufacturing Trends

Small Arms Ammunition (NAICS 332992)

ALL EMPLOYEES (NUMBER)

10-Year Average

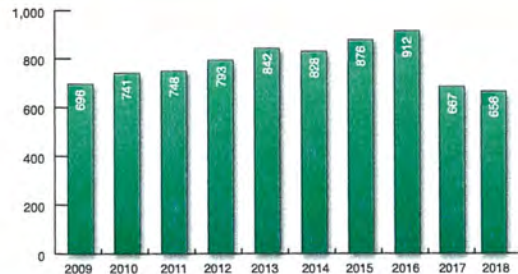
Small Arms Ammunition: **10,892**



PAYROLL (\$ IN MILLIONS)

10-Year Average

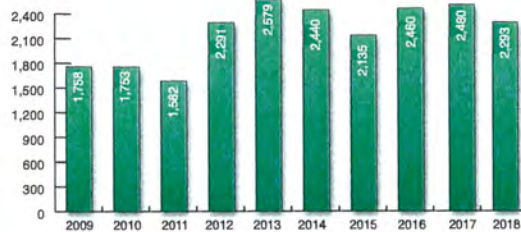
Small Arms Ammunition: **\$776M**



VALUE ADDED (\$ IN MILLIONS)

10-Year Average

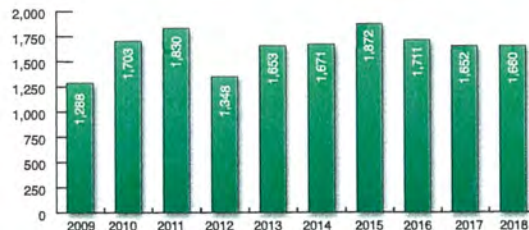
Small Arms Ammunition: **\$2,177M**



COST OF MATERIALS (\$ IN MILLIONS)

10-Year Average

Small Arms Ammunition: **\$1,639M**



Source: U.S. Census Bureau Annual Survey of Manufacturers (ASM) and Economic Census reports

U.S. Ammunition Consumer Market Unit Estimate

Category	2012	2015	2018
Shotshell	1.4 billion	1.4 billion	1.0 billion
Rimfire	4.5 billion	5.4 billion	4.1 billion
Centerfire	3.6 billion	3.7 billion	3.6 billion
TOTALS	9.5 billion	10.5 billion	8.7 billion

Source: USITC and NSSF Estimates

INDUSTRY INTELLIGENCE REPORTS

Firearm Imports By Country (2009 – 2018) (in actual units of quantity)

Pistols: HTS 9302000040 [PISTOLS, SEMIAUTOMATIC EXCEPT OF HEADING 9303 OR 9304] --or-- HTS 9302000090 [PISTOLS, EXCEPT OF HEADING 9303 OR 9304, NESOI (not elsewhere specified or included)]

COUNTRY	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	TOTALS
Argentina	63,872	74,245	71,838	75,984	82,635	43,710	42,304	75,834	33,676	39,969	604,067
Austria	602,146	431,118	515,396	821,522	932,117	794,540	923,986	1,318,204	1,198,740	927,511	8,465,280
Belgium	33,195	18,874	9,769	10,754	14,493	18,221	18,679	25,299	21,691	25,410	196,385
Brazil	285,075	206,207	161,597	215,470	215,895	113,976	273,792	455,368	465,652	501,995	2,895,027
Bulgaria	2,881	3,325	1,450	4,586	8,397	270	6,267	3,290	1,174	1,293	32,933
Canada	10,544	6	2	13	36	134	15	4	106	1	10,861
Colombia	0	0	0	0	0	0	0	0	0	10	10
Croatia	272,204	239,021	211,001	389,014	451,657	441,337	338,535	574,486	326,653	295,107	3,539,015
Czech Republic	49,408	19,531	18,588	38,540	37,467	47,104	71,889	107,600	140,653	184,926	715,706
Denmark	0	0	0	0	0	0	0	0	75	0	75
Finland	0	0	0	1	0	52	0	5	3	130	191
France	0	0	10	465	15	0	13	34	25	263	825
Germany	282,075	221,446	254,574	402,566	502,117	282,018	225,052	416,961	325,829	307,085	3,219,723
Hungary	7,950	349	311	695	777	898	1,521	852	488	883	14,724
Israel	10,238	2,645	9,995	20,017	23,979	13,189	15,618	22,342	15,174	11,979	145,176
Italy	81,811	86,867	63,540	154,999	171,221	106,462	48,909	129,456	124,490	97,909	1,065,664
Japan	0	0	0	0	0	40	0	0	0	0	40
Norway	14	21	14	0	1	10	28	23	0	24	135
Pakistan	0	0	0	0	161	250	575	175	400	0	1,561
Philippines	27,294	38,572	48,908	73,430	131,898	62,823	66,408	78,314	68,754	100,802	697,203
Poland	10,234	3,922	20,895	9,806	8,406	12,094	10,276	11	45	5,431	81,120
Romania	10,571	16,945	13,775	3,579	3,655	5,800	9,460	5,272	10,311	23,562	102,930
Russia	90	1,050	5,400	61	772	0	0	60	17	0	7,450
Serbia	3,038	12,455	720	29,204	48,786	10,180	18,066	12,823	16,470	5,575	157,317
Slovakia	0	0	0	801	1,204	417	1,075	1,223	2,196	1,996	8,912
Slovenia	0	0	0	0	0	0	1,058	7,083	6,014	3,232	17,387
South Africa	0	0	0	0	17	0	0	0	0	18	35
South Korea	20	29	0	1,021	3,879	62	0	47	0	70	5,128
Spain	410	989	322	376	262	10,485	83	622	22,793	21,022	57,364
Sweden	0	0	13	45	31	9	0	0	4	35	137
Switzerland	2,207	735	979	3,110	5,508	2,222	3,953	2,289	6,982	10,600	38,585
Turkey	17,984	15,825	15,408	25,798	92,321	17,446	61,948	87,999	81,330	70,923	486,982
United Arab Em	0	0	0	3,814	909	47	0	110	300	0	5,180
United Kingdom	0	1	4,355	1	63	149	59	66	2	155	4,851
TOTALS	1,774,261	1,394,178	1,448,435	2,286,720	2,738,747	1,983,945	2,139,744	3,326,334	2,871,027	2,637,916	22,601,307



More detail on import and export data is available through the USITC website at dataweb.usitc.gov/. To obtain the highest level of product definition, use the HTS (Harmonized Tariff Schedule) 10-digit codes whenever possible.

Refer to the most current 'Harmonized Tariff Schedule' for IMPORT codes and to 'Schedule B' for EXPORT codes. Note that import and export codes do not always match.

The import and export data on DataWeb for 2010 – 2018 have been updated as of June 21, 2020 based on the latest official revisions from the Census Bureau (the first official revisions for 2020 data will not be available until June 2021).

For posted corrections pertaining to years prior to 2010, go to: census.gov/foreign-trade/statistics/corrections/index.html



Revolvers: HTS 9302000020 [REVOLVERS, EXCEPT OF HEADING 9303 OR 9304]

COUNTRY	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	TOTALS
Argentina	303	0	0	200	0	100	0	0	0	0	603
Brazil	368,128	319,804	198,249	228,876	236,270	98,480	211,847	201,544	238,101	162,703	2,264,002
Czech Republic	6,287	9	83	38	0	0	0	115	42	58	6,632
France	0	0	0	2	350	163	8	420	497	233	1,673
Germany	9,367	8,431	9,423	11,416	11,747	11,906	12,010	15,383	15,724	16,224	121,631
Italy	16,929	18,536	27,847	40,238	53,152	48,617	45,843	50,665	49,889	56,311	408,027
Philippines	6,127	6,054	5,339	6,666	8,915	8,198	13,049	18,852	19,034	22,816	115,050
Poland	0	0	0	0	0	79	507	0	0	0	586
Russia	0	0	11,500	11,486	0	0	0	0	0	0	22,986
Serbia	0	0	0	0	1,872	0	0	0	0	0	1,872
Slovakia	1,503	260	640	480	0	0	0	0	0	0	2,883
Spain	0	0	0	0	0	0	156	586	0	0	742
Switzerland	23	3	12	0	268	0	18	5	28	63	420
Turkey	0	0	0	0	0	20	0	125	250	0	395
Ukraine	1,000	0	5,500	0	4,000	0	0	0	0	0	10,500
United Arab Em	0	0	285	4,995	0	0	0	0	0	0	5,280
United Kingdom	489	360	0	0	1	83	0	20	5	56	1,014
TOTALS	410,156	353,457	258,878	304,397	316,582	167,646	283,438	287,723	323,572	258,465	2,964,314

Note: Countries with limited activity over this 10-year period are not shown; however, the totals include the units from all countries. Source: Data from the U.S. Department of Commerce and the U.S. International Trade Commission.

INDUSTRY INTELLIGENCE REPORTS

Firearm Imports By Country (2009 – 2018) (in actual units of quantity)

Shotguns: HTS 930320 [SPORTING, HUNTING OR TARGET-SHOOTING SHOTGUNS, INCLUDING COMBINATION SHOTGUN-RIFLES, EXCEPT MUZZLELOADING FIREARMS]

Country	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	TOTALS
Austria	245	497	1,507	783	618	34	716	65	19	1,264	5,748
Belgium	25	48	114	157	9	1,377	715	546	120	3,768	6,879
Brazil	172,369	169,136	105,676	125,891	119,090	58,729	38,225	39,225	36,947	61,082	926,370
Canada	13	0	13	26	5	0	192	148	0	0	397
China	53,336	61,956	90,952	154,446	234,486	112,095	164,818	149,091	140,171	111,696	1,273,047
Czech Republic	1,738	34	6	0	142	50	109	22	15	43	2,159
France	20	20	10	6,284	10	9	23	84	116	79	6,655
Germany	1,254	2,364	2,204	3,467	1,370	1,224	1,547	2,371	2,284	3,589	21,674
Hungary	0	0	0	34	0	0	0	50	0	0	84
Italy	140,500	139,182	137,767	170,460	212,557	206,773	199,231	182,368	138,323	168,368	1,695,529
Japan	1,148	344	1,834	2,875	1,525	652	907	766	733	931	11,715
Pakistan	5	4	0	0	19	0	335	0	250	0	613
Philippines	560	1,139	950	5,500	9,800	6,496	6,400	7,100	3,100	8,050	49,095
Portugal	5	704	2,115	2,384	6,415	3,465	4,175	78	10	33	19,384
Russia	60,937	3,708	50,837	47,360	34,904	21,830	5,150	12,420	7,410	14	244,570
Spain	4,628	1,722	1,328	1,692	1,620	1,746	839	2,637	4,191	1,554	21,957
Sweden	133	42	0	238	143	228	2	183	91	27	1,087
Turkey	113,618	122,721	122,682	174,212	306,312	233,371	220,310	335,190	295,362	342,184	2,265,962
United Kingdom	8,046	6,099	8,251	8,836	8,922	490	578	4,042	2,847	3,864	51,975
TOTALS	558,679	509,792	530,564	704,828	937,952	648,592	644,274	736,443	631,998	706,648	6,604,900

Source: Data on this page have been compiled from the U.S. Department of Commerce and the U.S. International Trade Commission (USITC).

NOTE: The bottom-line total accounts for all imports under the HTS code listed, but countries with limited activity over the period shown are not displayed.



Rifles: HTS 930330 [SPORTING, HUNTING OR TARGET-SHOOTING RIFLES, EXCEPT MUZZLELOADING FIREARMS AND COMBINATION SHOTGUN-RIFLES] (Adjusted to EXCLUDE HTS codes 9303304010 & 9303308005 - Telescopic Sights Imported with Rifles)

Country	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	TOTALS
Australia	2	5	23	1	1	0	0	61	0	820	913
Austria	2,593	2,756	6,192	6,319	8,966	2,988	1,109	3,387	3,113	4,778	42,201
Belgium	21,819	16,017	16,317	20,634	29,920	34,067	54,497	58,129	40,268	29,651	321,319
Brazil	94,858	46,243	156,847	316,577	404,234	56,411	78,585	31,204	19,317	138,931	1,343,207
Bulgaria	5,142	0	0	10,790	31,087	12,900	5,100	290	1,816	3,000	70,125
Canada	161,552	134,519	156,860	267,993	292,404	258,803	276,821	225,108	202,119	172,406	2,148,585
China	0	0	0	0	1,050	4,049	0	0	0	0	5,099
Czech Republic	16,774	15,072	20,236	23,264	25,507	25,412	28,125	31,385	27,080	27,877	240,732
Denmark	157	179	169	0	0	0	0	0	81	0	586
Finland	32,623	26,464	23,417	33,536	43,858	40,183	50,492	56,614	35,285	34,728	377,200
France	60	42	64	64	47	50	482	307	739	544	2,399
Germany	101,939	32,476	42,116	96,013	134,305	39,376	16,008	30,229	9,976	15,043	517,481
Hungary	18,050	0	354	0	0	0	0	0	0	350	18,754
Israel	0	0	0	1	18,502	27,771	4,302	24,965	6,615	3,678	85,834
Italy	21,829	16,393	12,222	20,705	53,115	27,943	26,981	18,873	14,526	18,276	230,863
Japan	83,329	49,946	59,471	71,538	76,399	89,657	87,012	98,324	76,676	67,825	760,177
Mexico	1,770	0	0	0	200	800	0	0	0	0	2,770
Netherlands	0	0	0	0	0	0	0	0	1	1	2
New Zealand	1	0	1	1	0	0	0	3	1	1	8
Philippines	4,092	2,050	1,430	2,437	5,909	7,435	5,603	4,847	3,725	7,430	44,958
Poland	1,313	0	1,081	2,170	510	1,454	527	5	778	2,576	10,414
Portugal	14,173	4,740	0	250	4	1,298	2,117	1,842	8,037	6,287	38,748
Romania	82,312	33,855	37,648	46,533	44,734	14,039	17,870	8,220	5,735	7,053	297,999
Russia	22,933	50,547	87,681	74,512	71,230	29,864	4,404	28,832	8,430	0	378,433
Serbia	1,224	13,468	7,562	20,320	44,672	12,720	17,357	18,139	8,394	154	144,010
South Africa	0	4	14	0	0	0	4	8	2	10	42
Spain	1,532	6,898	10,015	18,989	17,403	9,411	25,393	26,679	39,632	56,182	212,134
Sweden	55	0	138	114	375	758	113	552	298	75	2,478
Switzerland	2,275	1,260	441	163	3,607	3,889	510	526	674	1,917	15,262
Turkey	200	400	1,153	475	0	15	339	2,428	1,330	2,020	8,360
Ukraine	0	6,800	10,600	0	0	0	0	0	0	0	17,400
United Kingdom	5,183	6,665	3,979	3,575	4,243	5,028	4,683	6,019	4,748	5,680	49,803
TOTALS	697,800	466,799	656,256	1,039,716	1,313,678	706,362	708,436	676,987	519,400	607,293	7,392,727

Source: Data on this page have been compiled from the U.S. Department of Commerce and the U.S. International Trade Commission (USITC).

NOTE: The bottom-line total accounts for all imports under the HTS code listed, but countries with limited activity over the period shown are not displayed. Units posted under Russia in 2009 were revised per posted corrections, Census Bureau.

Muzzleloaders: HTS=930310 [MUZZLELOADING]

Country	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	TOTALS
Brazil	480	0	0	0	0	0	0	0	0	0	480
China	56	0	1,500	0	0	0	0	0	0	150	1,706
France	0	0	0	0	2,300	0	2	0	0	2,355	4,657
Germany	30	5	4,183	0	0	0	401	0	0	60	4,679
India	27	87	21	90	135	26	28	0	0	0	414
Italy	37,595	26,171	32,613	40,559	44,007	51,730	42,077	37,499	38,472	31,060	381,783
Spain	103,468	129,472	128,778	124,509	133,189	122,861	111,834	112,951	107,112	104,701	1,178,875
Taiwan	0	0	0	0	0	0	0	65	0	87	152
United Kingdom	0	83	0	0	0	0	498	1	1	1,934	2,517
TOTALS	141,656	155,818	167,095	165,158	179,631	174,919	154,848	150,518	145,989	140,347	1,575,979

Source: Data on this page have been compiled from the U.S. Department of Commerce and the U.S. International Trade Commission (USITC).

NOTE: The bottom-line total accounts for all imports under the HTS code listed, but countries with limited activity over the period shown are not displayed.

INDUSTRY INTELLIGENCE REPORTS

U.S. Imports for Consumption (1991 – 2018)

Year	Revolvers & Pistols (930200)	Rifles (930330)	Shotguns (930320)	Muzzleloaders (930310)	TOTAL FIREARMS
	1991	692,282	348,765	98,645	179,674
1992	876,314	407,643	325,345	148,679	1,757,981
1993	1,169,123	749,433	132,502	197,899	2,248,957
1994	1,383,279	733,277	142,590	259,975	2,519,121
1995	825,127	286,218	136,733	331,168	1,579,246
1996	663,801	234,931	145,676	221,585	1,265,993
1997	1,316,931	266,869	142,067	185,145	1,911,012
1998	590,661	229,051	163,663	186,514	1,169,889
1999	677,757	313,980	335,489	155,764	1,482,990
2000	712,661	321,316	332,704	259,315	1,625,996
2001	710,958	322,201	428,308	345,534	1,807,001
2002	971,135	458,684	498,535	380,499	2,308,853
2003	762,764	517,509	498,677	353,673	2,132,623
2004	838,856	491,932	507,050	379,883	2,217,721
2005	878,172	448,862	546,261	244,564	2,117,859
2006	1,164,973	516,127	607,894	208,279	2,497,273
2007	1,387,428	612,837	725,635	222,404	2,948,304
2008	1,468,062	538,283	535,960	170,998	2,713,303
2009	2,184,417	697,800	558,679	141,656	3,582,552
2010	1,747,635	466,799	509,792	155,818	2,880,044
2011	1,707,313	656,256	530,564	167,095	3,061,228
2012	2,591,117	1,039,716	704,828	165,158	4,500,819
2013	3,055,329	1,313,678	937,952	179,631	5,486,590
2014	2,151,591	706,362	648,592	174,919	3,681,464
2015	2,423,182	708,436	644,274	154,848	3,930,740
2016	3,614,057	676,987	736,443	150,518	5,178,005
2017	3,194,599	519,400	631,998	145,989	4,491,986
2018	2,896,381	607,293	706,648	140,347	4,350,669
AVERAGE					
5-year (2014 – 2018)	2,855,962	643,696	673,591	153,324	4,326,573
10-year (2009 – 2018)	2,556,562	739,273	660,977	157,598	4,114,410
15-year (2004 – 2018)	2,086,874	666,718	635,505	186,807	3,575,904
20-year (1999 – 2018)	1,756,919	596,723	581,314	214,845	3,149,801
25-year (1994 – 2018)	1,596,727	547,392	494,280	219,251	2,857,651

IMPORTS

Total U.S. Exports (1991 – 2018)

Year	Revolvers & Pistols (930200)	Rifles (930330)	Shotguns (930320)	Muzzleloaders (930310)	TOTAL FIREARMS
1991	223,248	152,647	165,574	4,823	546,292
1992	210,358	152,062	157,109	5,065	524,594
1993	170,378	125,694	175,563	29,930	501,565
1994	195,031	131,034	163,031	31,872	520,968
1995	218,826	106,504	125,387	4,589	455,306
1996	193,647	101,961	115,555	15,908	427,071
1997	146,846	106,838	105,814	30,785	390,283
1998	124,295	85,755	136,652	11,248	357,950
1999	116,467	69,389	82,046	7,680	275,582
2000	80,249	67,188	95,782	6,063	249,282
2001	86,041	83,671	123,430	19,361	312,503
2002	82,338	102,588	133,559	8,290	326,775
2003	73,337	102,429	95,299	7,294	278,359
2004	69,316	236,525	94,854	10,035	410,730
2005	80,882	142,252	115,083	12,587	350,804
2006	90,944	150,493	130,310	9,536	381,283
2007	133,774	220,593	157,536	13,439	525,342
2008	151,290	264,114	171,360	11,849	598,613
2009	162,951	199,417	123,209	11,185	496,762
2010	201,231	205,950	150,956	12,842	570,979
2011	247,738	263,223	172,770	8,786	692,517
2012	220,923	315,783	180,634	9,841	727,181
2013	268,024	363,950	146,624	5,664	784,262
2014	234,329	431,890	158,471	9,180	833,870
2015	201,390	328,395	101,656	5,693	637,134
2016	240,642	266,589	81,689	10,603	599,523
2017	278,082	346,936	79,854	5,159	710,031
2018	400,172	309,312	71,994	35,711	817,189
AVERAGE					
5-year (2014 – 2018)	270,923	336,624	98,733	13,269	719,549
10-year (2009 – 2018)	245,548	303,145	126,786	11,466	686,945
15-year (2004 – 2018)	198,779	269,695	129,133	11,474	609,081
20-year (1999 – 2018)	171,006	223,534	123,356	11,040	528,936
25-year (1994 – 2018)	171,951	200,111	124,542	12,608	509,212

EXPORTS

Source: U.S. International Trade Commission (USITC)

NOTE: Rifle Imports adjusted to exclude HTS codes 9303304010 and 9303308005 (telescopic sights imported with rifles.)

U.S. Firearms Total Exports (1991 – 2018)



Source: U.S. International Trade Commission (USITC)

INDUSTRY INTELLIGENCE REPORTS

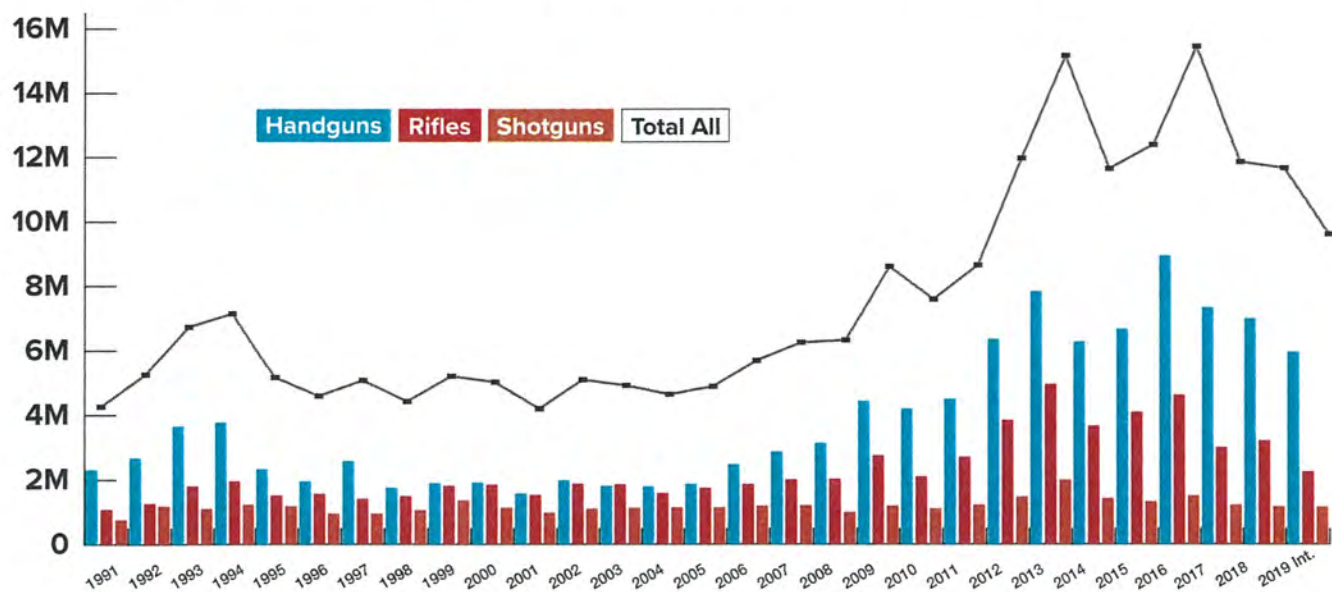
Total Firearm Units Produced for the United States Market Annually

YEAR	Handguns Produced in U.S.	Handguns Imported into U.S.	Handguns Exported out of U.S.	Total Handguns	Rifles Produced in U.S.	Rifles Imported into U.S.	Rifles Exported out of U.S.	Total Rifles	Shotguns Produced in U.S.	Shotguns Imported into U.S.	Shotguns Exported out of U.S.	Total Shotguns	TOTAL HANDGUNS, RIFLES & SHOTGUNS	% Change YoY	YEAR
1991	1,835,218	692,282	223,248	2,304,252	883,492	348,765	152,647	1,079,600	828,426	98,645	165,574	761,497	4,345,349	-	1991
1992	2,138,950	876,314	210,358	2,804,906	1,001,708	407,643	152,062	1,257,289	1,018,204	325,345	157,109	1,186,440	5,248,635	26.6%	1992
1993	2,655,654	1,169,123	170,378	3,654,399	1,173,694	749,433	125,694	1,797,433	1,148,939	132,502	175,563	1,305,878	6,557,710	24.9%	1993
1994	2,590,748	1,383,279	195,031	3,778,996	1,316,607	733,277	131,034	1,918,850	1,254,924	142,590	163,031	1,234,483	6,932,329	5.7%	1994
1995	1,722,948	825,127	218,826	2,329,249	1,441,120	286,218	106,504	1,620,834	1,176,958	136,733	125,387	1,388,304	5,138,387	-25.9%	1995
1996	1,486,472	663,801	193,647	1,956,626	1,424,315	234,931	101,961	1,557,285	925,732	145,676	115,555	955,853	4,469,764	-13.0%	1996
1997	1,406,505	1,316,931	146,846	2,576,590	1,251,341	266,869	106,838	1,411,372	915,978	142,067	105,814	952,231	4,940,193	10.5%	1997
1998	1,284,755	590,661	124,295	1,751,121	1,345,899	229,051	85,755	1,489,195	1,036,520	163,663	136,652	1,063,531	4,303,847	-12.9%	1998
1999	1,331,230	677,757	116,467	1,892,520	1,569,685	313,980	69,389	1,814,276	1,106,995	335,489	82,046	1,360,438	5,067,234	17.7%	1999
2000	1,281,861	712,661	80,249	1,914,273	1,583,042	321,316	67,188	1,837,170	898,442	332,704	95,782	1,135,364	4,886,807	-3.6%	2000
2001	946,979	710,958	86,041	1,571,896	1,284,554	322,201	83,671	1,523,084	679,813	428,308	123,430	984,691	4,079,671	-16.5%	2001
2002	1,088,584	971,135	82,338	1,977,381	1,515,286	458,684	102,588	1,871,382	741,325	498,535	133,559	1,066,301	4,955,064	21.5%	2002
2003	1,121,024	762,764	73,337	1,810,451	1,430,324	517,509	102,429	1,845,404	726,078	498,677	95,299	1,220,456	4,785,311	-3.4%	2003
2004	1,022,610	838,856	69,316	1,792,150	1,325,138	491,932	236,525	1,580,545	731,769	507,050	94,854	1,143,965	4,516,660	-5.6%	2004
2005	1,077,630	878,372	80,882	1,874,920	1,431,372	448,862	142,252	1,737,982	709,313	546,261	115,083	1,140,491	4,753,393	5.2%	2005
2006	1,403,329	1,164,973	90,944	2,477,358	1,496,505	516,127	150,493	1,862,139	714,618	607,894	130,310	1,192,202	5,531,699	16.4%	2006
2007	1,610,998	1,387,428	133,774	2,864,652	1,610,923	612,837	220,993	2,003,167	645,231	725,635	157,536	1,213,330	6,081,149	9.9%	2007
2008	1,819,024	1,468,062	151,290	3,135,796	1,746,139	538,283	264,114	2,020,308	630,710	535,960	171,360	995,310	6,151,414	1.2%	2008
2009	2,415,815	2,184,417	162,951	4,437,281	2,253,303	697,800	199,417	2,751,486	752,699	558,679	123,209	1,388,369	8,376,936	36.2%	2009
2010	2,646,504	1,747,635	201,231	4,192,908	1,830,556	466,799	205,950	2,091,405	743,378	509,792	150,956	1,102,214	7,386,527	-11.8%	2010
2011	3,037,112	1,707,313	247,738	4,496,687	2,305,854	656,256	263,223	2,698,887	862,401	530,564	172,770	1,220,195	8,415,769	13.9%	2011
2012	3,978,438	2,591,117	220,923	6,348,632	3,109,940	1,039,716	315,783	3,833,873	949,010	704,828	180,634	1,473,204	11,655,709	38.5%	2012
2013	5,039,832	3,055,329	268,024	7,827,137	3,996,673	1,313,678	363,950	4,946,401	1,203,072	937,952	146,624	1,994,400	14,767,938	26.7%	2013
2014	4,346,624	2,151,591	234,329	6,263,886	3,379,009	706,362	431,890	3,653,481	935,411	648,592	158,471	1,425,532	11,342,899	-23.2%	2014
2015	4,437,613	2,423,182	201,390	6,659,405	3,701,443	708,436	328,395	4,081,484	777,273	644,274	101,656	1,319,891	12,060,780	6.3%	2015
2016	5,562,218	3,614,057	240,642	8,935,633	4,198,692	676,987	266,589	4,609,090	848,615	736,443	81,689	1,503,369	15,048,092	24.8%	2016
2017	4,411,923	3,194,599	278,082	7,328,440	2,821,945	519,400	346,936	2,994,409	667,350	631,998	79,854	1,219,494	11,542,343	-23.3%	2017
2018	4,507,176	2,896,381	400,172	7,003,385	2,905,178	607,293	309,312	3,203,159	536,119	706,648	71,994	1,170,773	11,377,317	-1.4%	2018
2019 Int.	3,614,982	2,561,076	230,930	5,945,128	1,951,898	592,214	290,768	2,253,344	480,444	743,503	65,580	1,158,367	9,356,839	-17.8%	2019 Int.
TOTALS	71,822,756	45,216,981	5,133,679	111,906,058	57,285,425	15,782,859	5,723,950	67,344,334	24,645,747	13,657,007	3,677,381	34,625,373	213,875,765		

Sources: U.S. Firearm production figures from AFMER, Import and Export figures from USITC.

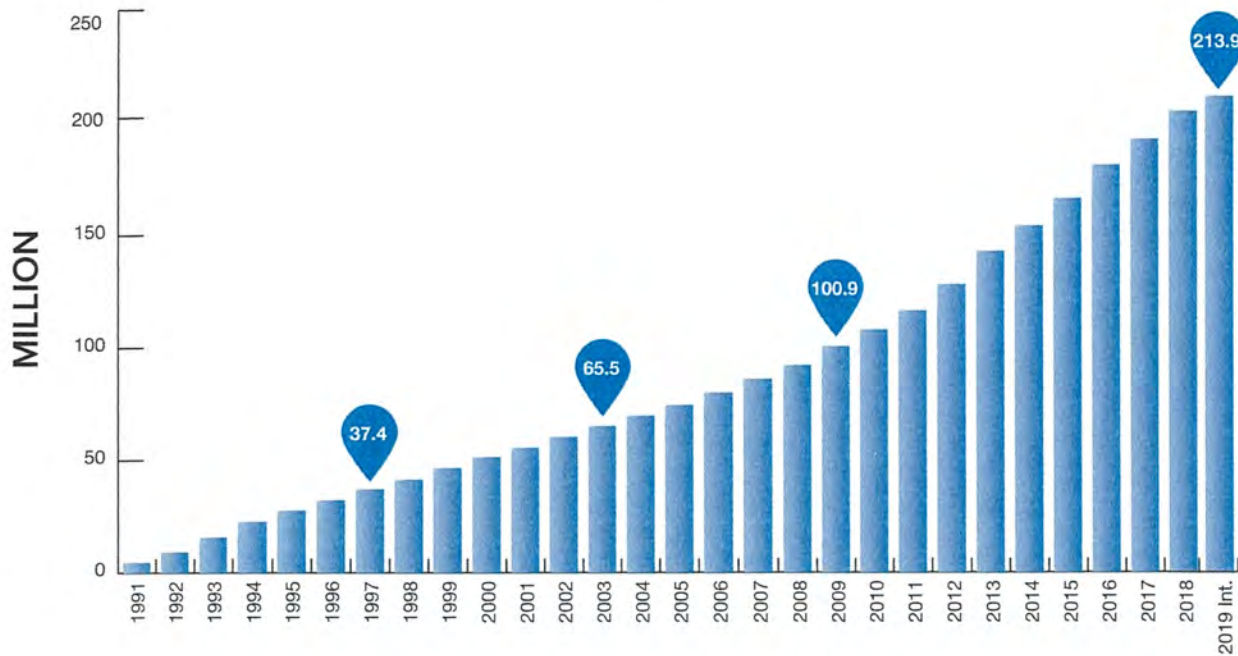
NOTE: In order to obtain an estimate for the number of total firearms available in the United States in a given year, NSSF combined U.S. firearm production with firearms imported less firearms exported.

Total Firearm Units Produced for the United States Market Annually



Source: AFMER and U.S. International Trade Commission (USITC)

Firearms to U.S. Market (1991 – 2019 Interim)



CUMULATIVE ANNUAL FIREARM PRODUCTION PLUS (+) IMPORTS LESS (-) EXPORTS

Source: AFMER and U.S. International Trade Commission (USITC)

FACT From 1991 to 2019, more than 213.0 million firearms have been made available to the U.S. market.

Estimated Number of Semi-Automatic Firearms for U.S. Market 1990 - 2018	
Estimated Semi-Automatic Handguns	89,000,000
Estimated Semi-Automatic Shotguns	12,000,000
Estimated Semi-Automatic Rifles	43,400,000
ESTIMATED TOTAL SEMI-AUTOMATIC FIREARMS 1990 - 2018	144,400,000

Sources: USITC, ATF AFMER & NSSF estimates

From 1991 – 2018 the

the violent crime rate has decreased by → 51.3 percent

and unintentional firearm-related fatalities have declined by → 68.2 percent

Sources: 2018 FBI Uniform Crime Reports and National Safety Council Injury Facts (online, for 2018 data)

INDUSTRY INTELLIGENCE REPORTS

KEY FINDINGS

- The latest figures show that 67.9% of U.S. pistol production fell into either the "up to" 9mm calibers (53.7%) or the "up to" .50 calibers (14.2%).
- The 2018 top-25 U.S. firearm manufacturers accounted for 89.6% of the U.S. production total for the year.
- Sturm, Ruger & Company, Inc. topped the list in 2018 accounting for 19.9% of total firearm production in the U.S. reported, followed by Smith & Wesson Corporation, 17.3%; Sig Sauer Inc, 8.3%; Remington Arms Company LLC, 5.8%; Savage Arms, Inc., 4.9%; and Maverick Arms, Inc, 4.1%.
- Firearm-ammunition manufacturing accounted for nearly 12,000 employees producing over \$3.9 billion in goods shipped in 2018.
- In 2018, the greatest number of imported pistols came from Austria (927,511) representing 35.2% of all imported pistols. Austria was followed by Brazil with 501,995 or 19.0%, Germany at 11.7% with 307,085 units, and 11.6% were imported from Croatia (307,085).
- Brazil was the source of the greatest number of revolvers imported in 2018 (162,703), followed by Italy with 56,311; Philippines 22,816; and 16,224 imported from Germany.
- The greatest number of shotguns imported in 2018 came from Turkey (342,184), Italy (168,368), and China (111,696); and for rifles, Canada (172,406), Brazil (138,931), and Japan (67,840). Spain (104,701) was the source of the highest of number of muzzleloaders imported, followed by Italy (31,060).
- According to USITC data, the U.S. exported 817,189 total firearms in 2018 as compared to 710,031 in 2017 - an increase of 15.1 percent.
- Approximately 48% of all rifles produced in 2018 were modern sporting rifles.
- According to data in reports such as ATF Firearms Commerce in the United States, ATF Annual Firearms Manufacturing and Exportation Reports and Congressional Research Service, the estimated total number of overall firearms in civilian possession is 433.9 million.

SOURCES

<p>Total Production</p>	<p>Detail data source: The 2018 Annual Firearms Manufacturing and Export Report (AFMER). This annual report is prepared by the office of Firearms and Explosives Services Division (FESD), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Washington D.C. (Historical analysis conducted by NSSF.) For purposes of this report only, "Production" is defined as firearms, including separate frames, receivers, actions or barreled actions, manufactured and disposed of in commerce during each calendar year. The ATF's latest full AFMER is for calendar year 2018, since the agency embargoes the data for a period of one year. Production totals data source: The AFMER 2018 as reported through February 28, 2020 -- reviewed/adjusted by NSSF (adjustments are noted on page 2). For more information visit atf.gov/content/about/statistics</p>
<p>Manufacturing Trends</p>	<p>U.S. Census Bureau: Economic Census, 2018 Annual Survey of Manufactures: Tables. The 2018 data is available through the U.S. Census Bureau web site: https://www.census.gov/programs-surveys/asm/data/tables.html Historical analysis conducted by NSSF.</p>
<p>Firearm Imports for Consumption / Total Exports</p>	<p>U.S. Department of Commerce and the U.S. International Trade Commission (USITC) - Interactive Tariff and Trade DataWeb: dataweb.usitc.gov U.S. Census Bureau for corrections to import/export data prior to year 2010 may be found at census.gov/foreign-trade/statistics/corrections/index.html</p>
<p>Manufacturers Export</p>	<p>The 2018 Annual Firearms Manufacturing and Export Report (AFMER) atf.gov/content/about/statistics</p>



Report provided by NSSF. For additional research materials, please visit nssf.org/research

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

OREGON FIREARMS FEDERATION,
INC., et al,

Plaintiffs,

v.

TINA KOTEK, et al.

Defendants,

and

OREGON ALLIANCE FOR GUN SAFETY,

Intervenor-Defendant.)

MARK FITZ, et al.

Plaintiffs,

v.

ELLEN F. ROSENBLUM, et al.

Defendants.

KATERINA B. EYRE, et al.

Plaintiffs,

v.

ELLEN F. ROSENBLUM, et al.

Defendants,

and

OREGON ALLIANCE FOR GUN SAFETY,

Intervenor-Defendant.)

Case No. 2:22-cv-01815-IM
3:22-cv-01859-IM
3:22-cv-01862-IM
3:22-cv-01869-IM

Date: June 6, 2023



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_____)
DANIEL AZZOPARDI, et al.)
)
Plaintiffs,)
)
v.)
)
ELLEN F. ROSENBLUM, et al.)
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Defendants.)
_____)

COURT TRIAL DAY 2
TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE KARIN J. IMMERGUT
UNITED STATES DISTRICT COURT JUDGE

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1 THE WITNESS: Thank you. My pleasure.

2 THE COURT: Any further witnesses for plaintiffs?

3 MR. NICHOLS: Yes, Your Honor. Plaintiffs call
4 Salam Fatohi. We're going to be looking at a document; so
5 is it okay if I sit down for this one?

6 THE COURT: Yes.

7 MR. NICHOLS: Thank you, Your Honor.

8 DEPUTY COURTROOM CLERK: Sir, please remain
9 standing and raise your right hand.

10

11 SALAM FATOHI,
12 called as a witness in behalf of the Plaintiffs, being first
13 duly sworn, is examined and testified as follows:

14

15 THE WITNESS: I do.

16 DEPUTY COURTROOM CLERK: Please be seated.

17 And if you would pull yourself up to the microphone
18 there, state your full name, spelling both first and last,
19 for the record.

20 THE WITNESS: Salam Fatohi. First name S-a-l-a-m.
21 Last name F-a-t-o-h-i.

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Fatohi - D

DIRECT EXAMINATION

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BY MR. NICHOLS:

Q. Mr. Fatohi, what do you do for work?

A. I'm the director of research at the National Shooting Sports Foundation.

Q. What's the National Shooting Sports Foundation?

A. The NSSF is the firearm industry trade association.

Q. When you say "trade association," what do you mean by that?

A. So we're a group that provides resources and information for folks that are in the firearm industry.

Q. Who are some of the kinds of members you're talking about who are in the trade association? What kind of businesses?

A. So our members are comprised of firearm and accessory manufacturers, distributors, and retailers.

Q. And you said you're a director there. What do you actually do?

A. So to put it simply, I collect and organize data in order to produce resources and reports.

Q. What kind of resources and reports do you provide to the business members of the NSSF?

A. So productivity data, market research data, and various other just trend and productivity reports.

Q. What's the purpose of providing that kind of -- those

Fatohi - D

1 kinds of reports and data to your members?

2 A. To give them insights on what the broad scope of
3 functions are for the industry, whether it's production or,
4 say, NICs checks.

5 Q. So is that how -- well, let me ask it this way: Is the
6 NSSF helping its business members understand the firearm
7 market and what's the current trends and that sort of thing?

8 A. Yeah. We actually put out various resources that show
9 what is happening on the manufacturer end that then can be
10 used by retailers to curate what they're going to carry in
11 their stores.

12 Q. And are you part of the team that helps put together
13 and put out those resources?

14 A. Yes.

15 Q. Is this something NSSF just started doing, or is this a
16 regular practice that it does?

17 A. No. It's a regular practice, and it predates me.

18 Q. And based on your work and work with your team and work
19 with the NSSF customers, what do they use this information
20 for?

21 MR. MARSHALL: Objection. Foundation.

22 THE COURT: Overruled.

23 THE WITNESS: I'm sorry. Could you say that
24 again?

25 ///

Fatchi - D

1 BY MR. NICHOLS: (Continuing):

2 Q. Yeah. I'll go ahead.

3 Based on your work and your experience with your team
4 and working with the customers at NSSF, what do the NSSF
5 business members use this information for that
6 you're talking about?

7 A. Oh, they use our reports to educate themselves on how
8 they want to then conduct their business.

9 Q. Can you -- sorry -- explain that a little bit more?
10 What do you mean? How would they use that?

11 A. Yeah. So business decisions of, say, what firearms
12 they want to carry, what accessories they would like to
13 have. They can look at our production data, market trend
14 data, and decide for themselves how they want to conduct the
15 business of what things they want to carry for folks to buy.

16 Q. And do they find those kinds of resources valuable?

17 MR. MARSHALL: Objection. Foundation.

18 THE COURT: Sustained.

19 BY MR. NICHOLS: (Continuing):

20 Q. Let me ask this: Manufacturers, retailers, and
21 distributors in the firearm industry -- they sign up for
22 NSSF membership; correct?

23 A. Yes.

24 Q. Okay. And based on your interactions with them, is
25 this market data one of the reasons that they want to be

Fatohi - D

1 part of the NSSF?

2 A. I certainly think that our educational resources are
3 part of the reason why folks sign up.

4 Q. All right. What's in an industry intelligence report?

5 A. So that's a collection of production data that is
6 collected and organized to make digestible formats of
7 various things that come from government reports, like the
8 ATF AFMER.

9 THE COURT REPORTER: ATF what?

10 THE WITNESS: AFMER. It's the Annual Firearms
11 Manufacturing Exploitation Report.

12 BY MR. NICHOLS: (Continuing):

13 Q. So the IIRs or industry -- sorry -- intelligence
14 reports -- is it also -- does it use any data other than
15 government data that you just mentioned?

16 A. Yes. We do have some proprietary information that
17 comes from our members.

18 Q. And so then what does NSSF do with this information
19 from its members and from the government data sources? How
20 does that go into an intelligence report?

21 A. So we'll use a combination of federal reporting
22 information, like the ATF AFMER, and also manufacturer
23 insights to then try to graph out and decipher various bits
24 and pieces of the larger picture of the firearm industry and
25 the firearm industry production.

Fatohi - D

1 MR. NICHOLS: All right. We would like to pull up
2 Exhibit 33.

3 Your Honor, may we give the witness a copy?

4 THE COURT: Yes.

5 MR. NICHOLS: Thank you. The Court should have a
6 copy. We have extra copies if the Court would like it.
7 Would it be helpful to have another copy?

8 THE COURT: I have it on the screen.

9 BY MR. NICHOLS: (Continuing):

10 Q. We would like to -- I would like to have you help me
11 understand what this is, and then we can talk about it.

12 So if you can pull up -- so is this one of those
13 reports you were telling me about?

14 A. Yes. This is one of our regularly produced market
15 reports that we produce for our members benefits.

16 Q. And what's the title of this one?

17 A. Industry Intelligence Reports.

18 Q. Right. And then the specific intelligence report --
19 what's its title?

20 A. "Firearm Production in the United States with Firearm
21 Import and Export Data."

22 Q. Okay. Can you turn to the second page.

23 A. Yes.

24 Q. We're letting the screen catch up with us.

25 There we go. What is this chart on page 2?

Fatohi - D

- 1 A. U.S. Firearm Production from 1991 to 2018.
- 2 Q. Where does this data come from?
- 3 A. Primarily from the ATF AFMER.
- 4 Q. Okay. Why does the NSSF include this in its market
5 report?
- 6 A. To showcase to our members how many various firearms of
7 different platforms are being made over time to create a
8 trend for their uses.
- 9 Q. Page 3. If we can blow up the top half.
10 And what is this -- what is this data here?
- 11 A. So this is a different view of the same production
12 data, just in different -- 25-, 20-, 10-year increments
13 instead of every year.
- 14 Q. Okay. The next page. And what is this -- so what are
15 these charts showing?
- 16 A. So this is another segmentation of the same original
17 production data, just in a different viewpoint, segmenting
18 out handguns, total production, and long guns.
- 19 Q. Okay. And page 5. What are we looking at here?
- 20 A. Oh, that's a breakdown of pistol production by caliber
21 from 1991 to 2018.
- 22 Q. And then page 6?
- 23 A. That's the same viewpoint, but for revolvers. Revolver
24 production calibers from 1991 to 2018.
- 25 Q. Page 7. Let's look at the top half first.

Fatohi - D

1 A. That is the Modern Sporting Rifle Production chart that
2 we produced for this report.

3 Q. Where does that come from?

4 A. So that comes from a variety of places. So we use the
5 ATF AFMER, but then we also use the US ITC commission
6 reports and industry intelligence that we gather directly
7 from manufacturers.

8 Q. I notice it says "estimated." Why does it say
9 "estimated"?

10 A. Just because we have to compile a variety of
11 information, and we might not track down every single
12 manufacturer that's involved in the production of MSRs.
13 There might be a lag in time.

14 And also, typically, what we're working with is
15 government data as our, sort of, main foundational source,
16 which is two years behind, just based on regular government
17 schedules.

18 Q. And then let's look at the bottom half of page 7. What
19 is this?

20 A. So that is our magazine chart. Estimated number of
21 detachable magazines in circulation from 1990 to 2018.

22 Q. Okay. And what's the source for this information in
23 this -- in this market report?

24 A. Similar to the MSR chart above it, it is a combination
25 of ATF AFMER and US ITC and industry insights.

Fatohi - D

1 Q. And were you part of the team that put together this
2 particular IIR, which is Exhibit 33?

3 A. Yes.

4 Q. Were you the only person on the team?

5 A. No.

6 Q. But were you familiar with what you and your team
7 members -- what processes they were using to collect and
8 compile this data?

9 A. Yes.

10 Q. And it -- is this the last version of this, or is there
11 another version that you're working on?

12 A. There actually is a newer version that we have right
13 now which is up to 2020.

14 Q. Okay. So this whole report is getting updated as part
15 of the regular business practice of NSSF. Is that true?

16 A. Yes.

17 Q. On the NSSF chart itself, how many pistol magazines
18 above 11 rounds -- well, read the title for us.

19 A. No problem.

20 It's "The Estimated 304 Million Detachable Pistol and
21 Rifle Magazines in U.S. Consumer Possession in 1990 to
22 2018."

23 Q. Okay. And what's the number for the pistol magazines
24 11-plus rounds?

25 MR. MARSHALL: Objection. To the extent that this

Fatohi - D

1 is being offered for more than just to identify the exhibit,
2 we object on foundation and hearsay grounds to this
3 testimony.

4 THE COURT: What's the hearsay exception?

5 MR. NICHOLS: Your Honor, there are two, and we're
6 going to move this exhibit into evidence.

7 One, it is a market report. I think that was very
8 clearly laid out. Under 803(17), it's exactly the kind of
9 report that people in the firearm industry, as Mr. Fatohi
10 has testified, regularly rely upon to make business
11 decisions, and so that's -- that's the nature of this
12 report. So that's one.

13 Secondly, it's also a business record, and it's a
14 regularly conducted activity drawn from information created
15 at or near the time, and information transmitted by people
16 with knowledge. It was kept in the regular course of their
17 activity and business. Making the record is a regular
18 practice of NSSF, and neither the source of the information
19 or the method indicate a lack of trustworthiness.

20 So under both of those exceptions, we would seek to
21 admit Exhibit 33.

22 THE COURT: Let me ask you, Mr. Marshall, is
23 there -- in terms of, I guess, the reliability of the data,
24 is there some question as to whether the NSSF is using true
25 ATF data?

Fatohi - D

1 MR. MARSHALL: I think the concern with this
2 chart, in particular, is with respect primarily to the
3 industry estimate component and to the process in which this
4 was created as a whole. We will contest both legally and
5 factually the market report component of the exception. We
6 also do not think that this -- the record that's been made
7 so far demonstrates that this information reflects a record
8 that was made at or near the time by someone with knowledge.

9 This is, you know, secondhand and thirdhand
10 conversation, I guess, that's coming up with these
11 estimates, and we do think that the opponent -- that's us --
12 will show that the source of information and the method and
13 circumstances of preparation indicate a lack of
14 trustworthiness.

15 We respectfully request that we have an opportunity to
16 examine the witness before the Court rules.

17 THE COURT: All right. So I'm not going to
18 receive it in evidence now. He can say what it shows.

19 It would be helpful -- Mr. Fatohi, how did -- so this
20 particular chart -- were you involved at all in compiling
21 this chart?

22 THE WITNESS: In the -- this particular chart from
23 2018?

24 THE COURT: Yeah.

25 THE WITNESS: No, ma'am.

Fatohi - D

1 THE COURT: How can you attest to where the data
2 comes from?

3 THE WITNESS: So we are currently updating this
4 chart into our 2022 -- 2020 or 2022 numbers, using the 2020
5 ATF AFMER data and also industry insights; so I'm currently
6 updating the methodology on that and going through and
7 compiling all the information.

8 In order to do that, I had to research based off of my
9 predecessor's notes and records of how they started -- or
10 they compiled this information; so then I use that as my
11 foundation to then create this next version of the analysis.

12 THE COURT: So this version was created by your
13 predecessor.

14 Is that fair to say?

15 THE WITNESS: Correct.

16 THE COURT: So you're not exactly -- do you know
17 where they got the data? Is there any way for you to know
18 that?

19 THE WITNESS: Yes. Through their, like, notes and
20 records of how they compiled it. That was still available
21 to me when I started doing the updated version of this.
22 That's what I use as my foundation to then start the
23 creation of the next version of it, which is our 2020 chart.

24 THE COURT: So, obviously, I'll allow -- I'm not
25 going to receive it into evidence at this stage. I'm going

Fatchi - D

1 to allow any cross-examination of this witness and the
2 foundational issues.

3 At this point I'll receive it -- or I -- I'm
4 considering it just for the -- that this is what the
5 organization sends out to its members, and then I'll
6 consider, once I hear the cross-examination, whether it
7 should be considered for the truth of the matter asserted.
8 If the data is -- obviously, it could be some methodological
9 unreliability. I have no idea. But that would go to the
10 weight, not the admissibility; but I'll evaluate those
11 issues when the time comes.

12 MR. NICHOLS: Thank you, Your Honor.

13 And let me ask a little follow-up on the foundation
14 part of it.

15 BY MR. NICHOLS: (Continuing):

16 Q. So you mentioned earlier in your testimony that for
17 this chart and the other charts there's government data you
18 rely on, and I think -- I don't remember if you called it
19 "industry insight" or "industry intelligence."

20 Can you explain to me kind of -- let's start at a
21 general level. What do you mean by that, when you say
22 "industry insight" or "industry intelligence"?

23 A. So in order to apply, say, information from -- or in
24 order to utilize information from the ATF AFMER, the AFMER
25 lets us know how many are produced. So, say, pistols. So

Fatchi - D

1 then we would go to industry representatives and say, "Hey,
2 you produced 'X' amount of pistols. Of those pistols, how
3 many magazines came with each one, and what were the
4 capacities?"

5 We then apply that factor to the production data that's
6 on the ATF AFMER, utilizing both the member insights and the
7 government record to create an estimate of how many
8 magazines are in circulation.

9 Q. I see.

10 So the actual number of, say, units -- that's based on
11 the government data; is that right?

12 A. The unit of firearms.

13 Q. The box or the -- right?

14 A. Yeah.

15 Q. But knowing how many are actually --

16 A. How many came in the box.

17 Q. How many came in the box --

18 A. Magazines came in the box.

19 Q. -- that's from the manufacturer?

20 A. Correct.

21 Q. Okay. That's how those two fit together?

22 A. Correct.

23 Q. Okay. And talking about the industry insights, is that
24 unique just to this chart alone, or is that the way that
25 NSSF compiles information for other intelligence reports --

Fatohi - D

1 other reports as well?

2 A. No, there are other reports just like the ones at the
3 top of the page -- of 7, the MSR chart. We have to utilize
4 industry insights to know what firearms they are producing
5 that would qualify as an MSR, for example, that would then
6 be counted in the tally versus, say, a traditional
7 bolt-action rifle that is then not counted in the tally.

8 Q. So based on that description, you're familiar with how
9 NSSF, as a practice, uses industry insights; correct?

10 A. Yes.

11 Q. And you were on the team for this report, and so do you
12 know whether your predecessor used that practice when he was
13 putting it together?

14 A. It's my understanding that that was the strategy
15 applied.

16 Q. Okay.

17 MR. NICHOLS: So, Your Honor, we would like to --
18 I understand that the -- I understand the Court's ruling,
19 but we would like to at least put on -- subject to that
20 objection, read in the numbers in the chart.

21 THE COURT: Okay. That's fine.

22 BY MR. NICHOLS: (Continuing):

23 Q. So, Mr. Fatohi, we're looking at Exhibit 33, and the
24 title of this one on page 7, the bottom half, is the NSSF
25 Magazine Chart.

Fatohi - D

1 Can you start with -- let's just do it from left to
2 right.

3 A. Uh-huh.

4 Q. Can you read -- nice and slow for the court reporter,
5 but can you read the column title and then the number?

6 MR. MARSHALL: And apologies for interrupting, but
7 I need to note that we're reserving objection.

8 THE COURT: And your objection is that it's --

9 MR. MARSHALL: It's hearsay and that it doesn't
10 satisfy the two hearsay exceptions that have been
11 identified.

12 THE COURT: All right. Duly noted.

13 Go ahead.

14 BY MR. NICHOLS: (Continuing):

15 Q. Please go ahead, Mr. Fatohi.

16 A. So the first column, "Pistol Magazines 10 Rounds or
17 Less." Total: 106.8 million magazines.

18 Next column is "Pistol Magazines 11-Plus Rounds."
19 That's 71.2 million.

20 "Rifle Magazines 10 Rounds or Less," 37.7 million
21 magazines.

22 "Rifle Magazines 11 to 29 Round" -- it doesn't say
23 capacity, but that's the intent, is "capacity."
24 9.4 million.

25 And "Rifle Magazines 30-Plus Rounds," 79.2 million.

Fatohi - D

1 Leading to a total column of 304.3 million total
2 magazines.

3 Q. All right. And I'm going to put you on the spot a
4 little, Mr. Fatohi. Can you at least give me a round
5 number, if I were to add up all of the 11-plus -- 11 to 29
6 and 30-plus rounds, approximately how many rounds are --
7 excuse me -- how many magazines are we talking about?

8 A. For the over 10-round?

9 Q. Over the 10-round, yeah.

10 A. For over 10 -- I don't have a calculator with me, but
11 about 160 million.

12 Q. Okay. So that would be 160 million detachable pistol
13 and rifle magazines in U.S. consumer possession from 1990 to
14 2018.

15 Am I reading that chart correctly?

16 A. Yes, that's a correct read.

17 Q. And it does say "estimated"; correct?

18 A. Uh-huh.

19 Q. Is that a "Yes"?

20 A. Yes. Sorry.

21 Q. And earlier you talked about "estimated" when it came
22 to the modern sport rifle production. Is that the same
23 reason that this says "estimated"?

24 A. Yes.

25 Q. Based on your understanding of the methodology used as

Fatohi - X

1 regular practice by the NSSF, was that the best available
2 estimate based on the information that was had at the time?

3 A. Yes.

4 MR. MARSHALL: Objection. Foundation.

5 THE COURT: Overruled.

6 THE WITNESS: Yes.

7 MR. NICHOLS: All right. With that, Your Honor,
8 we have no further questions.

9 And, again, just to renew our offer, understanding that
10 the Court is considering defendants' objection.

11 THE COURT: All right. Thank you.

12 Cross-examination. State defendants.

13

14 CROSS-EXAMINATION

15 BY MR. MARSHALL:

16 Q. Good morning, Mr. Fatohi.

17 A. Good morning.

18 Q. When was this report made?

19 A. This particular report? I believe it was in 2020.

20 Q. Is there a date on it?

21 A. I'll take a minute to confirm.

22 Q. And maybe look at page 3.

23 A. Yes. It was October 2020.

24 Q. Okay.

25 A. The very last page. That's usually when we leave our

Fatohi - X

1 modicum on when it was finalized.

2 So it was the very last page, bottom right corner.

3 Q. So you had just started at NSSF at that point; is that
4 right?

5 A. Yes.

6 Q. What was your role there at that point?

7 A. I was the manager of legislative and policy research.

8 Q. Were you involved in the creation of this report?

9 A. I had a hand in some of the report, yes.

10 Q. Okay. What parts?

11 A. Truth be told, I can't recall which exact part.

12 Q. Were you involved in the decision to update this
13 report?

14 A. No. This is something that we regularly update as just
15 a function of our positions.

16 Q. How involved are you with NSSF's litigation?

17 A. Can you give me some clarity on that? I'm not quite
18 sure how to --

19 Q. Do you have responsibilities related to litigation at
20 NSSF?

21 A. Not -- oh, I'm sorry. No. Not litigation. I thought
22 you said "legislation."

23 Q. Okay. What about legislation?

24 A. Some parts. I create resources for our state and
25 federal teams at times.

Fatohi - X

1 Q. That's one of the responsibilities of the research
2 department is to create resources for the legislative teams?

3 A. In part. Fact sheets and other resources.

4 Q. You never worked for a firearms manufacturer?

5 A. Correct.

6 Q. You never worked for a firearms distributor?

7 A. Correct.

8 Q. You never worked for a firearms retailer?

9 A. Correct.

10 Q. So you don't know personally -- or you've never used
11 personally data that goes back to 1991 to make a business
12 decision, have you?

13 A. Not in 1991. No, I have not.

14 Q. No. I'm talking about your report, sir.

15 A. No.

16 Q. So let's look at page 2 of the report.

17 A. Sure.

18 MR. MARSHALL: And if we can put Exhibit 33,
19 page 2 on the screen.

20 BY MR. MARSHALL: (Continuing):

21 Q. So this data goes from 1991 to 2018?

22 A. Uh-huh.

23 Q. You would not have relied as a manufacturer on a
24 datapoint going back all the way to 1991 or 1992?

25 A. No.

Fatchi - X

1 Q. You wouldn't know what some manufacturer today is
2 trying to do with data that is from 1991 and 1992?

3 A. I don't think it's up to me to speculate.

4 Q. And you said that members might join for this kind of
5 information, but this is available online; right?

6 A. It is available online.

7 Q. Anyone can get it with -- regardless of whether or not
8 they were a member; right?

9 A. Yes. This is one of the various reports that we
10 create. It's not the only report.

11 Q. Let's look at page 4 of Exhibit 33.

12 And the source for this U.S. Firearm Production is
13 AFMER right?

14 A. Yes. The ATF AFMER.

15 Q. And page 5 of Exhibit 33.

16 Is the source for this one -- it's also ATF AFMER;
17 right?

18 A. That's correct.

19 Q. And page 6. U.S. Revolver Production. AFMER?

20 A. Yes.

21 Q. Page 8. Top 25 manufacturers. AFMER?

22 A. Yes.

23 Q. Page 9. AFMER?

24 A. Can you tell me exactly what you're looking at?

25 Q. Page 9, lower left-hand corner, I think it says,

Fatohi - X

1 "Source: AFMER."

2 A. Oh, yes. I didn't know if you were looking somewhere
3 else on the exhibit.

4 Q. And then on page 15 there's a little variation. We
5 have U.S. -- I don't know that that's producing on the
6 screen properly. It may have a few datapoints missing, but
7 I think the source is right, which is that it's U.S.
8 International Trade Commission?

9 A. Yes.

10 Q. So there's a lot of government records that are relied
11 on in this report?

12 A. Uh-huh.

13 Q. And in those charts -- was that a "Yes," sir?

14 A. Yes. Sorry.

15 Q. And those were not based off of NSSF's records -- those
16 charts that we just went through?

17 A. No. They're based off of federal records or federal
18 reports.

19 Q. They're not based off of NSSF's members' records;
20 right?

21 A. I don't believe so, no. They were based off the AFMER
22 and US ITC.

23 Q. Okay. Let's look at the chart you read out loud on
24 page 7.

25 On the bottom NSSF magazine chart, the source is

Fatohi - X

- 1 different here. It's ATF AFMER US ITC and industry
2 estimates. Which of the data comes from ATF AFMER? Which
3 of the bars?
- 4 A. I'm sorry?
- 5 Q. Which of the bars, of the five -- of the six bars is
6 from ATF AFMER?
- 7 A. So the ATF AFMER is used in conjunction with industry
8 insights to then figure out how many magazines to then
9 create these columns.
- 10 Q. Okay. ATF AFMER doesn't report the number of detached
11 magazines that are sold separately; correct?
- 12 A. That's correct.
- 13 Q. You're relying on the number of firearms sold; correct?
- 14 A. In part, yes.
- 15 Q. Okay. On the industry estimates part, how many
16 people -- sorry -- how many companies were consulted in the
17 industry estimate?
- 18 A. I'm not positive. I don't know. I know that members
19 were -- members were asked for their insights on it. I'm
20 not sure on a positive number.
- 21 Q. So it could be two? It could be 20? It could be 200?
- 22 A. Yes.
- 23 Q. So you could -- this could be extrapolated from two
24 industry insights -- extrapolated to the entire population
25 of all firearms in the United States?

Fatohi - X

1 MR. NICHOLS: Objection. Calls for speculation.

2 BY MR. MARSHALL: (Continuing):

3 Q. You don't know?

4 THE COURT: Wait until I rule.

5 Overruled.

6 BY MR. MARSHALL: (Continuing):

7 Q. You don't know whether --

8 A. I'm not sure.

9 Q. Okay. Who was in charge as Director of Research for
10 NSSF when this was produced?

11 A. I'm not sure if the title was Director of Research, but
12 the gentleman involved was named Jim Curcuruto.

13 THE COURT REPORTER: I'm sorry. His name again?

14 THE WITNESS: Curcuruto. I'm not positive on the
15 spelling.

16 BY MR. MARSHALL: (Continuing):

17 Q. Do you know him?

18 A. Not personally.

19 Q. You never talked to him about this report?

20 A. I'm not sure what our discussions were at the time that
21 we did work together.

22 Q. Wait. So you have talked to him, but you don't
23 remember what you talked about?

24 A. We were both employed at NSSF at the same time, and I
25 can't recall what our conversations were.

Fatohi - X

1 Q. Did he ever tell you that he doesn't think this data is
2 reliable?

3 A. No.

4 Q. You never heard that from him?

5 A. He's never told me that.

6 Q. And you had worked two or three months at the NSSF when
7 this happened -- when this report was made; right?

8 A. It was probably about four or five months at the point
9 that it was published.

10 Q. Do you follow developments in -- related to the Second
11 Amendment rights of your members? Legal developments.

12 A. Some, in limited scope.

13 MR. MARSHALL: We can take this down, by the way.

14 BY MR. MARSHALL: (Continuing):

15 Q. Are you familiar with what an amicus brief is?

16 A. No, I'm not.

17 Q. Do you know that NSSF files papers with courts
18 sometimes?

19 A. Yes.

20 Q. Okay. And they are litigants sometimes, like in this
21 case?

22 A. Yes.

23 MR. MARSHALL: I'm going to show the witness a
24 document. 683. Marked for identification.

25 Can we put 683 on the screen.

Fatohi - X

1 BY MR. MARSHALL: (Continuing):

2 Q. I'll represent to you, sir, that this is an amicus
3 brief. It was a brief filed in the U.S. Court of Appeals
4 for the Ninth Circuit.

5 Are you familiar with the litigation of *Rupp v.*
6 *Becerra*?

7 A. I don't believe I am.

8 Q. Maybe I'll ask in a more general way.

9 Are you familiar with the Ninth Circuit's -- or the
10 litigation challenges to California's assault weapons ban?
11 Have you heard of that?

12 A. I think -- I believe I know it exists, but I can't
13 really talk in any detail about it.

14 Q. So the National -- the National Shooting Sports
15 Foundation, Inc. -- that's the same company that you work
16 for; right? Or some trade association, I should say.

17 A. National Shooting Sports Foundation.

18 Q. And that's who's produced Exhibit 33?

19 A. I believe so. I'm not familiar with the document.

20 Q. Okay. Larry Keane, who's on this piece -- whose name
21 appears in the lower right -- that's the general counsel of
22 NSSF; right?

23 A. Yes.

24 Q. He's pretty high up in NSSF; right?

25 A. Yes.

Fatchi - X

1 Q. He's the second highest paid person in NSSF?

2 A. I don't know what he makes.

3 Q. Okay. Let's look at page 5 of this exhibit,
4 Exhibit 683.

5 At the top, we have, "NSSF Industry Intelligence
6 Report. Firearms Production in the United States."

7 That's Exhibit 33 or its predecessor; right?

8 MR. NICHOLS: Objection. Foundation.

9 MR. MARSHALL: He's --

10 THE COURT: Overruled.

11 THE WITNESS: I'm sorry. Could you repeat that?

12 BY MR. MARSHALL: (Continuing):

13 Q. This is an industry intelligence report. This is the
14 type of report that you have been talking about; right?

15 A. That's referenced here on the screen?

16 Q. Yes.

17 A. Yes.

18 Q. Okay. Let's look at page 12 of this exhibit and
19 Footnote 4. NSSF Industry Intelligence Report for -- that's
20 relying on this report for 17.8 million reflects the number
21 of modern sporting rifles.

22 Am I looking at that correctly?

23 A. Sorry. Can you repeat the question? I was flipping
24 around.

25 Q. Sure. It looks like NSSF is using the Industry

Fatohi - X

1 Intelligence Report for litigation purposes. Is that right?

2 MR. NICHOLS: Objection. Foundation. Calls for
3 speculation.

4 THE COURT: Overruled.

5 THE WITNESS: I'm sorry, sir. Could you repeat
6 the question?

7 BY MR. MARSHALL: (Continuing):

8 Q. Sure. You agree that NSSF used the Industry
9 Intelligence Report in litigation to prove the number of
10 modern sporting rifles against the State of California?

11 A. I can see that the Industry -- Industry Intelligence
12 Report was referenced here. If that means that it was used
13 in litigation, then yes.

14 Q. Page 18 of Exhibit 683. That's page 13 of the brief.
15 We have two more factoids from an industry intelligence
16 report. Footnotes 6 and 7.

17 So we have two more facts that are from the same report
18 of Exhibit 33; right?

19 A. Uh-huh.

20 Q. Okay.

21 A. Yes.

22 MR. MARSHALL: Can we put it side by side -- this
23 pullout, along with Exhibit 33, on the first page?

24 BY MR. MARSHALL: (Continuing):

25 Q. So we have -- I just want to make sure that we're

Fatohi - X

1 talking about the same report here. You agree with me that
2 "NSSF Industry Intelligence Reports. Firearms Production in
3 the United States 2019," that's the same as this title,
4 "Firearms Production in the United States with Firearm
5 Import and Export Data." I assume that that's the same
6 report; right? Because one is just a subtitle?

7 MR. NICHOLS: Objection. Calls for --

8 MR. MARSHALL: I'm asking the witness -- I'm
9 asking the witness.

10 THE COURT: So you wait until I rule, and there
11 is -- appears to be a lack of foundation for the witness
12 whether he can testify about that.

13 So you have to ask some further questions.

14 BY MR. MARSHALL: (Continuing):

15 Q. Do those appear to you -- is there a different report
16 that Footnote 6 could be referring to, that you are aware
17 of?

18 A. At this time, I'm not sure if we're talking about the
19 same report. It could be a different annual report with the
20 same title, just a different year.

21 Q. Similar, though?

22 MR. NICHOLS: Objection. Foundation.

23 THE COURT: Overruled if he can answer.

24 THE COURT REPORTER: I'm sorry. I didn't hear
25 your answer.

Fatohi - X

1 THE WITNESS: Sorry. I said, "Yes, it's similar."

2 BY MR. MARSHALL: (Continuing):

3 Q. And we decided earlier that it was in October of
4 2020 -- sorry.

5 MR. MARSHALL: I have no further questions.

6 THE COURT: Okay. Anything from intervenor,
7 Mr. Pekelis?

8 MR. PEKELIS: Just a couple questions.

9

10 CROSS-EXAMINATION

11 BY MR. PEKELIS:

12 Q. Mr. Fatohi, you testified earlier that the report,
13 Exhibit 33, was finalized in October of 2020.

14 A. Yes.

15 Q. Did -- excuse me. It was published or it was finalized
16 in October of 2020? Which was it?

17 A. To me, they mean the same thing. At the time they're
18 finalized, they're --

19 Q. It is immediately published right after? There
20 wouldn't be some sort of lag time between the time that the
21 report is complete and when it's actually issued to the
22 world?

23 A. There is a short review period.

24 Q. Okay. So do you know how long that review period was
25 in this case?

Fatohi - X

1 A. I can't recall how long it was in 2020.

2 Q. How long are they, typically?

3 A. It can range anywhere between days and weeks. It kind
4 of depends on personnel capacities at the time.

5 Q. So is the -- Exhibit 33 -- is that report created every
6 year by NSSF?

7 A. Typically.

8 Q. And does it typically contain the same content from
9 year to year?

10 A. It's a pretty, kind of, rinse-and-repeat report. We
11 update the content that's on there, and we make minor
12 modifications.

13 Q. Okay. Like adding a new year of data, for example?

14 A. Correct.

15 Q. So on page 7, the magazine chart of Exhibit 33, that
16 didn't have any data from 2019 or 2020; right?

17 A. Correct. It only goes up to 2018.

18 Q. So is it safe to say that that was simply taken from an
19 earlier version of the report without any updates?

20 A. Yes.

21 MR. PEKELIS: Okay. I don't have anything
22 further.

23 MR. NICHOLS: Your Honor, we just want --
24

25 ///

Fatohi - ReD

REDIRECT EXAMINATION

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BY MR. NICHOLS:

Q. Mr. Fatohi, did you have anything to do with this amicus brief?

A. No.

MR. NICHOLS: Your Honor, we would, again, renew the offer of Exhibit 33 into evidence. It's -- I'm happy to lay more -- talk -- argue more about it, but I think the foundation has clearly been laid, and documents can also be used in litigation and for business purposes.

THE COURT: Well, and there's a specific exception 803(17) that goes to market reports, which you didn't mention that one, but I think that's more appropriate. For -- I think you said 803 business records, but --

MR. NICHOLS: I thought I mentioned both. I meant to talk about both; but, yes, I think both of them --

THE COURT: Let me ask you, Mr. Fatohi, do you -- in terms of compiling the data, is it all -- I'm not clear on where the data actually comes from. Is it all from the ATF where you get the number of magazines that are in that chart? In Exhibit 33, is it all from ATF, or is there some other source?

THE WITNESS: So for the magazine chart that was discussed earlier that's in the IIR, the Industry Intelligence Report -- the IIR -- so that magazine chart

Fatohi - ReD

1 and -- is built off of a foundation of the ATF AFMER because
2 that tells us the production amount.

3 So our production of firearms, combined with the
4 industry insights of "We supply 'X' number of magazines in
5 the box with every firearm from the manufacturers directly,"
6 those -- those magazines have a capacity of "X" per model,
7 and it varies, of course.

8 THE COURT: So does that mean industry is
9 providing some information to your organization to compile
10 this list?

11 THE WITNESS: Yes.

12 THE COURT: Okay. And is that all the key
13 manufacturers, or what portion of the industry?

14 THE WITNESS: It's a significant amount of the
15 manufacturers. Like, for example, because I'm doing the
16 update right now, the top 10 manufacturers of pistols, for
17 example, that we are including, plus other manufacturers, to
18 make sure that we're statistically significant -- those top
19 10 make up 90 percent of all pistols produced in 2020 for
20 the ATF.

21 THE COURT: And, again, you said this, but I just
22 want to clarify, what's the purpose for which you
23 disseminate this information through your organization?

24 THE WITNESS: No problem, Your Honor. So we
25 create that to create a resource for our members so that

Fatohi - ReX

1 they can decide -- say, for a retailer, for example, can
2 decide, "I'm going to carry 'X' number of magazines to
3 supply the firearms that I am selling. I'm going to choose
4 these capacities because they seem to be most popular," and
5 that is taken from manufacturing. Manufacturers are
6 creating the products based on consumer demand; then
7 retailers, then, in turn, carry what is being produced the
8 most.

9 THE COURT: All right. Any follow-up questions to
10 my questions from defendants?

11
12 RECROSS-EXAMINATION

13 BY MR. MARSHALL:

14 Q. You said that you heard from the vast majority of the
15 key manufacturers or many of the key manufacturers in
16 response to the Court's question.

17 A. I might have misstated, but the vast majority of the
18 capacity of pistols produced, for example.

19 Q. Okay. But when you -- when I was asking you the
20 questions, you said you didn't know whether for this chart
21 220 or 200 manufacturers had been asked.

22 You don't know that still?

23 A. I was speaking about the update that I'm currently
24 working on.

25 THE COURT: So you don't know that for the chart

Fatohi - ReX

1 that is in Exhibit 33?

2 THE WITNESS: Yes, Your Honor.

3 THE COURT: Okay. Thank you. Anything,
4 Mr. Pekelis?

5 MR. PEKELIS: Yes, Your Honor.

6

7

REXCROSS-EXAMINATION

8 BY MR. PEKELIS:

9 Q. So the ATF data, you testified, provides production
10 numbers; right?

11 A. Yes. Manufacturers are required to provide to the ATF
12 what they produce.

13 Q. Okay. What about the US ITC data?

14 A. That's import data.

15 Q. Okay. But this chart isn't about production; right?
16 This chart says "possession."

17 You recognize that "possession" and "production" are
18 two different things; right?

19 A. Yes.

20 MR. PEKELIS: Okay. Nothing further.

21 MR. MARSHALL: Can I ask something after
22 Mr. Pekelis? I think it confused something.

23 THE COURT: All right.

24 MR. NICHOLS: I'm sorry, Your Honor. We're going
25 a little free-flow.

Fatohi - Further ReX/ReD

1 THE COURT: You'll get the last word.

2 MR. NICHOLS: Okay.

3 THE COURT: That's your redirect.

4 MR. MARSHALL: I hope this is one question.

5 THE COURT: Hold on. Let me just -- so that Jill
6 can get things down, you have to wait until I finish
7 talking, and I'll wait until you finish talking.

8 So you can ask another question just as a follow-up to
9 either what I said or what Mr. Pekelis said, and then we'll
10 go to Mr. Nichols with the last few questions, if he has
11 any.

12

13 FURTHER RECROSS-EXAMINATION

14 BY MR. MARSHALL:

15 Q. And the production we're talking from the government
16 data is not production of magazines, it's production of
17 firearms; correct?

18 THE WITNESS: That's correct.

19 THE COURT: Mr. Nichols.

20

21 FURTHER REDIRECT EXAMINATION

22 BY MR. NICHOLS:

23 Q. And to make sure this is clear, the number of
24 production of firearms, and firearms come with magazines;
25 right?

Fatohi - Further ReD

1 A. Correct.

2 Q. So the information you were hearing from the industry
3 is not the number of firearms produced. That's from the
4 government data; correct?

5 A. Correct.

6 Q. We're just talking about, okay, did you -- how many
7 magazines did you pack in each box? That's what we're
8 talking about?

9 A. Yes.

10 Q. Okay. So based on the data that you had, this is the
11 estimate that NSSF put out for its members to rely upon;
12 correct?

13 A. Correct. That is what we believe to be a number that
14 we can prove is out in the market.

15 Q. Okay. There was a question about why the data goes all
16 the way back to 1991. I mean, I think it's useful to look
17 at page 2.

18 Do you see that there's change in total production year
19 over year?

20 A. Yes.

21 Q. So let me just ask this question: Why would you
22 produce data going back a few decades? Why not do just last
23 year, and that's it?

24 A. The information is available. So we chart it out so
25 that, in case it is beneficial to a member, they can chart

Fatohi - Further ReD

1 out the trend of either, say, pistols, revolvers, or long
2 guns of any sort.

3 MR. NICHOLS: Okay. Thank you. No further
4 questions, Your Honor.

5 THE COURT: You may step down. Thank you.

6 So with respect to the exhibit, I will receive it as --
7 under 803(17), but I will give it the weight that I think it
8 deserves.

9 MR. NICHOLS: Understood, Your Honor.

10 THE COURT: Understanding that there may be
11 contrary information and, obviously, there have been other
12 challenges to it, so -- but, nevertheless, it does appear to
13 be a market survey designed to the gun dealer market and
14 retailers; so I think it arguably falls within that
15 exception. But, again, I'll give it the weight -- I'm not
16 sure I'm going to accept it for the truth of the matter
17 asserted at this time, but I'm receiving it for that
18 purpose, as it were, under the exception. But I'll give it
19 the weight I think it deserves.

20 Why don't we take a break until 11:00 -- let's do
21 11:05. So we'll do 15 minutes, and then we'll stop at noon
22 and take an hour and 15 minutes for lunch. Okay.

23 We'll be in recess.

24 (Recess taken.)

25 THE COURT: Reminder no phones in the courtroom.

1 Phones shall be off unless you're working on one of the
2 trial teams. Put them away and turn them off, please.

3 Are there any further witnesses for plaintiff?

4 MR. NICHOLS: No, Your Honor. Just a few
5 evidentiary -- like, exhibit matters I would like to go
6 through before we rest.

7 THE COURT: Okay. So why don't we go
8 ahead with -- I'll allow you to reserve and move in
9 witness -- or exhibits after, unless -- is there a reason we
10 don't want to go to the next witness?

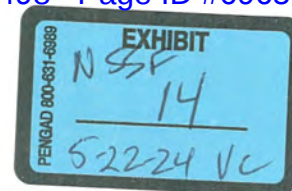
11 MR. NICHOLS: No. We can absolutely do that.
12 Yes, we'll do that and the -- and to clarify on the record
13 the stipulated facts. There's quite a few exhibits, and
14 there's quite a few stipulated facts that will go -- confirm
15 now in the record, and we just want to make sure that
16 happens -- or at least noted before we close -- or "rest," I
17 should say. And just note, for the record, that as -- as we
18 said in our opening statement, we will anticipate entering
19 more exhibits during the examination of defendants'
20 witnesses and their experts, their historians, and that sort
21 of thing.

22 Subject to that, plaintiffs rest.

23 (Plaintiffs rest.)

24 THE COURT: That's fine. Thank you.

25 And I'll allow you to reserve all of those things.



DETACHABLE MAGAZINE REPORT

1990 - 2021

NSSF® DETACHABLE MAGAZINE REPORT (1990 – 2021)



PURPOSE

Estimate the number of detachable firearm magazines, segmented by capacity, that have been sold and made available using the latest information (2023 initial study period). Estimate the number of magazines provided “in the box” with firearms made available to consumers along with secondary market / direct consumer purchase of firearm magazines. This is done as part of NSSF’s ongoing industry research to provide insights into the firearm and ammunition industry.



METHODOLOGY

Utilize Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Annual Firearms Manufacturers Export Reports (AFMER) to identify firearm manufacturers and corresponding firearm manufacturing activity of pistols and rifles. ATF AFMER reporting is segmented by Pistol, Revolver, Rifle, and Shotgun categories of manufacturing and export. Identify and remove firearm manufacturers that do not produce pistols and rifles that accept detachable magazines such as derringers, single shot pistols, and fixed magazine rifles. Master totals were created for the top 15 pistol manufacturers (~80 percent of pistols) and top 15 rifle manufacturers (~60 percent of rifles) produced in the 2021 ATF AFMER. Independent research and direct survey of firearm and magazine manufacturers yielded information on how many magazines, and their capacity, were provided with each firearm and made available to the U.S. consumer market from 1990 to 2021 through wholesalers, retailers, and sold directly to consumers. If historical information was not available, a value of one magazine per pistol and rifle was used for the list of top manufacturers. Organizing the data collected from top pistol and rifle manufacturers, industry averages of magazines and capacity were applied to all other pistol and rifle manufacturers reported by ATF AFMER for the study period (1990-2021). Consumer market totals were taken directly from participating magazine manufacturers with no adjustment. Totals of each segment were rounded to the closest thousand.

RESULTS

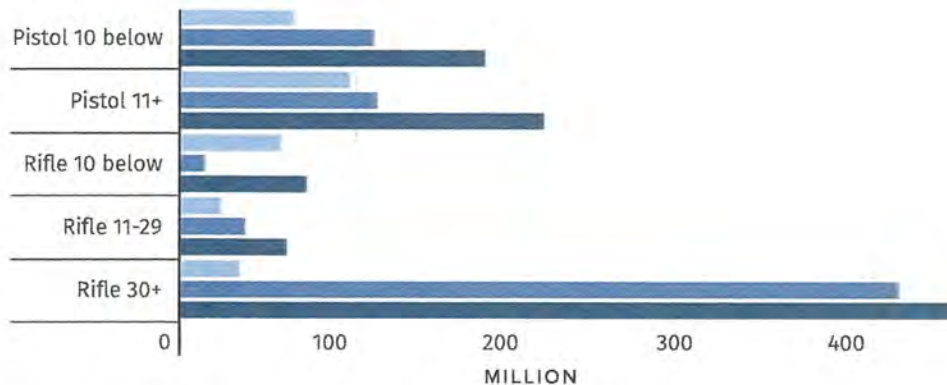
Independent research and direct survey of firearm and magazine manufacturers yielded industry averages for pistol and rifle magazines that come “in the box.” Pistol magazines had an industry average of 2.1 magazines per firearm from the manufacturer with 44 percent being 10 and below capacity. Rifle magazines had an industry average of 1.8 magazines per firearm from the manufacturer with half being 10 and below capacity, 20 percent being 11-29 round capacity, and 30 percent being 30+ round capacity.

Of the firearm magazines estimated in this study, 29 percent originate from detachable magazines provided “in the box” with each newly manufactured firearm and 71 percent of detachable magazines were distributed to the consumer market as an “aftermarket”



product. An estimated 963 million magazines were produced and entered the commercial market between 1990 and 2021. Of the estimated 963 million magazines, approximately 74 percent, or 717 million magazines, have a capacity of 11+ rounds. A majority of the 11+ round capacity magazines are rifle magazines. About 46 percent of the magazines estimated in this study are rifle magazines with 30+ round capacity. The percentage of detachable magazines at 11+ capacity is about 55 percent of total pistol magazines. The amount of 10 and below capacity rifle magazines supplied from the manufacturer is over one and a half times the amount of 30+ capacity rifle magazines. The consumer market totals of rifle magazines show 30+ capacity magazines, over 413 million, are over thirty times the amount available than 10 and below capacity rifle magazines, about 13 million.

Firearm Magazine Estimate 1990 – 2021					
	Pistol 10 below	Pistol 11+	Rifle 10 below	Rifle 11-29	Rifle 30+
Manufacturer Total	64,099,000	96,148,000	57,362,000	22,945,000	34,417,000
Consumer Market Total	110,694,000	112,997,000	13,717,000	37,441,000	413,952,000
Manufacturer and Consumer Totals	174,793,000	209,145,000	71,079,000	60,386,000	448,369,000
Grand Total: 963,772,000					



LIMITATIONS

Not all magazine manufacturers that support and supply firearm manufacturers and the consumer market responded to the survey/provided data; therefore, the results are a conservative estimate. Not all segments of detachable magazines could be counted due to lack of public information or availability of records. For example, detachable shotgun magazines are prevalent in certain shooting sports and tactical applications but were not counted. Military and law enforcement sales were not counted. This analysis did not account for breakage or magazines that were destroyed/discarded as no data exists. No reliable data exists prior to 1990 to estimate historic detachable magazines that may still be available for sale or in working condition. This is due to lack of ATF AFMER reporting prior to 1990. This study does not claim all the magazines estimated in this study are owned by Americans; these are both magazines estimated to be in circulation and made available for sale at some point from 1990 to 2021.

DISCUSSION

The popularity of small “conceal carry” pistols highly influenced the distribution of pistol magazines in most recent years, but following trends in manufacturing, many of these pistols are being updated with higher capacity magazines as designs are updated. Magazine-fed semiautomatic pistols and rifles are becoming increasingly popular. Based on magazines alone, 11+ round capacity, market share of these firearms in the United States should be expected hold pace with historic trends.¹²

A recent study of the general population within the United States identified that over 1,300 firearm owners provided more insight to magazine ownership. Results suggest that more than a third (36.3 percent) of the U.S. population are currently firearm owners.³ Those identified as firearm owners were asked to share details about their detachable magazine ownership. More than half (53.2 percent) of firearm owners reported owning a detachable magazine for a handgun, and nearly a third (32.7 percent) reported owning a detachable magazine for a rifle. Nearly a third (35.9 percent) of firearm owners reported owning a detachable handgun magazine with a capacity of 11 or more rounds, while nearly a quarter (24.3 percent) of firearm owners reported owning a

detachable rifle magazine with a capacity of 11 or more rounds. Overall, 43.3 percent of firearm owners reported owning a detachable magazine with a capacity of 11 or more rounds. These findings indicate that approximately 8.9 percent of the U.S. population owns a magazine holding 11 or more rounds.⁴

According to a recent NSSF study, Modern Sporting Rifle (MSR) Comprehensive Consumer Report 2022, magazines were one of the most common accessories purchased among the 2,185 usable responses. “Over half (52%) of MSR owners stated the detachable magazine capacity of their MSR is 30 rounds. When asked why they chose their respective capacity, most frequent responses were related to popularity / standard and being readily available.”⁵ The latest estimate of MSRs produced between 1990–2021 is over 28 million⁶, making aftermarket magazines for these firearms abundant in the United States, where such capacity magazines are not banned⁷. These rifle magazines, like all categories of magazines in this study, are those that are provided “in the box” from the manufacturer and made available for sale. The proportion of owned magazines versus magazines available for sale is currently unattainable.

CONCLUSION

The findings in this report give some insight to the volume and capacity of detachable firearm magazines in the United States for the study period. A more comprehensive estimate would be attainable if participation from firearm and magazine manufacturers increased in future updates. Consumer preferences of 11+ capacity magazines are reflected in the manufacturing activity of the firearm industry. Changes in legislation outlawing or granting access to these magazines may change overall market proportions but the preference to have more ammunition available is clear.

¹ Association, N. R. (n.d.). 33 new concealed-carry guns for 2018. An Official Journal Of The NRA. <https://www.shootingillustrated.com/content/33-new-concealed-carry-guns-for-2018/>

² Association, N. R. (n.d.-a). 10 popular concealed carry guns. An Official Journal Of The NRA. <https://www.shootingillustrated.com/content/10-popular-concealed-carry-guns/>

³ NSSF 2022 Magazine Capacity Study.

⁴ Id.

⁵ NSSF Modern Sporting Rifle Comprehensive Consumer Report 2022.

⁶ (2024, January 11). NSSF releases most recent firearm production figures. NSSF. <https://www.nssf.org/articles/nssf-releases-most-recent-firearm-production-figures-2024/#:~:text=Data%20indicates%20that%2028%2C144%2C000%20Modern,24.4%20million%20to%2028.1%20million.>

⁷ [28.1%20million.](#)

Cal. Penal Code § 16350, 16740, 16890, 32310-32450., Colo. Rev. Stat. §§ 18-12-301, 302, 303., Conn. Gen. Stat. §§ 53-202w, 53-202q., Del. Code Ann. Tit. 11, § 1469(a), D.C. Code Ann. §§ 7-2506.01(b); 7-2507.06(a)(4), Haw. Rev. Stat. Ann. § 134–8(c), 720 ILCS 5/24-110 (enacted January 10, 2023 by 2021 IL HB 5471., Md. Code Ann., Crim. Law § 4-305., Mass. Gen. Laws ch. 140, §§ 121, 131M., N.J. Stat. Ann. §§ 2C:39-1(y), 2C:39-3(j), 2C:39-9(h), N.Y. Penal Law §§ 265.00(23), 265.02(8), 265.10, 265.11, 265.20(7-f), 265.36-265.37., See 2022 Oregon Ballot Measure 114, SEC. 11., R.I. Gen. Laws §§ 11-471-2, 11-471-3(a), Vt. Stat. Ann. tit. 13, § 4021 (enacted by 2017 VT S 55, Sec. 8), RCW 9.41.370.

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	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
1	PISTOLS				RIFLES											
2	PISTOL MANUFACTURERS	PISTOL TOTAL SUM			RIFLE MANUFACTURERS	RIFLE MFG SUM										
3	SMITH & WESSON SALES COMPANY	14,744,566	29,489,132		STURM, RUGER & COMPANY, INC*	7,995,105	15,990,209									
4	SIG SAUER INC	7,684,806	15,369,612		SMITH & WESSON SALES COMPANY	3,448,028	6,896,056			2021	29703					
5	STURM, RUGER & COMPANY, INC	21,317,929	42,635,858		DIAMONDBACK FIREARMS LLC	335,193	670,386			2020						
6	GLOCK INC	3,133,670	9,401,010		KEL TEC CNC INDUSTRIES INC	535,698	1,071,396			2019						
7	SCCY INDUSTRIES LLC	1,238,923	2,477,846		PALMETTO STATE ARMORY, LLC	189,058	378,116			2018						
8	KIMBER MFG INC	2,518,724	5,037,448		SIG SAUER INC	638,600	1,277,200			2017						
9	SPRINGFIELD INC	1,208,376	2,416,752		RADICAL FIREARMS LLC	292,217	584,434			2016						
10	TAURUS INTERNATIONAL MANUFACTURING, INC (Taurus Holdings, Inc. -- member company listing)	1,672,545	3,345,090		LEGACY SPORTS INTERNATIONAL INC (Howa)	115,675	231,350			2015						
11	BERETTA USA CORP	3,270,064	6,540,128		CENTURY ARMS INC	624,912	1,249,824			2014						
12	FN AMERICA, LLC	691,284	1,382,568		DEL-TON, INC	181,138	362,276			2013						
13	KEL TEC CNC INDUSTRIES INC	1,746,067	3,492,134		BLACK RAIN ORDNANCE INC	105,309	210,618			2012						
14	BOND ARMS, INC	340,668	681,336		TDJ BUYER, LLC (Christensen Arms)	162,941	162,941			2011						
15	STRASSELLS MACHINE INC	450,857	901,714		STRASSELLS MACHINE INC (Hi-Point)	289,882	289,882			2010						
16	BROWNING ARMS COMPANY	353,944	707,888		DANIEL DEFENSE LLC	340,501	681,002			2009						
17	COLT'S MANUFACTURING COMPANY LLC	1,594,954	3,189,908		COLT'S MANUFACTURING COMPANY LLC	1,219,721	1,219,721			2008						
18	AMERICAN TACTICAL, INC	0	0							2007						
19		61,626,709	126,387,088			16,473,978	31,275,411			2006						
20	1990 afmer pistols	1371427			1990 afmer rifles	1,211,664				2005						
21	1991 - 2021	69441866			1991 - 2021	61,882,180				2004						
22	1990 - 2021 afmer pistol totals	70813293			1990 - 2021 afmer rifles totals	63,093,844				2003						
23	remaining amount of pistols	9,186,584			remaining amount of rifles	46,619,866				2002						
24										2001						
25										2000						
26										1999						
27										1998						
28										1997						
29										1996						
30										1995						
31	Import code separating pistols and revolver quantity started in 2005									1994						
32	Prior to 2005 pistol value was available not quantity									1993						
33	Pistol imports outpace pistol exports ~5 to 1 for 2005-2021									1992						
34	Too many unknowns are present to include imports									1991						
35	(mag capacity, amount of mags, pistol action type)									1990						
36																
37																

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		Magazine Estimate 1990 - 2021						
		Pistol 10 below	Pistol 11+	Rifle 10 below	Rifle 11-29	30+ Rifle		
		1990	95,000	130,000	27,000	104,000	1,300,000	
		1991	122,882	161,279	29,545	109,091	1,727,273	
		1992	145,765	191,918	31,818	113,636	2,090,909	
		1993	168,647	222,557	34,091	118,182	2,454,545	
		1994	191,529	253,196	36,364	122,727	2,818,182	
		1995	214,412	283,836	38,636	127,273	3,181,818	
		1996	237,294	314,475	40,909	131,818	3,545,455	
		1997	260,176	345,114	43,182	136,364	3,909,091	
	FBI NICS	1998	283,058	375,753	45,455	140,909	4,272,727	
		1999	305,941	406,393	47,727	145,455	4,636,364	
		2000	328,823	437,032	50,000	150,000	5,000,000	
		2001	379,558	527,984	65,300	307,000	5,363,636	
		2002	430,293	618,936	80,600	464,000	5,727,273	
		2003	481,028	709,887	95,900	621,000	6,090,909	
		2004	531,763	800,839	111,200	778,000	6,454,545	
		2005	582,498	891,791	126,500	935,000	6,818,182	
		2006	633,233	982,743	141,800	1,992,000	7,181,818	
		2007	683,968	1,073,695	157,100	1,149,000	7,545,455	
		2008	734,703	1,164,646	172,400	1,206,000	7,909,091	
		2009	785,438	1,255,598	187,700	1,463,000	8,272,727	
		2010	836,173	1,346,550	203,000	1,720,000	23,000,000	
		2011	886,908	2,287,902	218,300	1,898,700	18,800,000	
		2012	937,643	3,229,255	233,600	1,277,400	26,600,000	
		2013	988,378	4,170,607	248,900	2,556,100	18,400,000	
		2014	1,039,113	4,111,959	264,200	2,834,800	30,200,000	
		2015	1,089,848	6,053,312	279,500	2,113,500	32,000,000	
		2016	1,140,583	9,994,664	841,600	2,392,200	23,800,000	
		2017	1,191,318	10,936,016	1,403,700	2,670,900	35,600,000	
		2018	1,242,053	11,877,368	1,965,800	2,949,600	37,400,000	
		2019	10,292,788	13,818,721	2,527,900	2,228,300	29,200,000	
		2020	39,695,315	50,068,065	15,760,073	3,090,000	3,507,000	31,000,000
		2021	33,385,173	18,263,774	878,000	978,000	11,652,000	
		Consumer Market Total	110,694,052	112,997,872	13,717,727	37,440,955	413,952,000	688,802,606 71%
		Manufacturing	64,098,722	96,148,084	57,362,486	22,944,994	34,417,491	274,971,777 29%
		Man/Con Totals	174,792,774	209,145,956	71,080,213	60,385,949	448,369,491	963,774,383 GRAND TOTAL
				22%	7%	6%	47%	
			0.455262156					
			383,938,730					





Qualifier Questions

A. In order to determine what questions you should answer please indicate if you manufacture **pistols**:

- Yes
- No

B. In order to determine what questions you should answer please indicate if you manufacture **rifles**:

- Yes
- No

C. In order to determine what questions you should answer please indicate if you manufacture **magazines**:

- Yes
- No

Pistol Block

Q1. For each year below, what is the average number of handgun magazines that shipped with a new **pistol** you manufacture? (please provide your best estimate)

	Click to write Column 1
	Average Number of Magazines
2021	<input type="text"/>
2020	<input type="text"/>
2010	<input type="text"/>
2000	<input type="text"/>
1990	<input type="text"/>

Q2. Not counting what comes with new **pistols**, please provide your best estimate of how many handgun magazines you supply to the consumer market to support your products annually? Please exclude any magazines sold to other manufacturers, law enforcement, and military. (Please provide a number or range)

Q2.1. Please estimate what proportion of these additional accessory **pistol** magazines are **10-or-less** round capacity? (percentage)

Q3. Please indicate the estimated proportion (percentage) of handgun magazine capacity supplied with your **pistols** for the following periods. (Please exclude magazines not shipped with a firearm.)

	1990		2000		2010		10+
	10/below	11+	10/below	11+	10/below	11+	
Handgun Magazine Proportions	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Q4. Please estimate what percentage of your **pistol** production featured a detachable magazine for the following years?

2021	<input type="text"/>
2020	<input type="text"/>
2010	<input type="text"/>
2000	<input type="text"/>
1990	<input type="text"/>

Rifle Block

Q1. For each year below, what is the average number of **rifle** magazines that shipped with a new rifle you manufacture? (please provide your best estimate)

	Click to write Column 1
	Average Number of Magazines
2021	<input type="text"/>
2020	<input type="text"/>
2010	<input type="text"/>
2000	<input type="text"/>
1990	<input type="text"/>

Q2. Not counting what comes with new **rifles**, please provide your best estimate of how many **rifle** magazines you supply to the consumer market to support your products annually? Please exclude any magazines sold to other manufacturers, law enforcement, and military. (please provide a number or range)

Q3. Please estimate what proportion of these additional accessory **rifle** magazines are **10-or-less** round capacity? (percentage)

Q4. Please estimate what proportion of these additional accessory **rifle** magazines are **30+** round capacity? (percentage)

Q5. Please indicate the estimated proportion (percentage) of **rifle** magazine capacity supplied with your **rifles** for the following periods. (Please exclude magazines not shipped with a firearm.)

	1990			2000			2010			20
	10/below	11-29	30+	10/below	11-29	30+	10/below	11-29	30+	10/below
Rifle Magazine Proportions	<input style="width: 40px; height: 20px;" type="text"/>	<input style="width: 40px; height: 20px;" type="text"/>	<input style="width: 40px; height: 20px;" type="text"/>	<input style="width: 40px; height: 20px;" type="text"/>	<input style="width: 40px; height: 20px;" type="text"/>	<input style="width: 40px; height: 20px;" type="text"/>	<input style="width: 40px; height: 20px;" type="text"/>	<input style="width: 40px; height: 20px;" type="text"/>	<input style="width: 40px; height: 20px;" type="text"/>	<input style="width: 40px; height: 20px;" type="text"/>

Q6. Please estimate what percentage of your **rifle** production featured a detachable magazine for the following years?

2021

2020

2010

2000

1990

Magazine Block

Q1. How many detachable **pistol** magazines did you produce for the consumer market in **2021** are: (please exclude magazines provided to manufacturers and LEO/MIL)

10 or less round capacity

11 or more round capacity

Q2. How many detachable **pistol** magazines did you produce in **2021** for firearm manufacturers that are:

10 or less round capacity

11 or more round capacity

Q3. How many detachable **rifle** magazines did you produce in **2021** for the consumer market that are: (please exclude magazines provided to firearm manufacturers, OEM, and LEO/MIL)

10 or less round capacity

11 or more round capacity

30 or more round capacity

Q4. How many detachable **rifle** magazines did you produce in **2021** for firearm manufacturers that are:

10 or less round capacity

11 or more round capacity

30 or more round capacity

Q5. Please indicate the estimated number of **pistol** and **rifle** magazines, **by capacity**, that were supplied to the public for the following periods: **(1990 - 2020)**

	1990			2000			2010			20	
	10/below	11-29	30+	10/below	11-29	30+	10/below	11-29	30+	10/below	
Pistol Magazines	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Rifle Magazines	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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THE WRITER'S GUIDE TO FIREARMS & AMMUNITION



THE FIREARMS INDUSTRY ASSOCIATION

| NSSF.ORG



11 FACTS ABOUT FIREARMS AND THE FIREARMS INDUSTRY

- \$8 billion a year: Size of the U.S. firearms and ammunition industry.
- \$110 billion: Total economic impact of hunting and target shooting on the U.S. economy.
- \$37.7 billion: Economic impact of the sporting arms and ammunition industry in U.S., includes 245,000 jobs.
- Firearms are involved in 0.4 percent of all accidental fatalities, the lowest cited cause listed by the Centers for Disease Control and Prevention.
- 300 million: Estimate of how many firearms are in the United States
- 85 million to 100 million: Estimate of the number of firearms owners in the United States.
- 50: Number of states that allow concealed carry of a handgun.
- Regulation: The Bureau of Alcohol, Tobacco, Firearms and Explosives regulates the manufacturing, transfers and retail sales of firearms.
- SHOT Show: Industry's annual trade event and largest trade show of its kind in the world, with more than 60,000 industry professionals, 1,600 exhibiting companies and 2,400 media members attending.
- National Shooting Sports Foundation (NSSF): trade association for the firearms, ammunition, hunting and shooting sports industry. With a mission to promote, protect and preserve hunting and the shooting sports, NSSF has more than 12,000 manufacturer, distributor, retailer, range and media members.
- Sporting Arms and Ammunition Manufacturers' Institute (SAAMI): An association of manufacturers that creates and publishes industry standards for firearms and ammunition, coordinates technical data and promotes safe and responsible firearms use.

Booklet edition date: March 2015

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NSSF ONLINE NEWSROOM AND PROGRAMS

Visit the NSSF online newsroom at nssf.org/newsroom to subscribe to press releases, legislative alerts and the electronic newsletters Bullet Points and Pull The Trigger. The newsroom also contains links to background papers on key firearms issues, the NSSF photo library, NSSF Blog and research and survey information.

INTRODUCTION

Writers and their readers prize accuracy and fairness. To help ensure these qualities are part of your firearms-related stories, the National Shooting Sports Foundation, the trade association for the firearms, ammunition, hunting and shooting sports industry, has developed the “Writer’s Guide to Firearms and Ammunition.”

In our experience working with members of the media, we believe the majority make a good effort to report accurately on our issues. Despite having good reporting skills, however, many writers lack knowledge of and experience with firearms and the shooting sports, and that sometimes is reflected in their stories. This booklet can help. The “Writer’s Guide to Firearms and Ammunition” provides plain-language reference material about firearms and ammunition, firearms laws, common inaccuracies, a glossary of terms, programs of NSSF and helpful websites.

The booklet can be viewed online at nssf.org/newsroom or downloaded.

America has an estimated 85 to 100 million firearms owners. They are passionate about their Second Amendment rights and about their target shooting and hunting activities. When they read stories that contain inaccurate references to firearms, they are quick to point out errors in comment fields, websites and blogs. Having the Writer’s Guide to Firearms and Ammunition by your writing terminal or on your smartphone is a handy way to check a term or a fact and can eliminate inaccuracies.

In addition to providing the “Writer’s Guide to Firearms and Ammunition,” NSSF is available to assist any communicator with his or her story. You can reach a member of NSSF’s communications staff at 203-426-1320 or email info@nssf.org. Have a suggestion to make the Writer’s Guide better? Email it to us; we welcome the input.

SECTION 1: GLOSSARY

For additional pictorial and video information on hunting and shooting, visit [youtube.com/thenssf](https://www.youtube.com/thenssf) and the media photo library at [nssf.org/newsroom](https://www.nssf.org/newsroom).

ACTION

The combined parts of a firearm that enable a round to be chambered, fired and ejected.

ACTION, AUTOMATIC

A firearm that chambers, fires and ejects cartridges continually as long as the trigger is depressed and there are cartridges available in the feeding system (i.e., magazine or other such mechanism). Automatic action firearms are machine guns.

Note: Since 1934 it has been unlawful to sell or possess an automatic firearm without special permission and licensing from the federal government, in addition to other requirements.

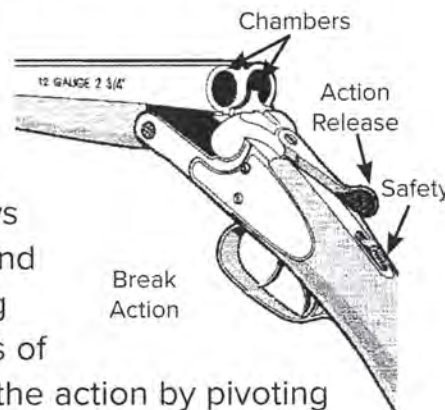
ACTION, BOLT

A firearm, typically a rifle, that is manually loaded, cocked and unloaded by pulling a bolt mechanism up and back to eject a spent cartridge and load

another. Bolt-action firearms are popular for hunting, target shooting and biathlon events. A bolt-action rifle allows the shooter maximum accuracy, but may be too slow for some shooting sports.

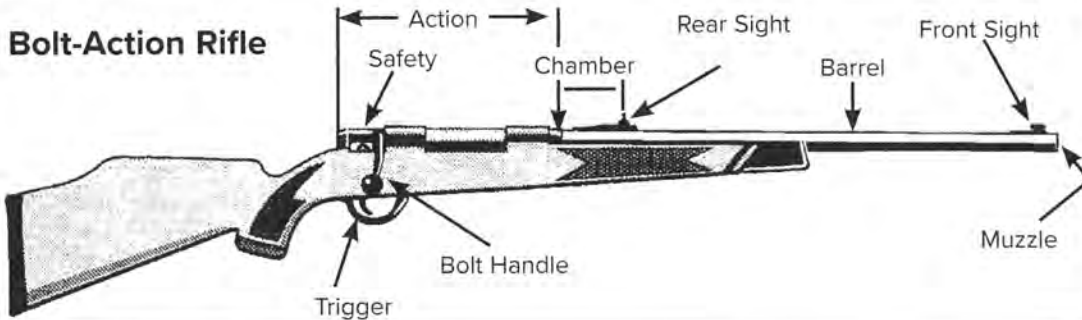
ACTION, BREAK

A firearm that allows loading and unloading by means of opening the action by pivoting the barrel(s) down and away from the breech while activating a release lever. Most commonly used in single-shot and double-barreled shotguns and rifles.



ACTION, LEVER

A firearm, typically a rifle, that is loaded, cocked and unloaded by an external lever usually located below the receiver.



Lever-Action Rifle



Note: The type of rifle used in most Western movies is a lever-action.

ACTION, PUMP

A firearm that features a movable forearm that is manually actuated to chamber a round, eject the casing and chamber a subsequent round.

ACTION, SEMI-AUTOMATIC

A firearm in which each pull of the trigger results in a complete firing cycle, from discharge through reloading of the chamber. It is necessary that the trigger be released and pulled for each cycle. These firearms are also called “auto-loaders” or “self-loaders.” The discharge and chambering of a round is either blowback operated, recoil operated or gas operated. Note: An automatic-action firearm loads, discharges and reloads as long as ammunition is available and the trigger is depressed. A semi-automatic firearm only discharges one cartridge with each squeeze of the trigger.

AMMUNITION

A loaded cartridge, consisting of a primed case, propellant and a projectile. Among the many types of ammunition are centerfire, rimfire and shotshells.

AMMUNITION, ALTERNATIVE

Ammunition whose projectile

(bullet, slug or shot) is made of a metal other than lead, in contrast to “traditional ammunition” containing lead core components.

AMMUNITION, SMALL ARMS

A military term used to describe ammunition for firearms with bores (the interior of the barrel) not larger than one inch in diameter.

AMMUNITION, TRADITIONAL

Ammunition containing lead core components, in contrast to “alternative” ammunition that contains other metals such as steel, copper or bismuth.

ARMS, SMALL

Any firearm capable of being carried by a person and fired without additional mechanical support.

ARMOR PIERCING

See BULLET, ARMOR PIERCING

AR RIFLE

Carbine based on the AR platform that was designed by the ArmaLite company in the 1950's. It is the civilian, semiautomatic version of the military's M16. The prefix does not stand for “automatic rifle” or “assault rifle.” See Modern Sporting Rifle.

ASSAULT RIFLE

Intermediate-caliber rifle, chambered for cartridges such

as 7.62x39mm, with a selector switch that determines full or semi-automatic fire, such as the M16, and that is the standard infantry weapon of modern armies. The term is purposely and wrongly applied by anti-gun forces to AR-style rifles, which function as semi-automatics only.

ASSAULT WEAPON

Political term purposely and wrongly used to describe AR-style rifles. The federal assault weapons ban defined a semi-automatic rifle as an assault weapon if it could accept a detachable magazine and had two or more of the following: pistol grip, folding or telescoping stock, flash suppressor or barrel threaded to accept one, bayonet mount or grenade launcher. The ban expired in 2004. See Assault Rifle.

BALLISTICS

The science of studying projectiles. Ballistics can be “interior” (inside the gun), “exterior” (in the air), or “terminal” (at the point of impact). Ballistic comparison is the attempt to microscopically match a bullet or fired cartridge case to a particular firearm.

BARREL

That part of a firearm through which a projectile travels. The barrel may be rifled (i.e., with

spiral grooves on the interior) or smooth bore (i.e., a smooth interior barrel with no grooves, usually a shotgun).

BB

Spherical shot having a diameter of .180” used in shotshell loads. The term is also used to designate air rifle shot of .175” diameter.

BENCHREST

A table specifically designed to eliminate as much human error as possible by supporting a rifle for competitive shooting or sighting-in purposes.

BIG BORE

In America, any firearm using a centerfire cartridge with a bullet .30” in diameter or larger.

BIRDSHOT

Small pellets, usually lead or steel, used in shotshells ranging in size from #12 (less than the diameter of a pencil point) to #4 (about .10” in diameter) used for bird and small-game hunting.

BORE

The interior of the barrel forward of the chamber.

BORE DIAMETER

On rifled barrels, the interior diameter of the barrel from the tops of the lands (the highest point). On a smooth-bore barrel, the interior dimension of the

barrel forward of the chamber (not including the choke on shotgun barrels).

BUCKSHOT

Large lead pellets ranging in size from .20" to .36" diameter, normally loaded in shotshells used for deer hunting.

BULLET

A non-spherical projectile for use in a rifled barrel.

BULLET, ARMOR PIERCING

A projectile or projectile core which may be used in a handgun which is constructed of certain hard materials, such as steel and brass, listed in 18 U.S.C. § 921(a)(17) (B) or whose jacket weighs more than 25% of the total projectile. Note: The Gun Control Act of 1968 (18 U.S.C. § 922 (a) (7)) prohibits the manufacture or sale of armor-piercing ammunition, except for use by law enforcement and the military.

BULLET, DUMDUM

A British military bullet developed in India's Dum-Dum Arsenal in 1897-98. It was a jacketed .303 caliber rifle bullet with the jacket nose left open to expose the lead core in hopes of greater effectiveness. Further development of the bullet was not pursued because the Hague Convention of 1899 outlawed

such bullets for warfare.

BULLET IMPRINTING

The grooves embossed into a bullet by barrel rifling. Note: When a bullet travels down the barrel, the spiral grooves (or rifling) leave an imprint on the bullet. The matching of the marks on a bullet to the rifling of a particular firearm can be an important tool for law enforcement in determining whether a bullet was fired from a particular firearm.

BULLET, FULL METAL JACKET

A projectile in which the bullet jacket (a metallic cover over the core of the bullet) encloses most of the core, with the exception of the base. They are used mostly for target shooting and by the military.

BULLET, HOLLOW POINT

A bullet with a cavity in the nose, exposing the lead core, to facilitate expansion upon impact. Hollow point cartridges are used for hunting, self-defense, police use and other situations to avoid over-penetration.

BULLET, WADCUTTER

A generally cylindrical bullet design having a sharp-shouldered nose intended to cut paper targets cleanly to facilitate easy and accurate scoring.

BUTT

On handguns, it is the bottom part of the grip. On long guns, it is the rear or shoulder end of the stock.

CALIBER

A term used to designate the specific cartridges for which a firearm is chambered. It is the approximate diameter of the circle formed by the tops of the lands of a rifled barrel. It is the numerical term included in the cartridge name to indicate a rough approximation of the bullet diameter. It is expressed in either fractions of an inch (.30 cal.) or millimeters (7mm).

CARBINE

A rifle of short length and light weight originally designed for horse-mounted troops. Usually having a barrel of 20" or less.

CARTRIDGE

A single round of ammunition consisting of the case, primer, powder and one or more projectiles.

CARTRIDGE, CENTERFIRE

Any cartridge intended for use in rifles, pistols, and revolvers that has its primer central to the axis at the head of the case.

Note: Most cartridges, including shotshells,



Centerfire Rifle Cartridge

are centerfire. Exceptions include 17 and 22 caliber rimfire ammunition. The rear end of a centerfire cartridge has a primer in its center, hence "centerfire."

CARTRIDGE, MAGNUM

Any cartridge or shotshell that is larger, contains more shot or produces a higher velocity than standard cartridges or shotshells of a given caliber or gauge.

CARTRIDGE, RIMFIRE

A cartridge containing the priming mixture in the rim of the base.



Rimfire Cartridge

CARTRIDGE, SMALL BORE

A general term that refers to rimfire cartridges. Normally .22 caliber ammunition used for target shooting, plinking, and small-game hunting.

CHAMBER

In a rifle, pistol or shotgun, it is the part of the barrel that accepts the ammunition. In a revolver, it refers to the holes in the cylinder where the cartridges are loaded.

CHOKE

The constriction at the end of a shotgun barrel that controls shot dispersion. Chokes typically are cylinder, improved cylinder, modified, improved modified and full. Note: A cylinder choke produces a very wide shot dispersion, whereas a full choke

will provide a much tighter shot pattern. Different chokes are used for skeet, trap and sporting clays. In hunting, the type of game and conditions will determine choke type.

CHOKE TUBES

Interchangeable threaded cylinders having different choke diameters (e.g. modified, full) that screw into the muzzle of a shotgun to allow for different shot patterns. (See choke, above)

CLIP

A separate cartridge container to hold cartridges or shells in proper sequence for feeding into a specific firearm. It is a magazine charger, and unlike a magazine does not contain a feeding spring. Sometimes improperly called a Magazine.

COCK

To place the hammer, or striker, in position for firing.

CYLINDER

The round, rotatable part of a revolver that contains the cartridge chambers.

DERRINGER

A generic term referring to many variations of pocket-sized pistols. The name comes from the pistol's original designer, Henry Derringer. Note: According to the American Derringer Company, Henry Deringer's name is spelled with one 'R.' The proper spelling of Derringer firearms is with two 'R's.

DISCHARGE

To cause a firearm to fire.

DUMDUM

See Bullet; Dumdum.

EJECTION

The removal of a cartridge (fired or unfired) from the breech of a firearm by means of a mechanical ejector.

EXTRACTION

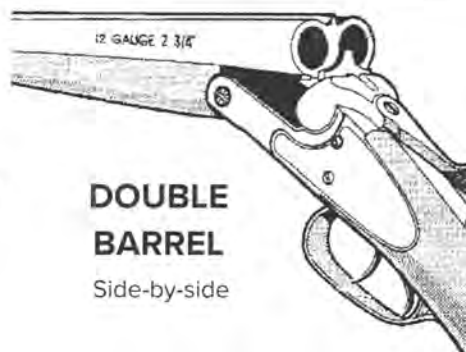
The withdrawal of a cartridge (fired or unfired) from the chamber of a firearm by means of a mechanical extractor.

FIREARM

An assembly of a barrel and action from which a projectile is propelled as a result of combustion.

DOUBLE BARREL

Two barrels on a firearm mounted to one frame. The barrels can be vertically (over-under) or horizontally (side-by-side) aligned.



**DOUBLE
BARREL**

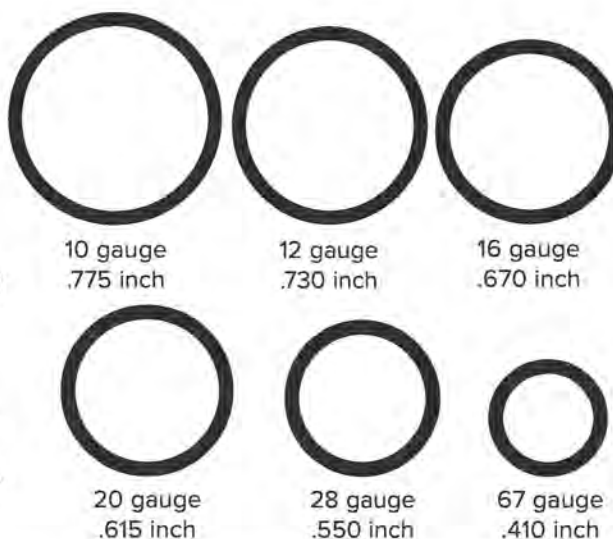
Side-by-side

GAUGE

A term used to identify most shotgun bores, with the exception of the .410 shotgun. It relates to the number of bore diameter lead balls weighing one pound.

Note: The .410 shotgun is a caliber. The .410 refers to the interior diameter of the barrel.

Shown at actual size.



FIRING PIN

The part of a firearm that strikes the primer of a cartridge to start the ignition.

FLASH SUPPRESSOR

An attachment to the muzzle designed to reduce muzzle flash. Note: A flash suppressor is not a silencer.

FULL COCK

On an exposed-hammer firearm, the position of the hammer when the firearm is ready to fire.

GROUP

A series of shots fired at the target used to adjust the sights or determine the accuracy of a firearm.

HALF COCK

On an exposed-hammer firearm, the position of the hammer about half retracted and intended to prevent release of the hammer by a normal pull of the trigger.

HAMMER

The part of the firing mechanism that strikes the firing pin, which, in turn, strikes the primer.

HAMMERLESS

A firearm having an internal hammer or striker.

JACKET

The metal envelope enclosing the lead core of a bullet.

JAM

A malfunction that prevents the action from operating. Jams may be caused by faulty or altered parts, defective ammunition, poor maintenance or improper use of the firearm.

KICK

The upward and rearward movement of a firearm when it is fired. It is commonly called recoil.

LANDS

The highest surface of the bore of a rifled barrel.

LOAD

The combination of components used to assemble a cartridge or shotshell. The term also refers to the act of putting ammunition into a firearm.

MACHINE GUN

See ACTION, AUTOMATIC.

MAGAZINE

A receptacle on a firearm that holds cartridges or shells for feeding into the chamber. Magazines take many forms, such as box, drum, rotary or tubular, and may be fixed or removable.

MAGNUM

See CARTRIDGE, MAGNUM.

MISFEED

Any malfunction during the feeding cycle of a repeating firearm that results in the failure of a cartridge to enter the chamber completely.

MISFIRE

A failure of the cartridge to fire after the primer has been struck by the firing pin, or the failure of the initiated primer to ignite the powder.

MUZZLE

The front end of a firearm barrel from which the bullet or shot emerges.

MUZZLE FLASH

The illumination resulting from the expanding gases of the burning propellant particles emerging from the barrel behind the projectile.

MUZZLE LOADER

Any firearm loaded through the muzzle. Also called “black powder” firearms. They may be antique, replica or of modern (in-line) design.

MODERN SPORTING RIFLE

Semi-automatic rifle based on the AR platform widely owned for target shooting, hunting and home defense. See AR Rifle.



NOSE

The point or tip of a bullet.

OVER AND UNDER (O/U)

A firearm with two barrels, one above the other, usually a shotgun.

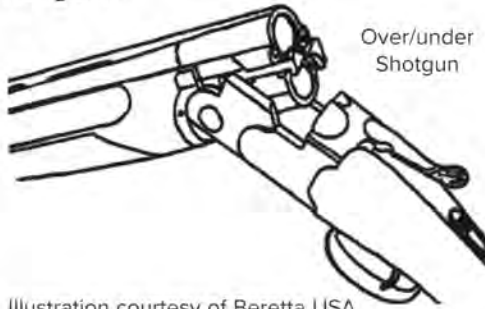


Illustration courtesy of Beretta USA

PATTERN

The distribution of shot fired from a shotgun. Generally measured

as a percentage of pellets striking in a 30-inch circle at 40 yards.

PISTOL

A term for a hand-held firearm with a single chamber. (A revolver has at least five chambers.)

PISTOL, DOUBLE ACTION

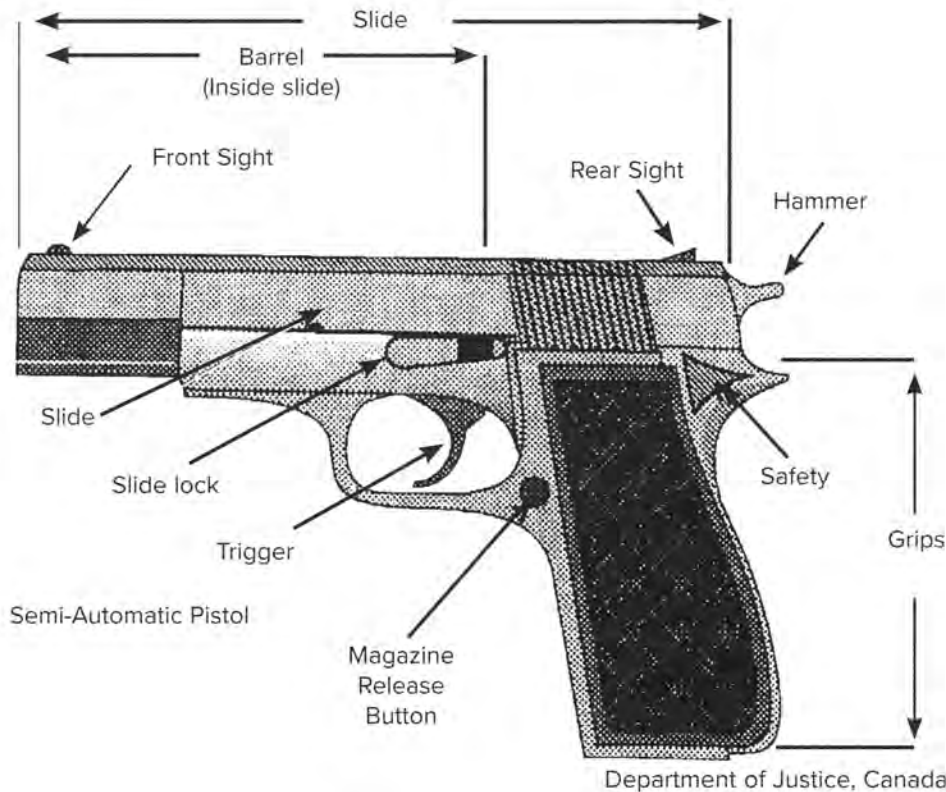
A pistol mechanism in which a single pull of the trigger cocks and releases the hammer.

PISTOL, SINGLE ACTION

A pistol mechanism that requires the manual cocking of the hammer before the trigger releases the firing mechanism for

PISTOL, SEMI-AUTOMATIC

See ACTION, SEMI-AUTOMATIC for a description of how these firearms operate.



the first round only.

PLINKING

The informal shooting at inanimate objects at indefinite points. Note: Plinking typically refers to casual shooting for fun and practice.

POWDER

Commonly used term for the propellant in a cartridge or shotshell. See also PROPELLANT.

POWDER, BLACK

The earliest type of propellant, allegedly first made by the Chinese or Hindus. First used for firearms in the 13th century, it is a mechanical mixture of potassium or sodium nitrate, charcoal and sulfur. It makes a large cloud of smoke when fired.

POWDER, SMOKELESS

A modern propellant containing mainly nitrocellulose or both nitrocellulose and nitroglycerin. Relatively little smoke is created when fired.

PRESSURE

The force developed by the expanding gases generated by the combustion of the propellant.

PROPELLANT

The chemical composition that, when ignited by a primer, generates gas. The gas propels the projectile. See also powder.

RECEIVER

The basic unit of a firearm which houses the firing mechanism and to which the barrel and stock are assembled. In revolvers, pistols and break-open firearms, it is called the frame.

RECOIL

The rearward movement of a firearm resulting from firing a cartridge or shotshell.

RECOIL PAD

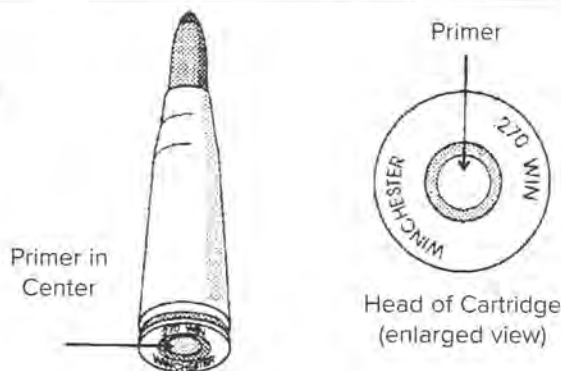
A butt pad, usually made of rubber, which reduces the recoil or “kick” of shoulder firearms.

RELOAD

A round of ammunition that has been assembled using fired

PRIMER

An ignition component consisting of a brass or gilding metal cup, priming mixture, anvil and foiling disc. It creates a spark when hit by a firing pin, igniting the propellant powder.



cases. Note: Reloading is very popular among recreational target shooters, competitive shooters and hunters. In addition to being cost-effective, reloading enables shooters to develop ammunition specifically designed for particular shooting disciplines or games.

REVOLVER

A firearm with a cylinder having multiple chambers so arranged as to rotate around an axis and be discharged successively by the same firing mechanism. (A semi-automatic pistol is not a

revolver because it does not have a revolving cylinder.)

RIFLE

A firearm having spiral grooves in the bore and designed to be fired from the shoulder. By law, rifle barrels must be at least 16 inches long. Handguns usually have rifled barrels as well. See also, rifling.

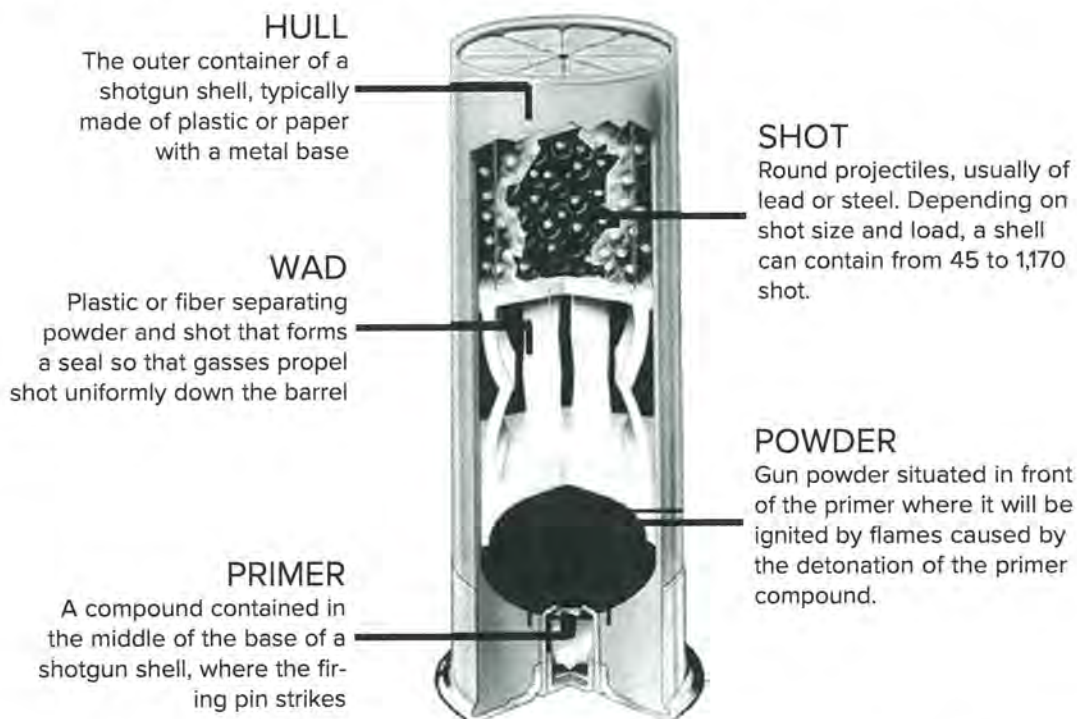
RIFLING

Spiral grooves formed in the bore of a firearm barrel to impart rotary motion to a



SHOTSHELL

A round of ammunition containing multiple pellets for use in a shotgun.



Black's Wing & Clay, 1998

projectile, to enhance accuracy.

ROUND

One complete cartridge.

SAFETY

A device on a firearm designed to provide protection against accidental or unintentional discharge when properly engaged.

SEMI-AUTOMATIC

A firearm that fires, extracts, ejects and reloads once for each pull and release of the trigger.

SHOTGUN

A smooth-bore shoulder firearm designed to fire shells containing numerous pellets or a single slug.

SILENCER

A device attached to the muzzle of a firearm to reduce the noise of discharge.

SKEET

A clay target shooting sport with a shotgun. One shooter at a time fires at crossing clay targets.

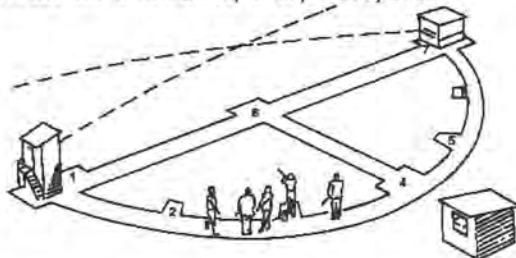


Illustration courtesy of Tennessee Tech University

SKEET GUN

A shotgun with an open choke

specifically designed for clay target skeet shooting or close-range hunting.

SPORTING CLAYS

A sport in which shooters, using shotguns, fire at clay targets from different stations on a course laid out over varying terrain, intended to simulate bird and rabbit hunting.

STOCK

The wood, fiberglass, wood laminate or plastic component to which the barrel and receiver of a rifle or shotgun are attached.

TARGET, CLAY

A circular, domed frangible disc used as an aerial target for shotgun shooting games. Originally formed out of clay, modern targets are a combination of pitch and limestone. Dimensions and weights are regulated by trap and skeet shooting associations. They are often called "clay pigeons."

TRADITIONAL AMMUNITION

See Ammunition, Traditional.

TRAJECTORY

The path of a bullet through the air.

TRAP

A clay target-throwing device, either power or hand operated.

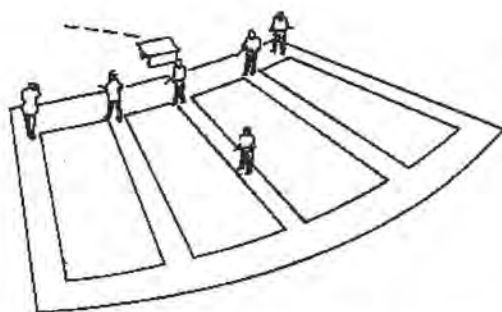


Illustration courtesy of Tennessee Tech University

TRAP SHOOTING

A clay target-shooting sport with a shotgun. Shooters fire at clay targets flying away from them. Shooters stand behind the trap at a distance from 16 to 27 yards.

TRIGGER, HAIR

A slang term for a trigger requiring very low force to actuate. Note: "Target" triggers are frequently used on competitive target rifles and pistols for increased accuracy. The reduced force needed to pull the trigger allows the shooter's firearm to remain steady.

TRIGGER LOCK

An accessory for blocking a firearm from unauthorized use.

TRIGGER PULL

The average force which must be applied to the trigger to cause the firearm to fire. Note: Typically, non-target model-firearms have a minimum trigger pull of three pounds. Double-action revolvers often have a long, heavy trigger pull of around 10 pounds.

UNLOAD

To remove all unfired ammunition from a firearm.

VELOCITY

The speed of a projectile at any point along its trajectory, usually designated in "feet per second."

WAD

A spacing device in a shotshell, usually a plastic cup or paper discs, that separates the propellant powder from the shot.

WEAPON

An instrument used in combat. The term should never be used in referring to sporting firearms.

For a larger, more technical glossary of firearm and ammunition terms, go to saami.org/glossary.

SECTION 2: JUST THE FACTS

**The most up-to-date facts about
firearms laws, safety and economic
impact of hunting and target
shooting can be found at [nssf.org/
newsroom](https://nssf.org/newsroom).**

“THERE OUGHT TO BE A LAW ...” (AND THERE IS)

- ◆ You must be **18 years old** to purchase long guns (rifles and shotguns) and **21 years old** to purchase handguns.
- ◆ You must be 18 to purchase rifle or shotgun ammunition and 21 to purchase handgun ammunition.
- ◆ It is illegal for certain categories of people to ship, transport, receive or possess firearms. These categories include any person:
 - under indictment for, or convicted of a crime punishable by imprisonment for a term exceeding one year
 - who is a fugitive
 - who is an unlawful user or addicted to any controlled substance
 - who is an illegal alien
 - who has been dishonorably discharged from the military
 - who is subject to a restraining order from harassing, stalking or threatening an intimate partner or child
 - who has been convicted of a misdemeanor crime of domestic violence
 - who has been adjudicated mentally defective, or had been committed to any mental institution
 - who was a citizen of the United States but has renounced citizenship
- ◆ Mail order sales or other transfers of firearms between individuals in different states are illegal.
- ◆ It is illegal to have, ship or receive a firearm that has its permanent serial number missing or changed.
- ◆ It is illegal to purchase a firearm with the intent to sell it to an unqualified third party. These are called “strawman” purchases.
- ◆ A federal firearms licensee must make an official record of every sale or transfer of all firearms and notify the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) if multiple firearms sales are made to any person in a single transaction.
- ◆ It is illegal to manufacture or sell ammunition specifically designed to defeat body armor.
- ◆ Theft of a firearm from a federally licensed dealer is punishable by imprisonment for up to 10 years and a fine of \$250,000 (18 U.S.C. §922(u)).

SAFETY FACTS

Accidental firearm-related fatalities are at historic lows since record-keeping began in 1903. From 1992 to 2012, the number of accidental fatalities with firearms dropped 57 percent, to 600 in 2012. (Source: National Safety Council, Injury Facts Report, 2014 edition)

Hunting is one of the safest activities in America with a 0.05 percent injury rate per 100 participants – safer than golf, running and basketball. Source: CDC and National Safety Council Injury Facts 2011 edition (*preliminary data).

- ◆ The firearms industry has distributed more than 100 million gun locks since 1998.
- ◆ Hunter education programs now involve more than 54,000 instructors and over 600,000 students annually, in all 50 states. Over 25 million have graduated since hunter education became a mandatory requirement to obtain a hunting license. Source: International Hunter Education Association.
- ◆ Annually, firearms are involved in fewer than 0.05 percent of all accidental fatalities. There are annually more accidental fatalities due to motor vehicles, falls, drownings, fires and burns, ingestion of food and/or objects, and poisoning than by firearms. Source: National Safety Council, Injury Facts Reports, 2014 edition.
- ◆ Firearms account for the lowest cause of injury among youth. Firearms are involved in less than 1.4 percent of all accidental fatalities among children.

Firearms-Related Fatalities Among Youth Down 73 Percent

Over the last two decades the number of unintentional firearm-related fatalities among youth 14 years of age and under **decreased 73%** while the population for this age group increased **9 percent**.



Source: CDC WISQARS through 2012 data (pulled December 2014)

ECONOMIC IMPACT OF THE SHOOTING SPORTS

The sporting firearms and ammunition industry in America is rich in history but is not “big business.” Sales at the manufacturer level are approximately **\$8 billion annually**. There are single companies in our nation that are many times larger than the entire firearms industry.

From excise tax sales projecting, sales break down roughly to $\frac{1}{3}$ **from handguns**, $\frac{1}{3}$ **from rifles and shotguns together** and $\frac{1}{3}$ **from ammunition**. Those percentages vary, sometimes significantly, from year to year, but, overall, that’s an accurate breakdown.

Beyond actual firearm and ammunition sales, however, the hunting and shooting sports have a fairly significant economic impact, particularly in rural areas. According to surveys, hunting and the shooting sports generate some **\$110 billion in economic impact annually**, supporting more than 866,000 jobs. Source: NSSF Economic Impact of Hunting and Target Shooting in America.

According to Fortune magazine, “The dollars spent by hunters pack special oomph, because they hit small towns far off the interstate. There, merchants look to hunting season the way Macy’s looks to Christmas: it can make or break the year.”

The nation’s hunters and recreational shooters spend **\$48 billion annually** on equipment, including firearms, ammunition, clothing, reloading equipment, optics and accessories. Source: U.S. Fish and Wildlife Service.

Hunting- and shooting-related industries account for 245,000 jobs. Source: Firearms and Ammunition Industry Economic Impact report 2014.

More than **40 million** Americans participated in at least one of the shooting sports in 2009. Source: Responsive Management: Shooting Sports Participation in the U.S. 2012.

The firearms and ammunition industry supports an **11% excise tax** on all rifles, shotguns and ammunition, and a **10% excise tax** on handguns, which raised more than \$522 million in 2013 for wildlife management, habitat acquisition, safety training and shooting range development. **Since 1937, \$9 billion has been raised**. Source: Alcohol and Tobacco Tax and Trade Bureau.

**SECTION 3:
FIREARMS INDUSTRY
REGULATIONS**

One common refrain echoed by anti-gun advocates is that the firearms industry is unregulated. To most people, this sounds alarming. How can the gun industry have no oversight or government regulation? The truth is the gun industry **is one of the most heavily regulated industries**. It is not, however, regulated by the Consumer Product Safety Act (CPSA) or the Consumer Product Safety Commission.

In 1976, the Consumer Product Safety Act was amended. In part, the amendment reads, “The Consumer Product Safety Commission shall make no ruling or order that restricts the manufacture or sale of firearms, firearms ammunition, or components of firearms ammunition including black powder or gunpowder for firearms.”

This exemption for firearms and ammunition was necessary because anti-gun advocates, namely Handgun Control, Inc., (now the Brady Center to Prevent Gun Violence) petitioned the Consumer Product Safety Commission in June 1974, to adopt “a rule banning the sale of bullets for handguns.”

Since it was not the intent of the Consumer Product Safety Act to empower the Consumer Product Safety Commission with the authority to ban ammunition, the petition was denied. The commission, in response to the petition, said, “The commission does not believe that Congress, in establishing the commission and in transferring to it the authority to administer the Federal Hazardous Substances Act, intended to confer upon the commission the authority to ban handgun bullets.”

Other industries are also exempt from the CPSA. For example, tobacco, motor vehicles, pesticides, aircraft, aircraft engines and boats are all exempt from the CPSA. Are these industries unregulated? Clearly not. A host of laws and regulations govern the manufacturing of these products. In a similar manner, numerous laws and regulations govern the firearms industry.

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is the most prominent regulator of firearms. For example, in order to sell firearms, an individual must be licensed with ATF as a Federal Firearms Licensed (FFL) dealer. An FFL holder is required to keep meticulous records of all firearms acquired and sold. These records

include the firearm's serial and model number, the manufacturer, the caliber and type of firearm, the date of the transfer and the person to whom the firearm is sold. These records must be kept in a bound volume and ready for inspection by ATF agents.

Additionally, federal laws govern how and under what conditions a firearm may be sold to an individual. For example, every gun purchaser must complete an ATF form 4473. On this form, they must provide verification of identity and answer questions regarding any criminal history, mental competency and drug use, among other things.

Many firearms and firearm-related products are banned under federal law. For example, it is illegal to manufacture and sell to the public: sawed-off shotguns, machine guns and armor-piercing ammunition.

Federal law also requires manufacturers to include an indelible serial number on all firearms. The manufacturer must keep records of the serial number, date of manufacture, type of firearm and to whom it was sent. The ATF routinely traces firearms used in crime by contacting the manufacturer and recreating the chain of distribution.

Other agencies and regulatory bodies also regulate the firearms and ammunition industry. For example, the Federal Aviation Administration has regulations regarding transporting firearms on aircraft. Shipping regulations and package-labeling requirements promulgated by the Department of Transportation regulate how ammunition must be shipped. With a few specific exceptions, firearms can only be shipped across state lines between federally licensed FFL holders. Individuals cannot buy firearms through the mail.

In total, an estimated 20,000 federal, state and local gun laws are on the books. Some of these laws cover individual buyers; some govern what can be made and sold. Others regulate how and under what terms and conditions firearms and ammunition can be distributed throughout the country. Firearms and ammunition, while exempt from the CPSA, are subject to the same product-liability laws as other products. As such, the firearms and ammunition industry is dedicated to the manufacturing of quality, safe products for use by responsible, law-abiding citizens.

The Sporting Arms and Ammunition Manufacturers' Institute (SAAMI)

was founded in 1926 at the request of the U.S. government to create safety and reliability standards for the design, manufacture, transportation, storage and use of firearms, ammunition and components.

SAAMI is also an accredited standards developer for the ANSI. As such, SAAMI's standards for industry test methods, definitive proof loads and ammunition performance specifications are subject to ANSI review and various ANSI criteria.

According to ANSI, "approval of an American National Standard requires verification by ANSI that the requirements for due process, consensus and other criteria for approval have been met by the standards developer."

Standards are developed when the governing body, SAAMI, proposes a new standard and circulates the draft to canvassees. Canvassees for each standard include government agencies (such as the Federal Bureau of Investigation and the U.S. Customs Service), non-SAAMI member companies and interested parties (such as the National Institute of Standards and Technology). Once the draft standard has been reviewed and returned to SAAMI with comments or corrections, the canvass group votes on whether or not to accept the standard. If there is disagreement and a canvasee opposes the standard, but the standard is accepted by the other members of the canvass group, an ANSI appeals process decides the matter.

It is ANSI and SAAMI policy that every five years the standards be revised or reaffirmed. Even if the standards remain the same, they must go through the approval process outlined above. Simply stated, the standards accepted by ANSI and promulgated by SAAMI are reviewed and accepted by outside experts, and every five years the validity of the standards are reaffirmed.

SAAMI has been audited by ANSI and received high marks for technical expertise, professionalism and competency. The audit concluded that "SAAMI staff is competent and knowledgeable concerning the SAAMI standards process and ANSI requirements. The standards are processed in a professional manner."

NSSF's "**Lock, Stock and Barrel**" video provides an introduction to and overview of the firearms industry. View it on NSSF's YouTube Channel at youtube.com/thenssf.

SECTION 4:
**PENALTIES FOR VIOLATING
FIREARM LAWS – A CASE STUDY**

Many people call for more firearms laws without knowing or acknowledging the laws on the books. Let's look at a case study to see what laws are already in effect and what should happen to a career criminal who breaks the gun laws.

Scenario: Bob is a multi-convicted felon, a drug dealer and a fugitive. He lives in New York City. Five of Bob's "customers", all of whom are drug addicts previously convicted of felony drug trafficking, ask Bob to get them guns. Two of his customers live in New Jersey. Bob obtains a fake New Hampshire driver's license and other identification. He drives to New Hampshire, goes to five sporting goods stores, fills out the ATF forms, undergoes the National Instant Criminal Background Check (NICS) and purchases the guns. (His counterfeit identification enables him to get through the background check.) He immediately files the serial numbers off the guns, returns to New York and delivers them to his customers, knowing they will be used in a crimes of violence involving the drug trade.

Using the above scenario and looking at the Gun Control Act (United States Code, Title 18, Chapter 44), Bob should face considerable prison time. Keep in mind that numerous state and local laws were broken as well. In the interest of space, we will only look at the federal violations.

It was a federal felony for Bob — as a convicted felon, as a fugitive or as an unlawful drug dealer — to buy or receive or transport any firearm (§ 922(g)(1)-(3)).

It was a federal felony for Bob to exhibit false identification when purchasing the guns (§ 922(a)(6), § 924 (a)(1)).

It was a federal felony for Bob, a resident of New York, to buy firearms in another state and transport them back to New York (§ 922 (a)(3)).

It was a federal felony for Bob to sell firearms to persons who were not New York residents (§ 922 (a)(5)).

It was a federal felony for Bob to sell firearms to convicted felons or unlawful drug users regardless of where they lived (§ 922 (d)(1),(3)).

It was a federal felony for Bob to engage in the business of dealing in firearms without a Federal Firearms License (§ 922 (a)(1)(A)).

It was a federal felony for Bob to transport a firearm with an obliterated serial number (§ 922 (k)).

Penalties

The basic felony penalties for each of Bob's willful violations are fines, imprisonment or both. Bob could face up to a maximum of 5 or even 10 years in prison, depending on the violation. Each gun would constitute a separate count for each offense.

There is an alternative sentence of 10 years for knowingly violating six of the provisions (§ 924 (a)(2)), which would increase the total federal felony sentence to 470 years.

The penalty provisions of the Gun Control Act define additional offenses and enhanced penalties that would increase Bob's sentence further:

- Bob's knowledge that crimes would be committed with the guns he transported and sold would add 50 years of sentencing time (§ 924(B), (h)).
- Since Bob had more than three felony convictions, he is subject to a mandatory 75-year sentence (§ 924(e)(1)).
- Bob's trip to New Hampshire to acquire firearms to be used in illegal dealing in firearms is a felony carrying a sentence up to 10 years (§ 924(n)).
- Bob's conspiracy with his customers to purchase in another state and provide firearms to be used in a crime of violence is punishable by a sentence up to 20 years (§ 924(O)).

Conclusion

Eliminating illegal gun transfers requires that we enforce the laws on the books with a zero-tolerance policy and long prison terms for law-breakers and criminals like Bob.

SECTION 5:
EXAMPLES OF INACCURATE OR
MISLEADING COVERAGE

REPORTING ON FIREARMS AND FIREARMS ISSUES

Inaccuracies and factual errors about firearms and ammunition in news stories can damage the credibility of the news outlet and the writer, particularly in the view of America's 85 million firearm owners. The Off-target/On-target examples presented here, along with this booklet's glossary of terms, can help media professionals communicate accurately about firearms and ammunition.

OFF-TARGET

"[Personalized] weapons would be manufactured with technology, such as fingerprint recognition, that only allows the authorized user to fire it. Most legitimate gunmakers already utilize such technology."

—Sen. Frank Lautenberg (D-NJ), Associated Press

ON-TARGET

No gun makers manufacture firearms with owner-recognition technology. So-called "smart gun" technology is only in the development stages and is not being incorporated into mainstream gun manufacturing due to safety and reliability concerns.

EXPLANATION

"Personalized" or "smart gun" technology, while in development stages, is neither reliable nor available. A U.S. Dept. of Justice-funded project, researched by Sandia National Laboratories, concluded, "There is not currently a perfect smart gun technology." Owner-recognition technology, such as fingerprint recognition or a radio transmitter, requires a power source to work. Any technology that relies on a power source will fail, possibly at the worst time imaginable.

OFF-TARGET

"Haven't you been aware of the rising incidences of accidental or incidental deaths associated with guns?"

—Dan Thompson, Editor

ON-TARGET

To the contrary, accidental firearm fatalities are at the lowest levels since record-keeping began in 1903.

EXPLANATION

Over the last two decades, the annual number of accidental firearms-related fatalities declined by 42 percent, and for children under 14 by 77 percent in that same period.

The decline is attributed to a number of factors, including free firearm locking devices shipped with new firearms, safety and education programs sponsored by the firearms and ammunition industry, the International Hunter Education Association and the National Rifle Association, as well as technological advances in firearm design and manufacturing processes.

According to the National Safety Council's "Injury Facts 2009 Edition," accidental firearm fatalities are at historical lows and are continuing to decline. These statistics hold true even as the number of firearm owners has more than doubled during the same time period.

OFF-TARGET

"[Semi-automatic] high-powered weapons are of no value for hunting and their use for target practice seems dispensable."

—Dr. Jerome P. Kassirer, "New England Journal of Medicine"

ON-TARGET

Semi-automatic firearms, which have been around since 1885, fire only once each time the trigger is pulled. They are widely used for hunting, various types of recreational shooting and competition events including the Olympics.

EXPLANATION

Semi-automatic firearms are no more powerful than other types of firearms. They use the same ammunition as other types of firearms. Semi-automatic firearms are popular for hunting, trap, skeet, informal target shooting and formal marksmanship competitions. One reason semi-automatic firearms are popular for recreational shooting is that they tend to have less recoil. Because some of the energy generated by firing a round is used to cycle a fresh round, there is less impact pushed against the shooter's shoulder. Semi-automatic firearms are also useful in hunting situations when multiple, quick shots are needed.

OFF-TARGET

"The NRA opposed the ban on bullets that pierce police safety vests."

—Associated Press

ON-TARGET

The NRA opposed loosely written legislation that, if passed, would have outlawed 80% of all big-game ammunition.

EXPLANATION

Though the National Rifle Association did oppose efforts to ban so-called “cop-killer” bullets, this quote misrepresents the NRA’s position. From 1982 to 1986, the NRA opposed several loosely written legislative proposals that would have banned the manufacture and sale of some 80% of all sporting ammunition. Although some of the ammunition that would have been banned (such as large-caliber rifle ammunition used for hunting and long-range target shooting), can, by sheer velocity and energy, penetrate certain grades of protective body armor, technical experts of the ATF, FBI, Secret Service and Police Forensic Labs thought the definition of “cop-killer” bullets offered in the legislation impractical and unenforceable. NRA critics took the opportunity to claim that the NRA opposed banning “cop-killer” bullets.

OFF-TARGET

“U.S. Regulators have also been watching with concern all the gunmakers’ efforts to devise lightweight handguns made almost entirely out of plastic. Such weapons cannot be discovered by metal detectors similar to those used in the U.S. Capitol building.”
—“The Express” on “Sunday Investor News”

ON-TARGET

Polymer-framed handguns are not ‘almost entirely’ made of plastic, nor can they evade detection by security devices. Polymer-framed handguns have metal barrels, slides and internal parts that make them easily detectable by metal detectors.

EXPLANATION

The firearms industry has no interest in manufacturing a firearm that can evade x-ray or metal detectors. Polymer-framed handguns are currently in favor with law enforcement and civilians due to their corrosion resistance and lighter weight. Polymer-framed firearms have a proven track record of reliability and durability, even with high-performance law enforcement ammunition. Additionally, all firearms must be able to pass a federal detection standard.

OFF-TARGET

“The Ruger Old Army takes an expert 60 seconds to load, but an empty magazine can be easily removed and replaced with one which is already full.”

—Nick Parker, “The Sun” [London]

ON-TARGET

The Ruger Old Army is a muzzleloading black powder ‘cap and ball’ revolver that is slow to load and reload. Moreover, the Old Army is an antique replica revolver; it doesn’t have a detachable magazine.

EXPLANATION

A muzzleloading revolver is slow to load because each chamber requires the shooter to go through several steps, including pouring in loose black powder, putting in a ball and ramming it with a ram rod. There is no such thing as a magazine for a revolver of any type—black powder or smokeless powder. A magazine is a receptacle that holds several cartridges or shells for feeding into the firearm chamber. Revolvers, by contrast, are loaded by inserting cartridges into the cylinder. With each pull of the trigger, one round is fired and the cylinder rotates to the next position. Antique replica-type firearms are very popular and rarely used in crimes.

OFF-TARGET

“A trigger lock works to immobilize the gun’s trigger, making it impossible to fire the weapon until unlocked.”

—Ken Dixon, “Connecticut Post”

ON-TARGET

A trigger lock is a supplementary safety device designed to be affixed over a firearm’s trigger. Tests have shown that firearms equipped with a trigger lock can still discharge a round. As most trigger lock manufacturers warn, their products should never be used on a loaded firearm.

EXPLANATION

Trigger locks can be an effective safety measure on certain firearms, but locking devices are not a substitute for safe storage and handling. Although many locking and storage devices are widely available, no device will completely childproof a firearm. Trigger locks should never be used on a loaded firearm. NSSF’s Project ChildSafe program

distributes cable-style locks because most firearms must be unloaded before such a lock can be installed, thereby providing an extra level of safety.

OFF-TARGET

“Laser sights alleviate the need for manual aiming—just follow the red dot. If the dot is on the target, the target will be hit...laser sights, with their point-and-hit capability, may well increase the urban death toll.”

—Violence Policy Center, “The Boom In Guns”

ON-TARGET

Laser sights, firearm optics that project a beam of light at a target, are popular sighting devices that, by their mere presence on a firearm, make it no more or less accurate.

EXPLANATION

Misconceptions about laser sights abound. Some people believe that a laser sight actually steers the bullet to an intended target—like a guided missile from a jet fighter. Others think that a laser sight somehow enhances the lethality of a firearm. Laser sights do not have any relationship to ballistic or firearm capability.

In truth, laser sights project a 1/4 inch dot of red light on the target. With a laser sight, a shooter has little advantage over a conventional telescopic sight. The firearm and scope still need to be “sighted in” so that the point of impact of the bullet is the same as the point of sight. A firearm with a laser sight that is not “sighted in” is no more or less accurate than the same firearm with conventional sights.

OFF-TARGET

“We noted 43 suicides, criminal homicides, or accidental gunshot deaths involving a gun kept in the home for every case of homicide for self-protection.”

—Dr. Arthur Kellerman, “New England Journal of Medicine”

“For every case in which an individual used a firearm kept in the home for self-defense homicide, there were 1.3 unintentional deaths, 4.6 criminal homicides, and 37 suicides involving firearms.”

—Dr. Arthur Kellerman

ON-TARGET

The mere presence of a gun in the home does not increase the likelihood that an accident will occur.

EXPLANATION

This widely quoted “43 times” statistic is misleading. Several authoritative studies performed in recent years estimate there are between 760,000 and 3 plus million defensive firearms uses every year. The study from which the “43 times” figure was taken only considers a defensive firearms use as an instance in which the criminal was shot and killed. This is like measuring the effectiveness of the police solely on the basis of the number of criminals they kill. In the words of the author of the “43 times” study, “Our study does not include instances in which intruders are wounded or frightened away by the use or display of a firearm. A complete determination of firearm risks versus benefits would require these figures be known.”

OFF-TARGET

“The ATF must be given enhanced authority to regulate the manufacturers, importers, distributors and dealers in firearms. Stricter regulation of dealers in automatic weapons should also be imposed.”
—Violence Policy Center, A More Comprehensive Strategy

ON-TARGET

In addition to federal gun laws imposed by the National Firearms Act (1934), the Gun Control Act (1968), the Firearms Owner’s Protection Act (1986) and other laws, most states and some local jurisdictions have imposed their own firearms laws. All told, there are more than 20,000 firearms laws at the federal, state and local levels. Federal background checks are required for the purchase of any firearm from a dealer.

EXPLANATION

Calling for more firearms laws is a an over-simplified “solution.” Enforcing the laws already on the books to the fullest extent possible would help continue the reduction in the criminal acquisition and misuse of firearms. Additionally, the very few federally licensed dealers in automatic weapons (known as Class III dealers) undergo extensive criminal background checks and pay thousands of dollars

to obtain a permit. It would be difficult to imagine how “stricter regulation” of these dealers could be accomplished, or what further effect it could have.

OFF-TARGET

The United States Court of Appeals for the District of Columbia last week persuasively ruled that the Constitution allows the District to ban possession of assault weapons . . . –N.Y. Times editorial

ON TARGET

The terms assault weapon and assault rifle should not be used to describe semi-automatic firearms, most notably AR-style rifles. “Assault weapon” is political term created in order to ban some semi-automatic rifles.

EXPLANATION

The federal assault weapons ban, enacted in 1994, restricted ownership of some semiautomatic firearms based on cosmetic reasons, not function. Studies have shown that the ban, as with other gun-control measures, could not be proven to reduce crime. The term is wrongly used to describe an AR-style rifle, which is the civilian, semi-automatic version of the military’s M16. These modern sporting rifles are among the most popular firearms in America today and are widely owned for target shooting, hunting and home defense.

OFF TARGET

Toxic lead ammunition is danger to wildlife; outlaw it in favor of greener options.” Cleveland Plain-Dealer blog headline

ON TARGET

No scientific evidence exists to warrant the extraordinary step of banning traditional ammunition, which is ammunition that contains lead core components.

EXPLANATION

Some raptors including bald eagles may ingest ammunition fragments left in the entrails of field-dressed game, causing sickness or mortality. Industry is concerned about this, but raptor populations have not been adversely affected (rather, they are increasing). Industry considers efforts to ban traditional ammunition an overreaction to this issue. Additionally, a study by the Centers for Disease Control and

Prevention shows that eating game taken with traditional ammunition does not pose a human health risk. NSSF supports gun owners being free to choose the ammunition they think is best suited to their purpose, whether it's traditional ammunition or alternatives that use steel, copper or other metals.

OFF TARGET

Guns are flowing across the U.S.-Mexico border mainly because of illegal straw purchases at firearms retailers in the United States.

ON TARGET

Most of the firearms recovered in Mexico do not come from the United States.

EXPLANATION

A 2011 report by the STRATFOR research group called "The 90 Percent Myth," which refers to the number of illegal guns in Mexico coming from the United States, "more political rhetoric than empirical fact." According to the report, which is based on U.S. government statistics, less than 12 percent of the guns Mexico seized in 2008 have been verified as coming from the United States. See the NSSF Blog post:
nssfblog.com/report-shatters-myth-of-mexicos-gun-supply/

WANT TO KNOW MORE?

Amateur Trapshooting
Association of America
Shootusa.org

National Sporting Clays
Association
NSSA-NSCA.org

International Defensive Pistol
Association
IDPA.com

Outdoor Writers Association of
America
OWAA.org

International Hunter Education
Association
IHEA.com

Professional Outdoor Media
Association
Professionaloutdoormedia.org

National Rifle Association
NRA.org

Single Action Shooting Society
sassnet.com

National Safety Council
NSC.org

Sporting Arms & Ammunition
Manufacturers' Institute
SAAMI.org

National Shooting Sports
Foundation
NSSF.org

United States Practical Shooting
Association
USPSA.org

National Skeet Shooting
Association
NSSA-NSCA.org

USA Shooting
USAShooting.org

NSSF PROGRAMS AND WEBSITES

Bullet Points newsletter	nssf.org/bulletpoints
Don't Lie for the Other Guy	dontlie.org
Educational literature/videos	nssf.org/education
Families Afield	familiesafield.org
First Shots	firstshots.org
Hunt and Shoot	huntandshoot.org
Hunting	nssf.org/hunting
Hunting Heritage Partnership	nssf.org/hunting/grants
National Hunting & Fishing Day	nhfday.org
Pull The Trigger newsletter	nssf.org/pullthetrigger
Project ChildSafe	projectchildsafef.org
Ranges	nssf.org/ranges
Research	nssf.org/research
Retailers	nssf.org/retailers
Safety	nssf.org/safety
Shooting ranges	nssf.org/ranges
SHOT Business Magazine	shotbusiness.com
Where To Shoot	wheretoshoot.org
Wingshooting USA	wingshootingusa.org

NSSF IS A RESOURCE FOR MEDIA

We hope this guide proves to be a helpful resource that you can use when writing about firearms and ammunition. For more information about the firearms industry, gun-related issues and research related to hunting, shooting and firearm safety, visit nssf.org/newsroom or call 203-426-1320. Email suggestions for future editions of this booklet to info@nssf.org.



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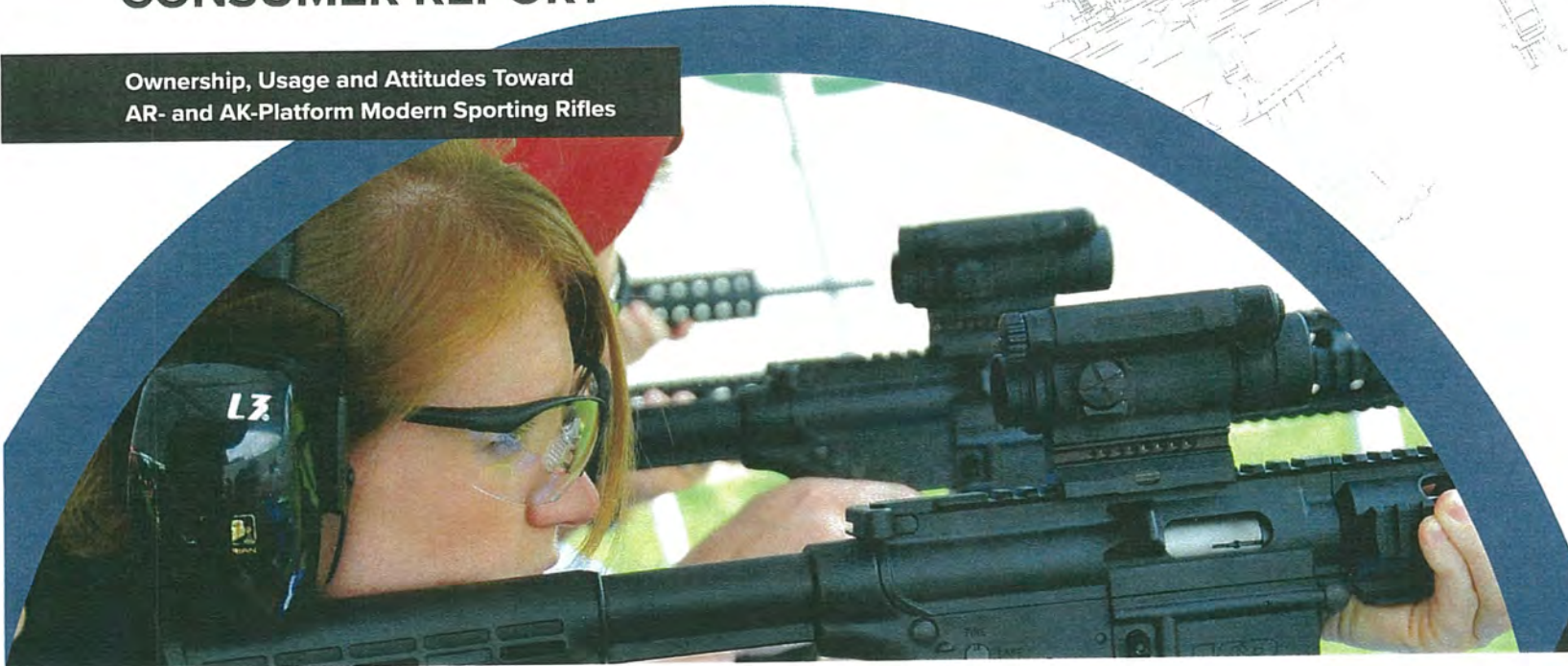
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NSSF® Report

MODERN SPORTING RIFLE

COMPREHENSIVE CONSUMER REPORT

Ownership, Usage and Attitudes Toward
AR- and AK-Platform Modern Sporting Rifles



NSSF
The Firearm Industry
Trade Association
NSSF 000100

NSSF MSR Consumer Study – Report of Findings

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NSSF MSR Consumer Study – Report of Findings

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NSSF MSR Consumer Study – Report of Findings

Executive Summary

EXPERIENCE WITH MSRs

- **Ownership & Platform:** The median MSR user owns nearly 4 MSRs, with 97% of owners saying they own an AR-platform MSR. 38% own another MSR platform and 27% own an AK platform MSR.
- **When MSR was first owned:** Over 40% obtained their first MSR since 2009, with 11% obtaining their first MSR within the last 2 years. While 20% of MSR owners obtained their first MSR prior to 1999.
- **Other Firearms Owned First:** 99% of MSR owners used or obtained another firearm before an MSR; the most popular firearm owned is a handgun, which 88% of MSR owners held before obtaining a MSR.
- **Introduction to MSRs:** One-third of MSR owners became interested through their own personal accord. About 21% first gained interest through military or their job, and another 20% through family & friends.
- **Range membership:** 52% of MSR owners are current members of a shooting range. 28% have never been a member, with the final 20% being former members.
- **Reasons for ownership:** Recreational target shooting was rated as the most important reasons for owning an MSR. Big game hunting and professional/job-related use were rated as least important.

MOST RECENTLY ACQUIRED MSR

- **When Acquired:** 48% of MSR owners said they obtained their most recently acquired MSR within the last two years (2021 or 2021), with 31% saying they obtained a MSR in 2021.
- **Platform:** Nearly 9 out of 10 MSR owners said the most recent MSR they acquired was an AR platform.

NSSF MSR Consumer Study – Report of Findings

Executive Summary

MOST RECENTLY ACQUIRED MSR (cont.)

- **New/Used MSR:** 83% of MSR owners said they bought their most recent MSR by purchasing it new.
- **Place of purchase:** 30% of owners bought their most recent MSR from a independent (mom & pop) retail store. 22% assembled their MSR using purchases of different parts, and 19% used the internet/website. The most popular retailers & online sites used were Palmetto State Armory, Gunbroker.com, Cabela's, and Sportsman's Warehouse.
- **Price:** The average price for a new MSR paid by owners was \$1,071; half of MSR owners paid between \$500 and \$1000 for their most recently acquired MSR.
- **Brand:** Survey data indicates the MSR market is highly fragmented. 11% of MSR owners said Palmetto was the brand of their most recently acquired MSR.
- **Caliber** – 60% of respondents said the caliber of their most recently acquired MSR is .223 / 5.56 mm.
- **Reasons for buying-** MSR owners said reliability, accuracy, and fun were the most important reasons for purchasing their most recently acquired MSR. The least important reasons were recommendations from a retailer and MSRs owned by family/friends.
- **Accessories:** 86% of MSR owners have their most recently acquired MSR customized to some extent, with 70% having 1-3 accessories. 75% of those with accessories added them to their MSR within 12 months after purchase. The average spent for accessories by owners on their most recently acquired MSR is \$618.
- **Optics used:** 61% of MSR owners have a scope equipped as a primary optics, while 55% utilize a red dot.

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Executive Summary

MOST RECENTLY ACQUIRED MSR (cont.)

- **Scope:** the most common scopes used by MSR owners are the 3-9x power scope and the 1-4x power scope.
- **Magazine capacity:** Over half (52%) of MSR owners stated the magazine capacity of their MSR is 30 rounds. When asked why they chose their respective capacity, most frequent responses were related to popularity/standard and being readily available.
- **Stock:** Approximately two-thirds of MSR owners have a collapsible/folding stock on their MSR.
- **Receiver:** 81% of owners have a flat top upper receiver.
- **Handguard:** The most common type of handguard is a free floating with rails handguard, used by 43% of respondents on their most recently acquired MSR.
- **Finish color:** 3 out of 4 owners have a black finish color on their MSR.
- **Barrel:** 67% have a threaded barrel on their MSR.
- **Barrel accessories:** Most used barrel accessories are flash hider (39% of MSR owners) and muzzle brake/compensator (37%).
- **Barrel length:** 75% have a MSR with a barrel length of 16" to 20".
- **Operating system:** The most recently acquired MSR for 59% of owners operates by direct gas impingement.

NSSF MSR Consumer Study – Report of Findings

Executive Summary

MOST RECENTLY ACQUIRED MSR (cont.)

- **Storage:** 67% store their MSR unloaded and secured in a safe, lock box, or with a trigger lock. An additional 19% store their MSR loaded and secured in a safe, lock box, or with a trigger lock.
- **Likelihood to buy:** On a scale from 1 to 10, where 1 is “not at all likely” and 10 is “very likely”, the average likelihood rating given by MSR owners that they’ll buy a MSR in the next 12 months is 6.2, slightly more to the “likely” end of the scale.
- **Accessories owned:** The most common accessories currently owned by MSR owners are gun cleaning kits, extra magazines, targets, and a soft carrying case. The accessory MSR owners most frequently said they planned to buy in the next 12 months is a suppressor/silencer. About 70% of MSR owners do not own and do not plan on buying a laser designator or night vision/thermal scope in the next 12 months.

USAGE AND ACTIVITIES

- **Use:** 88% of MSR owners used/shot their MSR(s) in the last 12 months. The average number of times used was 14, just over once a month. Compared to the 12 months before that, 41% said their MSR use was “about the same” while 38% said it was less.
- **Desired usage:** 75% of MSR owners said they did not use their MSR as much as they would like over the past 12 months. The most important factors preventing owners from using their MSR more are related to ammunition: lack of availability and cost.
- **Activities:** The most popular activity by MSR owners is target shooting — 54% said they did target shooting at a private range, while 49% said they did target shooting at a public range.
- **Ammo used:** Roughly 70% of MSR owners used budget factory and premium factory loads in the last 12 months. The ammo breakdown for an average MSR user is made up of 42% budget factory loads, 32% premium factory loads, 17% handloads/reloads, and 9% import ammo. The average number of rounds used by MSR owners in the last 12 months is 907 rounds. In the next 12 months, MSR owners project they’ll fire 984 rounds.

NSSF MSR Consumer Study – Report of Findings

Executive Summary

USAGE AND ACTIVITIES (cont.)

- Ammo purchases: The average number of ammo rounds typically purchased by MSR owners is 637.
- Ammo on hand: Nearly half (45%) of MSR owners own/keep more than 1,000 rounds on hand.
- Ammo reloads: 6 out of 10 MSR owners do not reload their own ammunition. Of the 40% who do, the average percentage of ammunition they reload is 53%.
- Activities – Distance: The most frequent distance that MSR owners hunt/target shoot is at 100-300 yards.
- Target shooting alone vs with others: 43% of MSR owners who go target shooting typically go with 1 other person. 27% go alone.
- Favorite part about owning MSR: MSR owners said their favorite part about owning a MSR was: fun/enjoyment of shooting, exercising freedom/2A rights, ease of use, and reliability.

RESPONDENT PROFILE

- Organizations: 61% of MSR owners are members of or recently donated to the NRA, the most frequently chosen organization. 21% of MSR owners are not members of or recently donated to any firearm organizations. 12% are members or recently donated to the NSSF.
- Military/Law-Enforcement: 38% of MSR owners are active/retired member of law enforcement or the military.
- Age/Gender/Race: 96% of MSR owners are Male. The average age of MSR owners is 55 years old. 88% are White/Caucasian.
- Marital status: 74% of MSR owners are married. Of these MSR owners, over half say their spouse accompanies them for target shooting. 24% say their spouse has no interest in target shooting or firearms.

NSSF MSR Consumer Study – Report of Findings

Executive Summary

RESPONDENT PROFILE (cont.)

- **Education:** 45% of MSR owners have attained at least a bachelors degree. One-quarter have attended some college, but did not graduate.
- **Income:** The average yearly household income for MSR owners is \$110,934. More than half are in households with an annual income of greater than \$85,000.
- **Children in Household:** 62% of MSR owners do not have any children living with them.
- **State:** The states with the most respondents were Texas (9%), California (5%), and Florida (5%).

NSSF MSR Consumer Study – Report of Findings

Methodology

In 2020, the National Shooting Sports Foundation (NSSF) contracted Sports Marketing Surveys for an online consumer survey on modern sporting rifles (MSRs) that was last carried out in 2013. Due to the COVID pandemic and personnel changes at NSSF, this survey was not able to be administered until December 2021. The aim is to provide the NSSF and manufacturers insights on current consumer needs and uses of MSRs as well as educate those influencing public policy in the effort to preserve our constitutional rights.

The online survey covered various aspects of MSR ownership, behavior, and attitudes. The NSSF promoted the survey via a partner email distribution list. A random drawing to win one of four \$250 Mastercard prepaid gift cards was included to incentivize participation. The term “Modern Sporting Rifle” was clearly defined as AR- or AK-platform rifles such as AR-15, AR-10, AK-47, AK-74 and did not include non-rifle firearms such as AR pistols, etc. Photographs of both AR- and AK-platform MSRs were shown on the survey landing page. All responses from those under 18 years old or said they did not own at least 1 MSR were removed from the analysis.

The survey was live from December 9, 2021 to January 2, 2022.

- **Completed Surveys: 2,421**
- **Usable responses for analysis: 2,185**

NSSF MSR Consumer Study – Report of Findings



Section 1: Experience with Modern Sporting Rifles

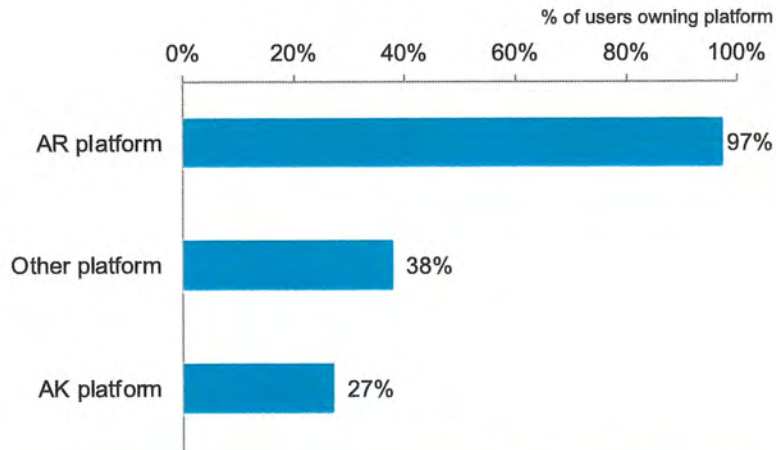


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NSSF MSR Consumer Study – Report of Findings

Modern Sporting Rifle Ownership: Platforms

MSR Platforms Owned



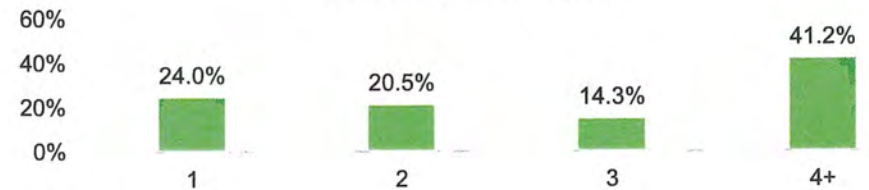
Average number of MSRs owned: 3.8

- AR – 2.6
- Other – 0.8
- AK – 0.4

Median of all MSRs owned: 3

(may own zero of one or more platform, but must at least own one MSR)

Number of MSRs owned



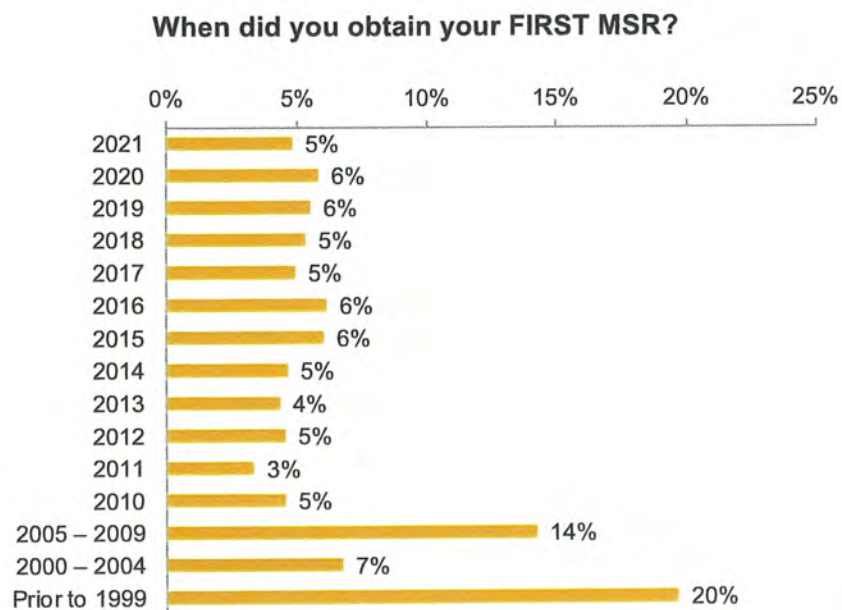
Platform	Average Number of MSRs owned (must own at least one of specified platform)
AR platform	2.7
Other platform	2.3
AK platform	1.5

Trend - Average Number of MSRs owned

2010: 2.6
 2013: 3.1
 2021: 3.8

NSSF MSR Consumer Study – Report of Findings

Modern Sporting Rifle Ownership: Experience



By Number of MSRs Owned

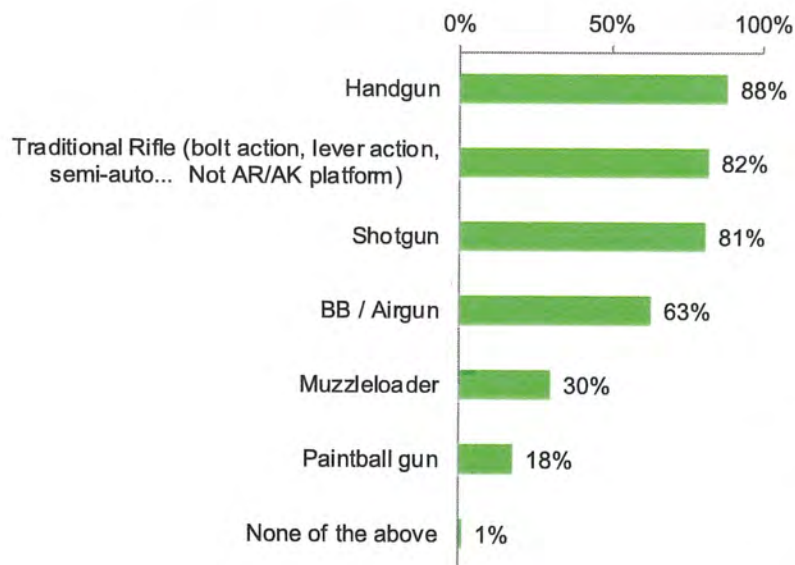
	1 MSR	2	3	4	5+
2021	14%	3%	3%	1%	1%
2020	13%	7%	3%	1%	2%
2019	9%	7%	5%	4%	2%
2018	9%	7%	5%	5%	2%
2017	8%	5%	5%	4%	3%
2016	7%	8%	8%	6%	3%
2015	7%	8%	6%	3%	5%
2014	5%	7%	3%	4%	3%
2013	3%	5%	6%	4%	4%
2012	4%	4%	4%	7%	5%
2011	2%	4%	4%	4%	4%
2010	2%	4%	7%	4%	6%
2005 – 2009	8%	13%	15%	15%	19%
2000 – 2004	3%	4%	7%	9%	11%
Prior to 1999	7%	13%	20%	28%	30%

- 20% of MSR owners obtained their first MSR before 1999. Over 40% have owned theirs since 2009.
- 11% obtained their first MSR within the last two years.
- 26% of those who own 1 MSR obtained it in 2020 or 2021.

NSSF MSR Consumer Study – Report of Findings

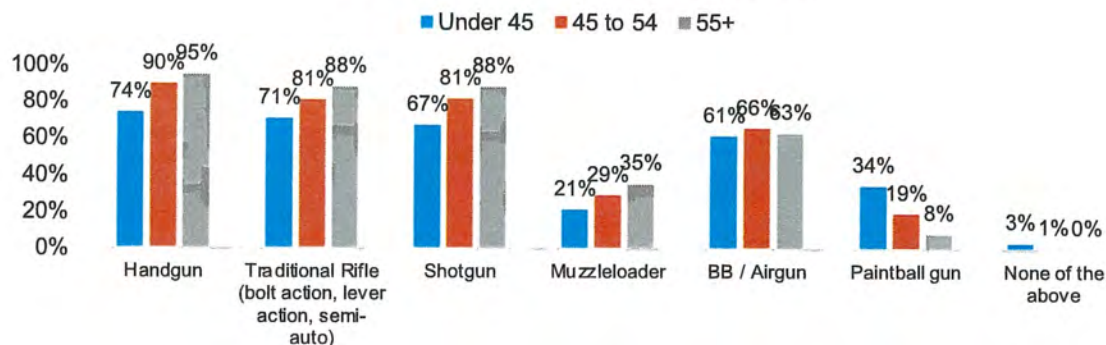
Modern Sporting Rifle Ownership: Experience

Firearms Used/Owned BEFORE obtaining a MSR



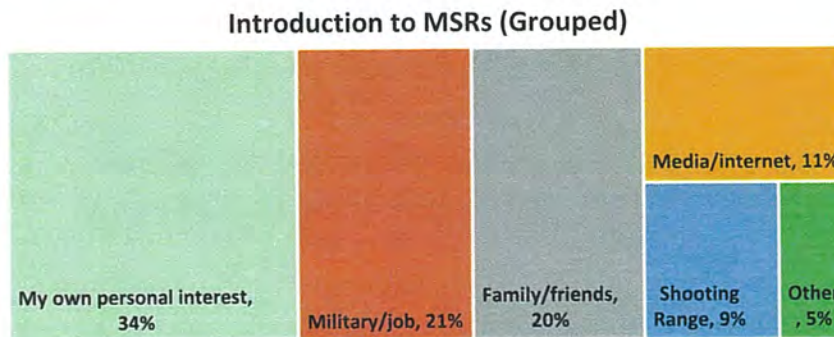
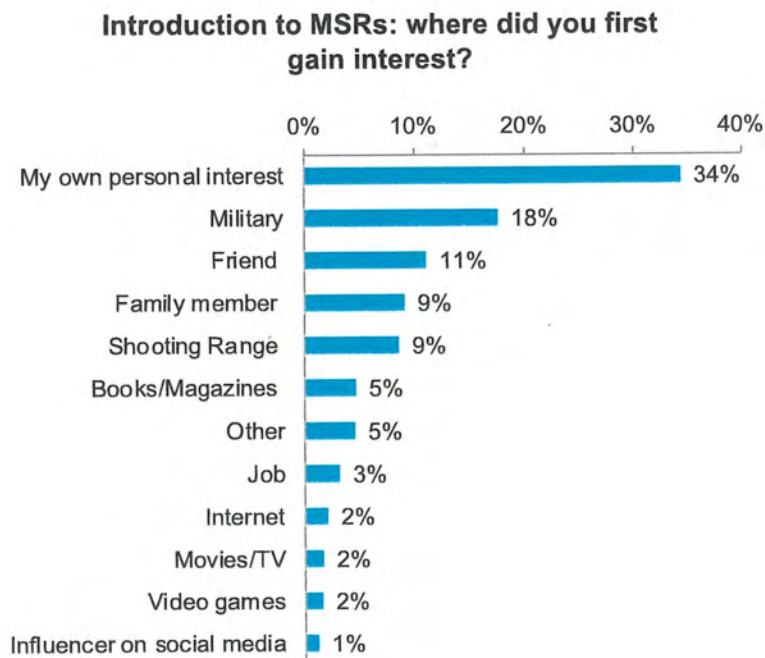
- Handguns are the most popular firearm used/owned before obtaining a MSR, with 88% of MSR owners selecting.
- Traditional rifles were also first used/owned by 82% of MSR owners.
- Younger MSR owners show less ownership of other firearm types before a MSR compared to other age groups.

Firearms Used Before MSR - by Age



NSSF MSR Consumer Study – Report of Findings

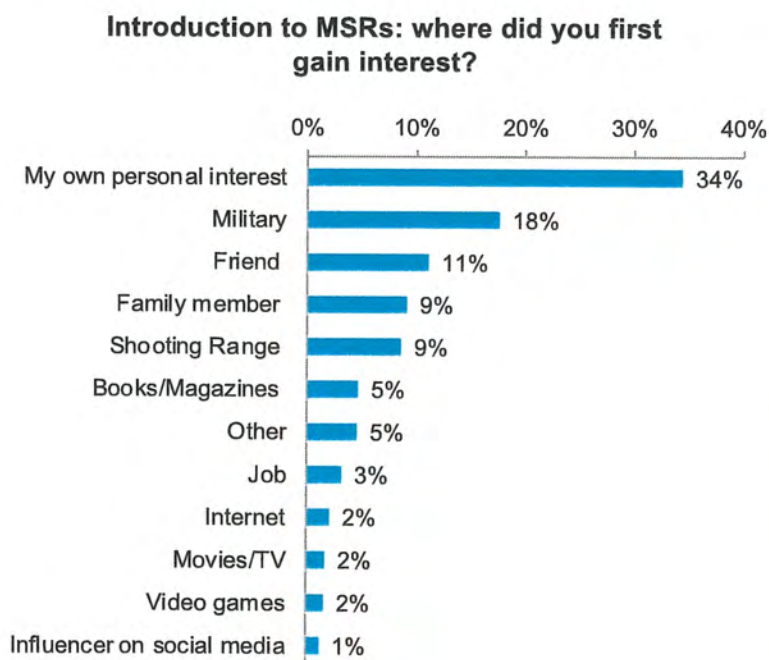
Modern Sporting Rifle Ownership: Experience



- One-third of MSR owners became interested through their own personal accord.
- About 21% first gained interest through the military or their job, and another 20% through family/friends.

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Modern Sporting Rifle Ownership: Experience

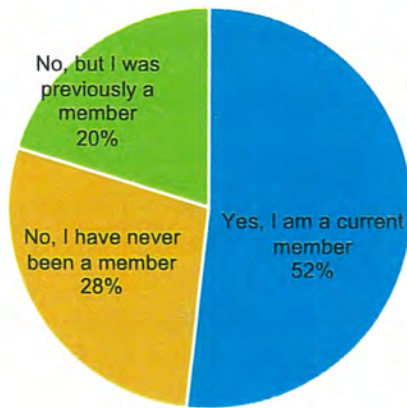


- One-third of MSR owners became interested through their own personal accord.
- About 21% first gained interest through the military or their job, and another 20% through family/friends.

NSSF MSR Consumer Study – Report of Findings

Modern Sporting Rifle Ownership: Shooting Ranges

Do you currently have a membership at a shooting range?



- About half of MSR owners are current members of a shooting range.
- 28% have never been a member of a shooting range.

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Modern Sporting Rifle Ownership: Reasons for Ownership

Respondents were asked to rate how important each of the following reasons are to owning an MSR. They rated each reason on a scale from 1 to 10, where 1 is “not at all important” and 10 is “very important.”

Rating: How important are these reasons to owning an MSR?



Scale:
1=Not at all important, 10= very important

- Recreational target shooting was rated as the most important reason for owning an MSR.
- Big game hunting and professional/job-related use were given the lowest importance ratings.

	MSR Owned					Age			Usage Frequency			
	1	2	3	4	5+	Under 45	45 to 54	55+	3 times or less	4 to 11 times	12 to 23 times	24+ times
Recreational target shooting	8.4	8.7	8.8	8.6	9	8.4	8.8	8.9	8.5	8.8	9	9.1
Home/self-defense	7.9	8.2	8.2	8.3	8.7	8.4	8.3	8.2	8	8.3	8.5	8.7
Collecting	5.2	5.8	6.6	6.7	7.1	6.9	6.5	5.8	5.9	6.2	6.4	7
Varmint Hunting	5.2	5.5	5.8	5.9	6.3	5.7	5.8	5.8	5.2	5.7	6.2	7
Competition shooting (i.e. 3. Gun)	4.6	5.3	5.6	6	6.4	6	5.8	5.2	4.9	5.4	6.3	7
Big Game Hunting	4.3	4.4	4.9	5.4	5.5	5.2	4.9	4.7	4.4	4.9	5.2	6
Professional use / Job-related	2.8	3	3.7	3.5	3.9	4	3.4	3	3	3.2	3.6	4.5

NSSF MSR Consumer Study – Report of Findings



Section 2: Most Recently Acquired Modern Sporting Rifle

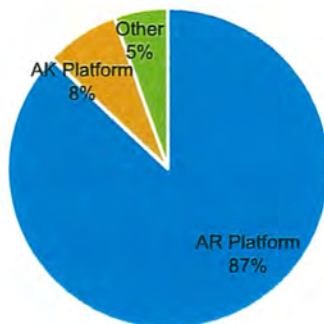


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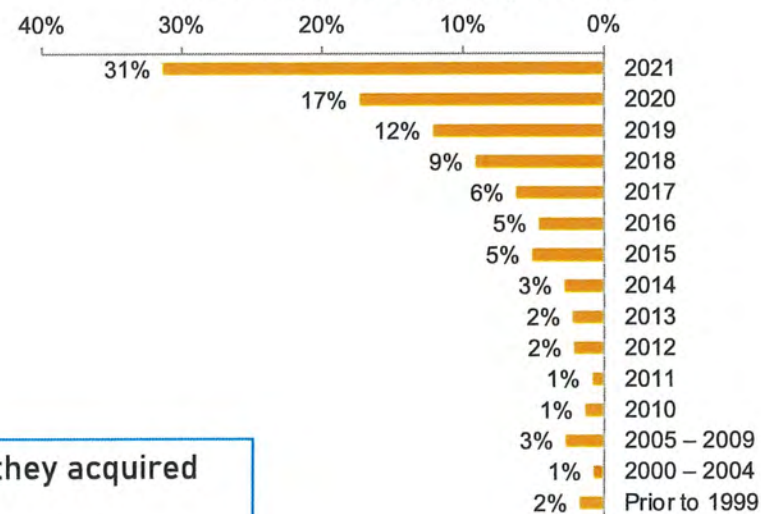
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Most Recently Acquired MSR: Platform, When Acquired

Platform - Most Recent MSR Obtained



Year of Most Recently Acquired MSR

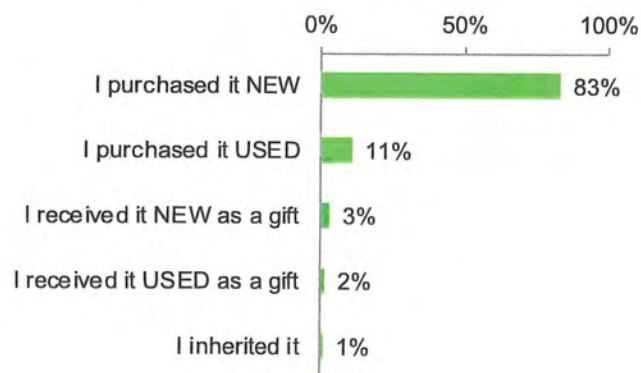


- Nearly 9 out of 10 MSR owners said the most recent MSR they acquired was an AR platform.
- Nearly one-third of MSR owners said they acquired their most recent one in 2021, nearly 50% within the last two years (2021 or 2020).

NSSF MSR Consumer Study – Report of Findings

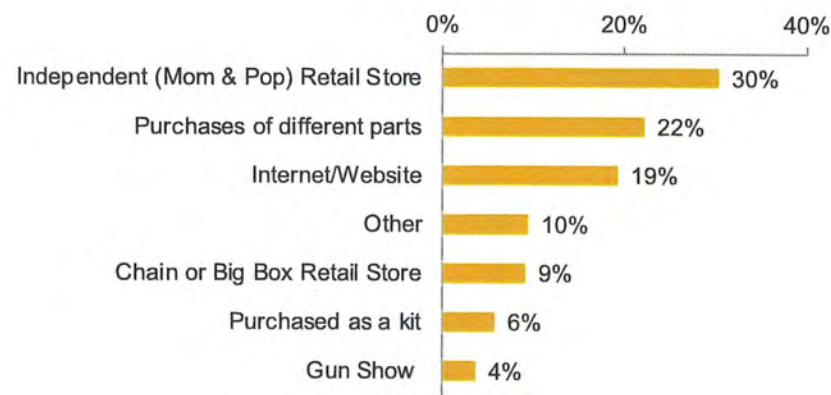
Most Recently Acquired MSR: How? Where?

How did you obtain your most recently acquired MSR?



- 83% of MSR owners acquired their most recent MSR by purchasing it new.

Place of Purchase



- For those purchasing a new or used MSR, the most common place of purchase was an independent retail store.
- Popular retailers & online sites used: Palmetto State Armory, Gunbroker.com, Cabela's, Sportsman's Warehouse,

NSSF MSR Consumer Study – Report of Findings

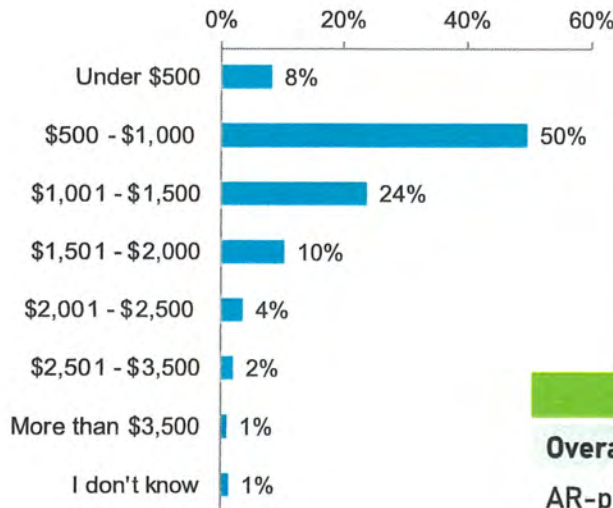
Most Recently Acquired MSR: Place of Purchase

	Total	Number of MSRs Owned					Age			Range Membership	
		1	2	3	4	5+	Under 45	45 to 54	55+	Member	Non-member
Independent (Mom & Pop) Retail Store	30.3%	31.9%	30.5%	31.1%	29.8%	28.9%	26.6%	35.1%	30.1%	33.9%	26.5%
Purchases of different parts	22.2%	12.0%	18.8%	24.8%	29.3%	28.6%	25.4%	25.8%	19.0%	21.3%	23.2%
Internet/Website	19.3%	18.6%	21.1%	16.2%	19.1%	20.2%	24.3%	14.1%	19.1%	18.1%	20.7%
Other	9.5%	11.4%	11.2%	9.6%	8.0%	7.3%	6.1%	7.8%	11.9%	8.9%	10.1%
Chain or Big Box Retail Store	9.2%	16.2%	10.1%	7.6%	5.3%	5.2%	7.9%	8.8%	9.9%	7.9%	10.5%
Purchased as a kit	5.8%	5.6%	4.6%	6.3%	5.8%	6.4%	7.0%	4.6%	5.6%	5.9%	5.6%
Gun Show	3.7%	4.2%	3.7%	4.3%	2.7%	3.5%	2.7%	3.8%	4.2%	4.0%	3.4%

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Most Recently Acquired MSR: Price

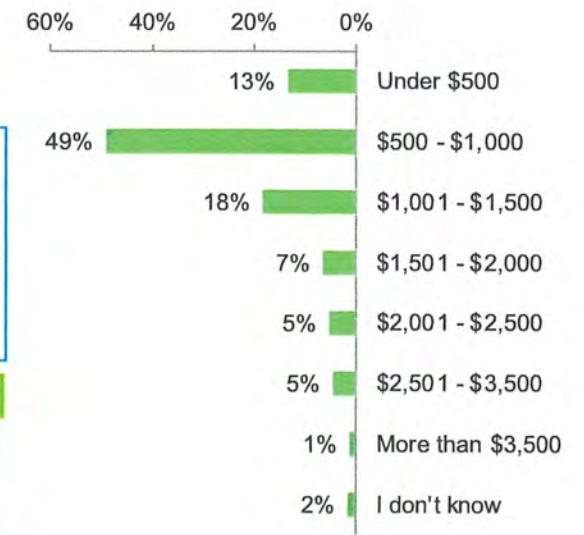
Price of most recently acquired NEW MSR



- Half of MSR owners paid between \$500 and \$1000 for their most recently purchased MSR, both those who bought a new MSR and those who bought a used MSR.
- Average price for last MSR: \$1,071.

	2010	2013	2021
Overall average	\$1,083	\$1,058	\$1,071
AR-platform (new)		\$1,112	\$1,057
AR platform (used)			\$992
AK platform (new)		\$711	\$1,086
AK platform (used)			\$1,218

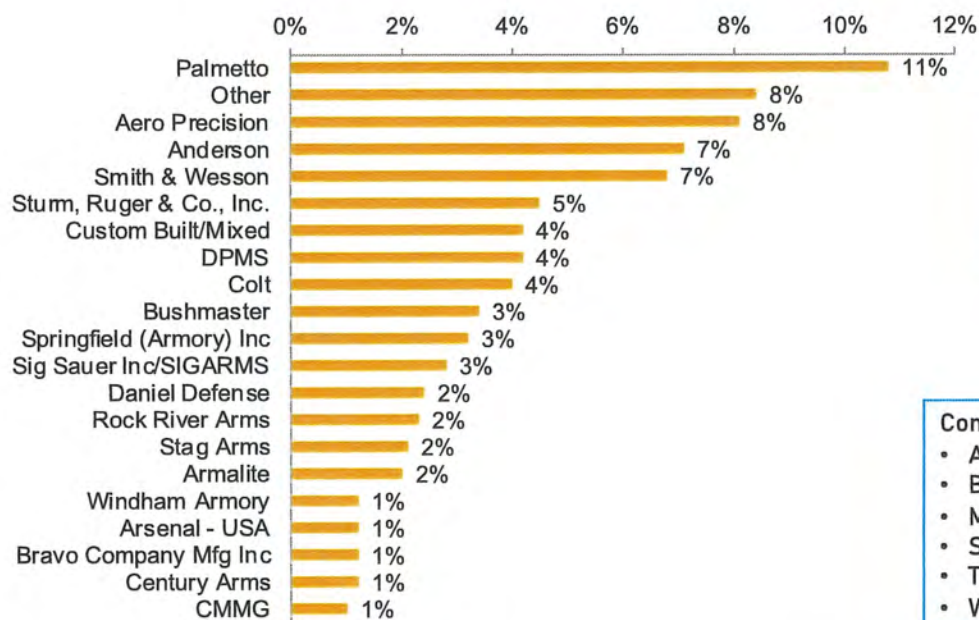
Price of most recently acquired USED MSR



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Most Recently Acquired MSR: Brand

Brand of Most Recently Acquired AR



• Survey data indicates the MSR market is highly fragmented. 11% of MSR owners said Palmetto was the brand of their most recently acquired MSR — the highest among the options available.

Commonly mentioned brands included in "Other":

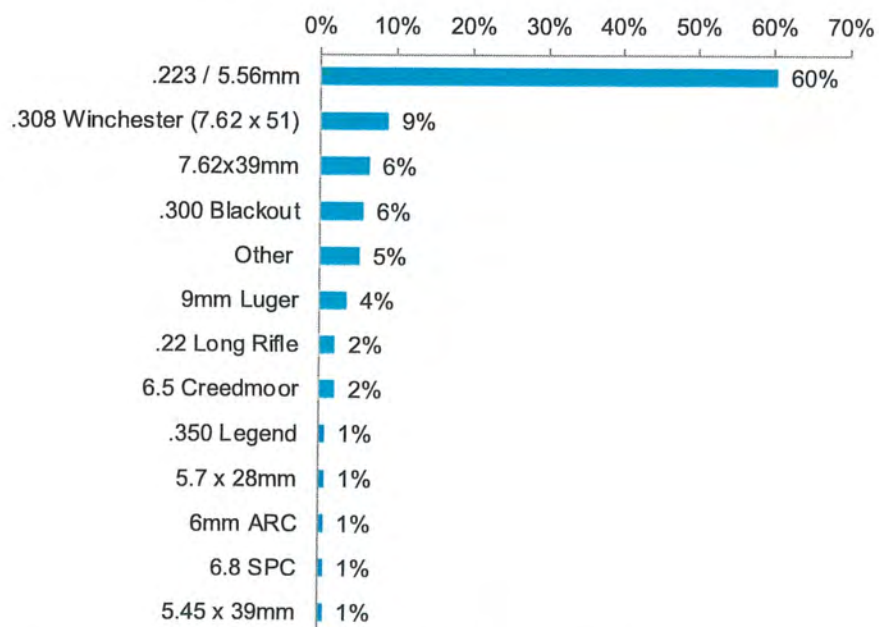
- ATI
- Battle Arms Development
- MBX
- Sharp Bros
- Tavor
- WBP

50+ other brands were selected by less than 1% of respondents; full list available upon request

NSSF MSR Consumer Study – Report of Findings

Most Recently Acquired MSR: Caliber

Caliber of Most Recently Acquired MSR



- 60% of respondents said the caliber of their most recently acquired MSR is .223 / 5.56 mm
- Of the 5% selecting “other,” the most frequently mentioned calibers included:
 - 6.5 Grendel
 - .458 SOCOM
 - .224 Valkyrie

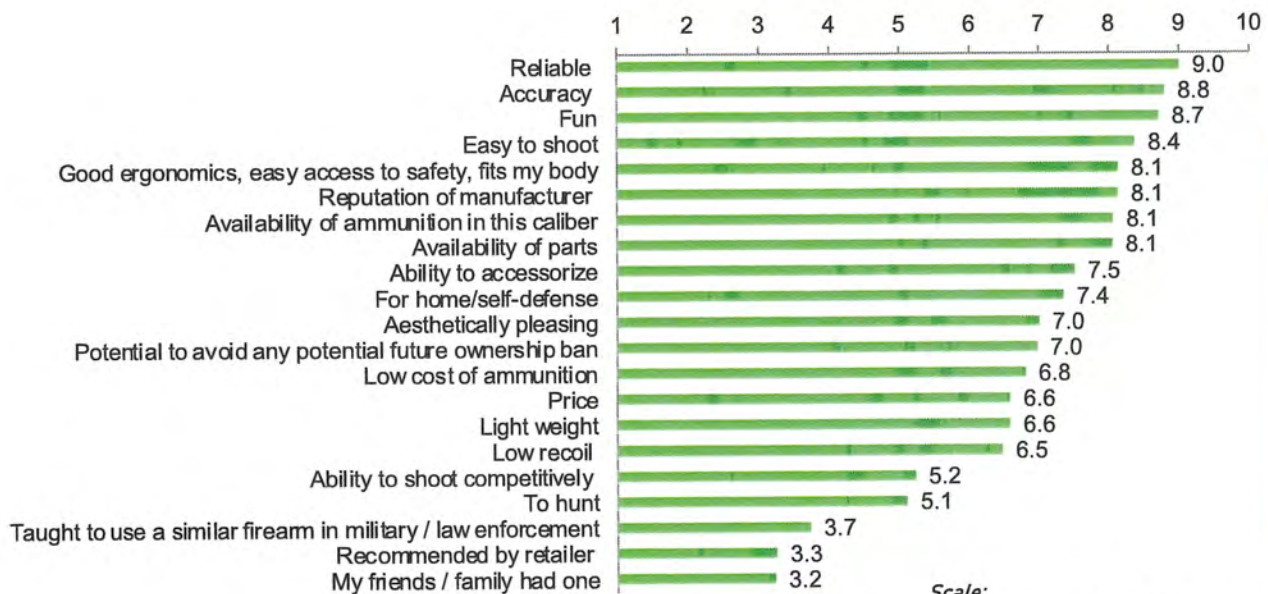
7 other calibers were selected by less than 1% of respondents

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Most Recently Acquired MSR: Reasons for Buying

For the 94% of respondents that purchased their MSR new or used, they were asked to rate how important each of the following reasons are for selecting their most recently acquired MSR on a scale from 1 to 10, where 1 is “not at all important” and 10 is “very important.”

Rating: Most Important Reasons for Buying Most Recently Purchased MSR



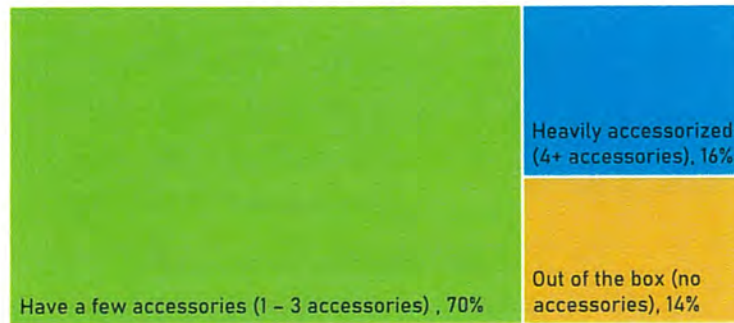
Scale:
1=Not at all important, 10= very important

- MSR owners rated reliability, accuracy, and fun as the most important reasons for purchasing their most recently acquired MSR.
- The least important reasons as rated by MSR owners include recommendations from a retailer and MSRs owned by family/friends.

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Most Recently Acquired MSR: Accessories

MSR - Use of Accessories



- 86% of have their most recently acquired MSR customized to some extent, 70% having 1-3 accessories.
- For those with accessories on their most recently acquired MSR, 75% added accessories within 12 months after purchase. Nearly a quarter added accessories at the time of purchase.

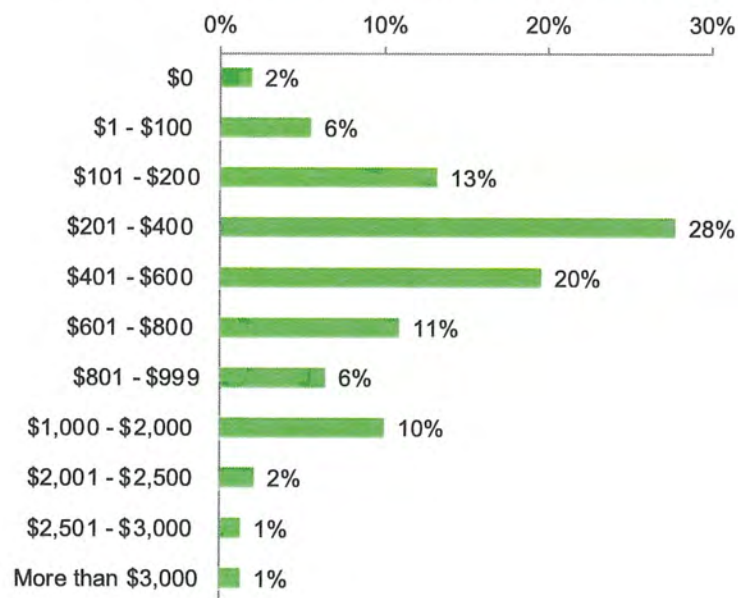
When have you added accessories to your MSR?



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Most Recently Acquired MSR: Accessories - Spend

Spend on After-Market Customization to Most Recently Acquired MSR



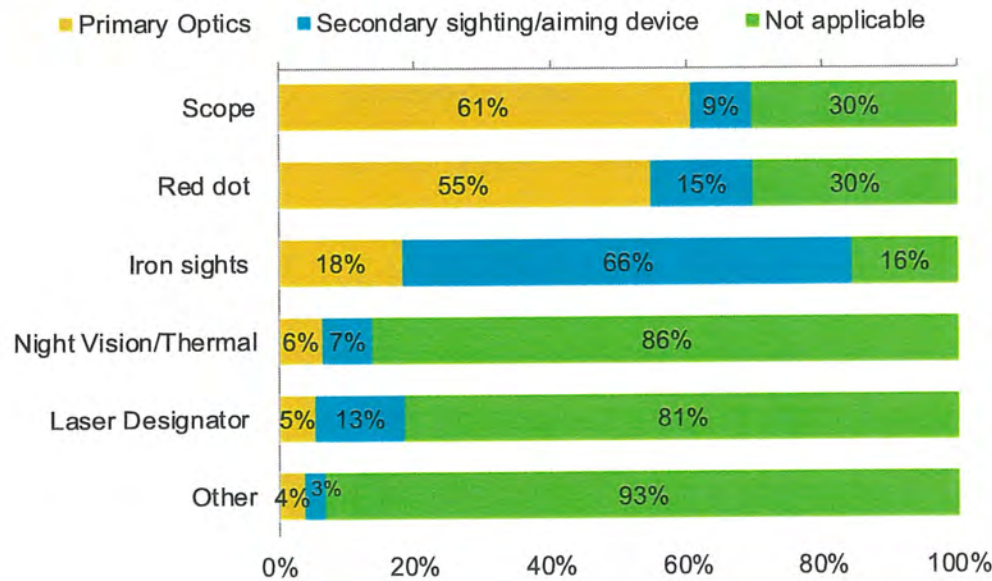
	2010	2013	2021
Average spent	\$436	\$381	\$618

- Of the MSR owners who have added accessories to their most recently acquired MSR, nearly half, or 48%, have spent between \$201 and \$600 on after-market customization.
- The average spent for accessories by owners on their most recently acquired MSR by owners is \$618.

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Most Recently Acquired MSR: Optics

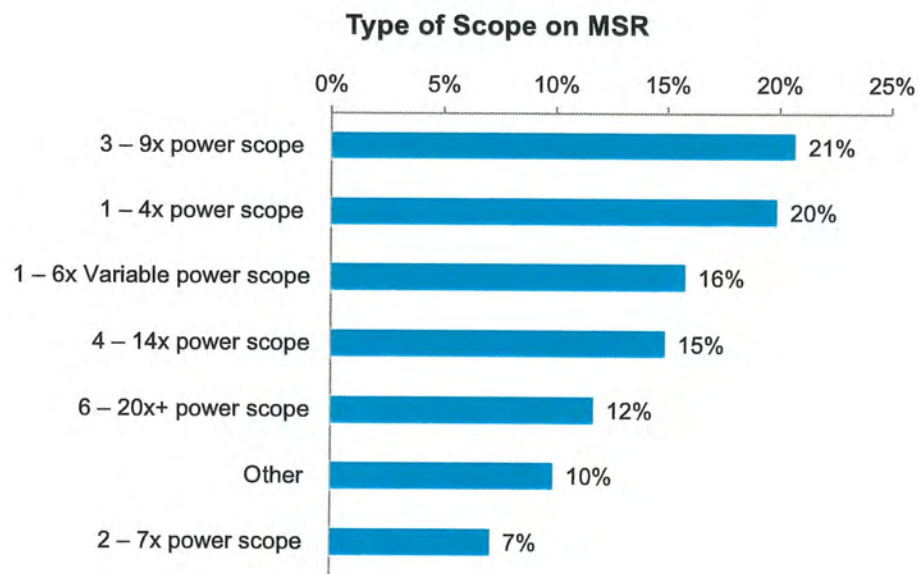
Optics Used on Most Recently Acquired MSR



- 61% of MSR owners have a scope equipped as a primary optic on their most recently acquired MSR.
- Iron sights are the most common secondary aiming device, equipped on two-thirds of respondents' MSRs.

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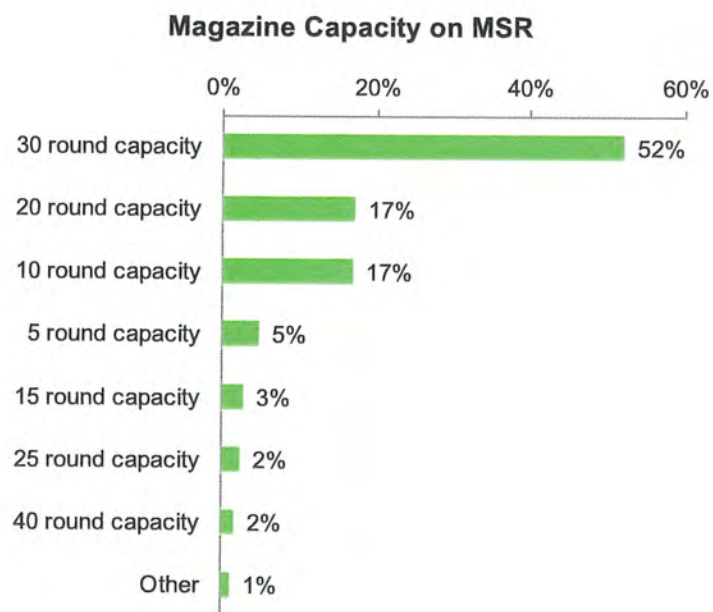
Most Recently Acquired MSR: Scope



- The most common scopes used by MSR owners are the 3-9x power scope (21%) and the 1-4x power scope (20%).
- Of the 10% who selected “Other,” the most frequently mentioned scopes were:
 - 1-8x variable power scope
 - 1-10x variable power scope

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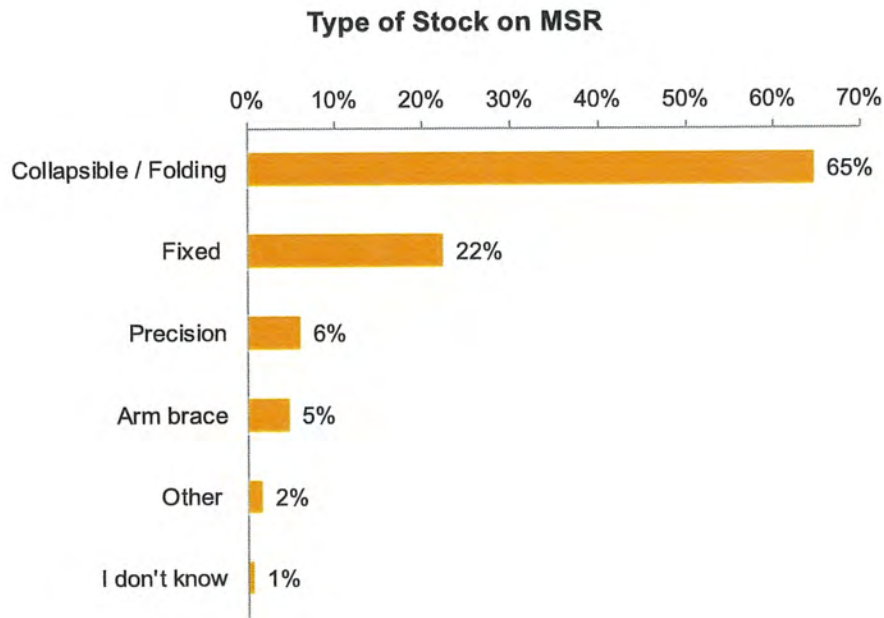
Most Recently Acquired MSR: Magazine Capacity



- Half (52%) of MSR owners stated the magazine capacity of their most recently acquired MSR is 30 rounds.
- When asked why they chose their respective magazine capacity, the most frequent responses were:
 - Common/standard
 - Readily available

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Most Recently Acquired MSR: Type of Stock

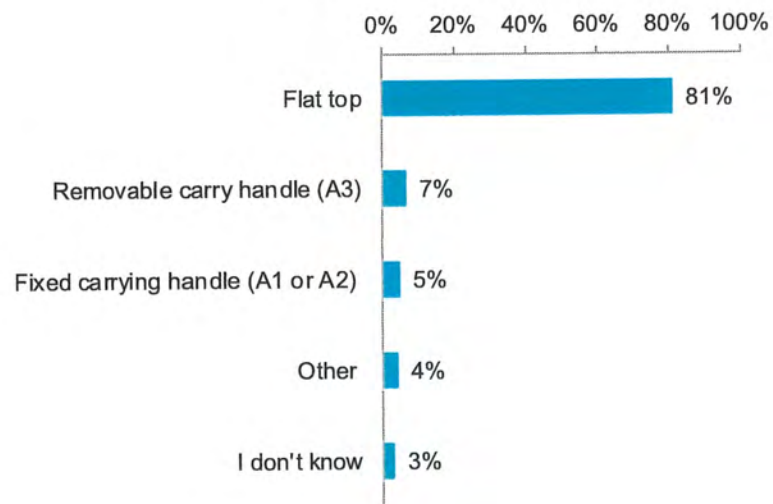


- 65%, or approximately two-thirds, of MSR owners have a collapsible/folding stock on their most recently purchased MSR.

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Most Recently Acquired MSR: Type of Upper Receiver

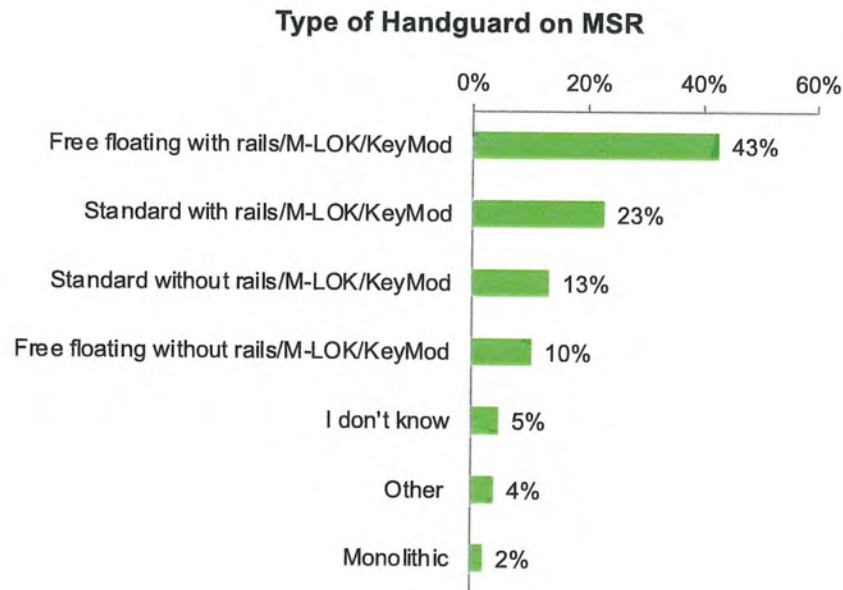
Type of Upper Receiver on MSR



- 81% have a flat top upper receiver on their most recently acquired MSR.

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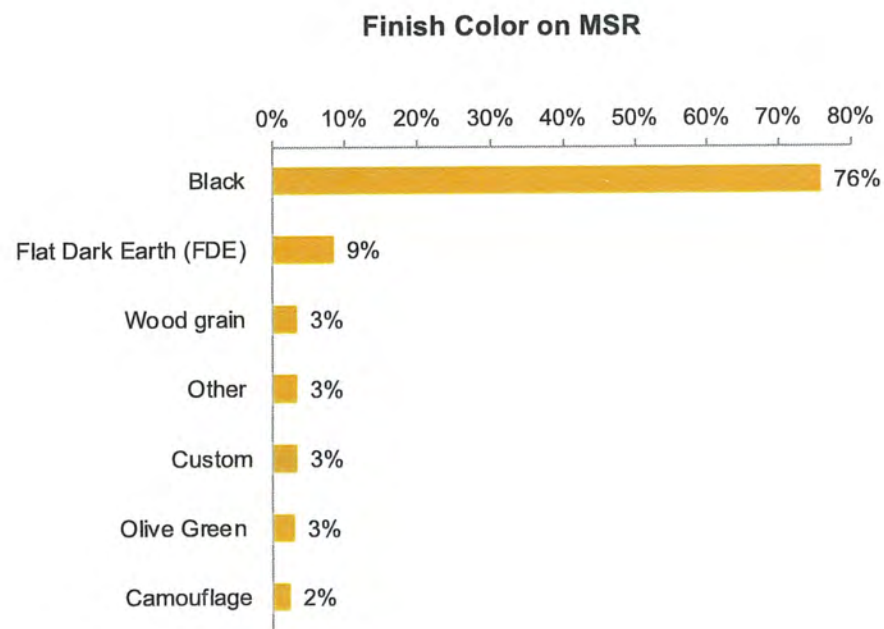
Most Recently Acquired MSR: Type of Handguard



- The most common type of handguard is a free floating with rails handguard, used by 43% of respondents on their most recently acquired MSR.

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Most Recently Acquired MSR: Finish Color

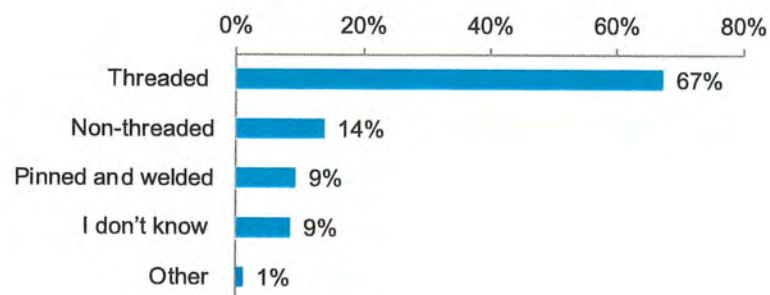


- 3 out of 4 MSR owners have a black finish color.

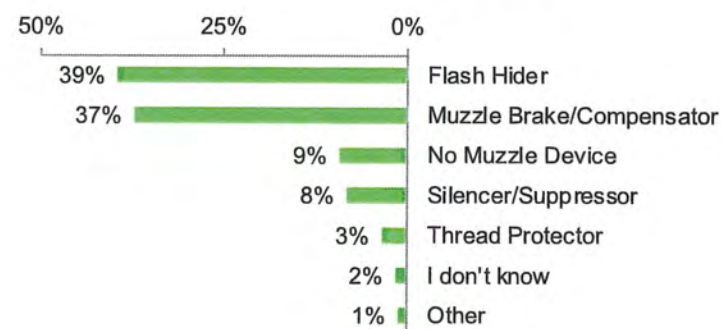
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Most Recently Acquired MSR: Barrels – Type, Accessories, Length

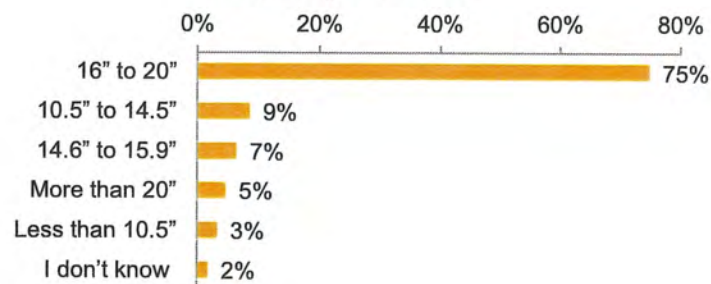
Type of Barrel on MSR



Barrel Accessories on MSR



Barrel Length on MSR

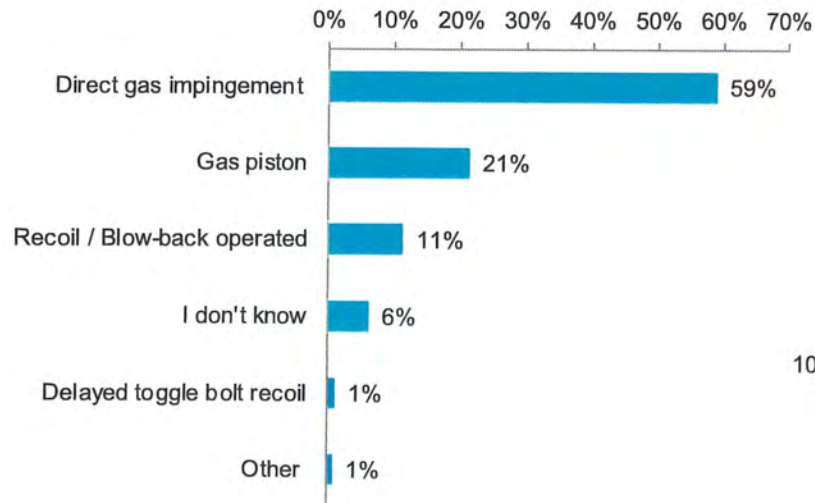


- Two-thirds of MSR owners have a threaded barrel.
- Most common accessories: flash hider (39%), muzzle brake/compensator (37%)
- 75% have a barrel length of 16-20"

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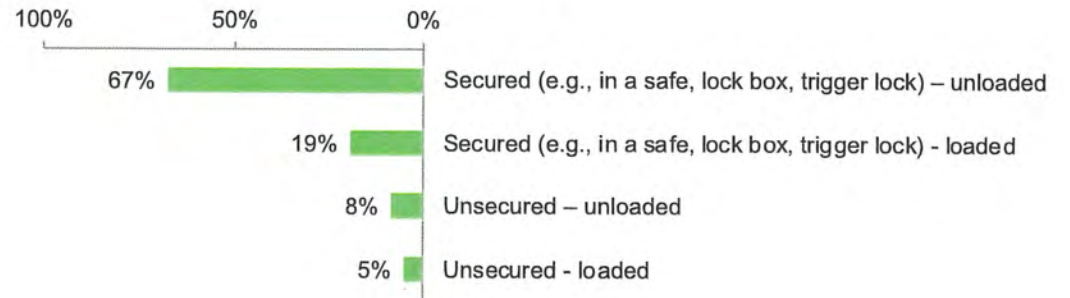
Most Recently Acquired MSR: Operating System, Storage

Operating System on MSR



- 59% of MSR owners indicated their most recently acquired MSR is operated by direct gas impingement.
- 67%, or two-thirds, of MSR owners store their MSR secured and unloaded.

MSR Storage



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Most Recently Acquired MSR: Likelihood to Buy a MSR in Next 12 Months



- Average likelihood to buy an MSR in the next 12 months is a 6.2 out of 10, slightly more to the “likely” end of the scale.
- 25%, or one-fourth of respondents, said they are “very likely” to buy an MSR in the next 12 months.

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Most Recently Acquired MSR: Accessories Owned

	Owned	Plan to buy in next 12 months	Don't own, don't plan to buy
Gun Cleaning Kit	94%	9%	3%
Extra Magazines	87%	23%	6%
Targets	84%	26%	5%
Soft Carrying Case	84%	9%	12%
Rifle Sling	81%	21%	8%
Gun Safe	78%	14%	13%
Rifle Scope	76%	23%	14%
Hard Carrying Case	69%	12%	25%
Gun Lock	64%	4%	32%
Backup sights	55%	20%	31%
Bipod	55%	21%	34%
Railed Handguard	54%	13%	36%
Spotting Scope	52%	19%	31%
Mounted Flashlight	46%	27%	36%
Trigger Upgrade	45%	26%	39%
Range Finder	43%	25%	37%
Vertical Fore-grip	41%	14%	49%
Stock Upgrade	37%	17%	49%
Suppressor/silencer	19%	37%	53%
Laser Designator	17%	12%	72%
Night Vision/Thermal	13%	26%	67%
Other	6%	4%	43%

- The most common accessories currently owned by MSR owners are gun cleaning kits, extra magazines, targets, and soft carrying case.
- The accessory that MSR owners most frequently said they planned to buy in the next 12 months is a suppressor/silencer.
- Roughly 70% of MSR owners do not own and do not plan to buy a laser designator or night vision/thermal scope in the next 12 months.

NSSF MSR Consumer Study – Report of Findings



Section 3: Modern Sporting Rifle Usage & Activities

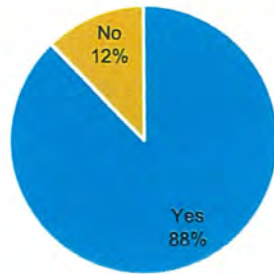


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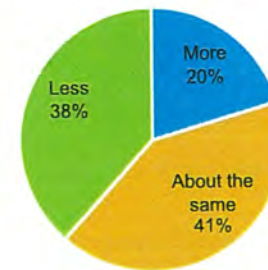
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MSR Usage and Activities

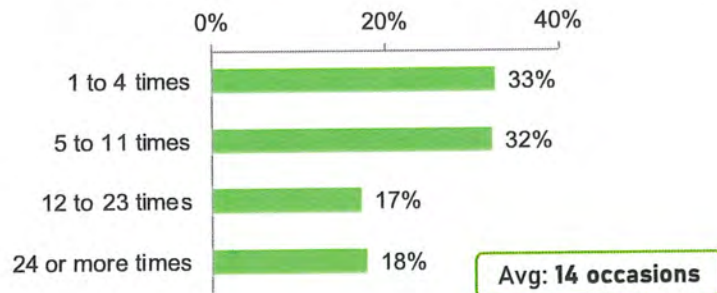
Used Your MSR(s) in the last 12 months?



MSR Use in Last 12 Months Compared to Previous 12 Months



MSR Usage: Number of Times in Last 12 Months

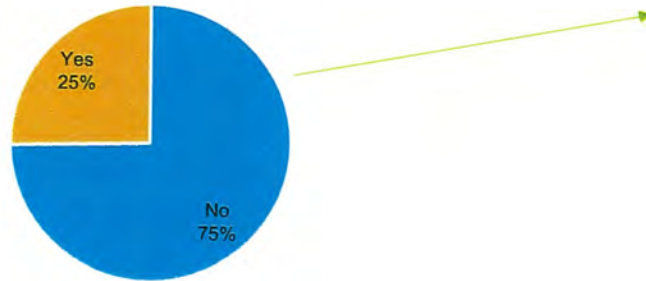


- 88% of MSR owners used/shot their MSR(s) in the last 12 months. Compared to the 12 months before that, 41% said their MSR use was “about the same.” 38% said it was less.
- Of those who used their MSR, the average number of times respondents used it in the last 12 months is 14.

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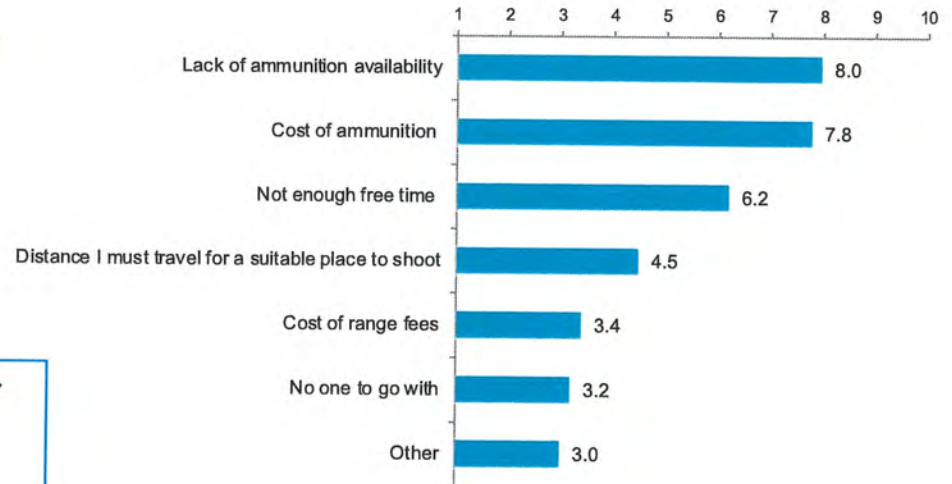
MSR Usage and Activities: Factors Preventing Usage

Used MSR As Much As You Would Like in Last 12 Months?



- 3 out of 4 MSR owners said they did not use their MSR as much as they would like over the past 12 months.
- The most important factors preventing owners from using their MSR more are related to ammunition: lack of availability and cost.

Rating: How important are the following in preventing you from using your MSR as much as you'd like?

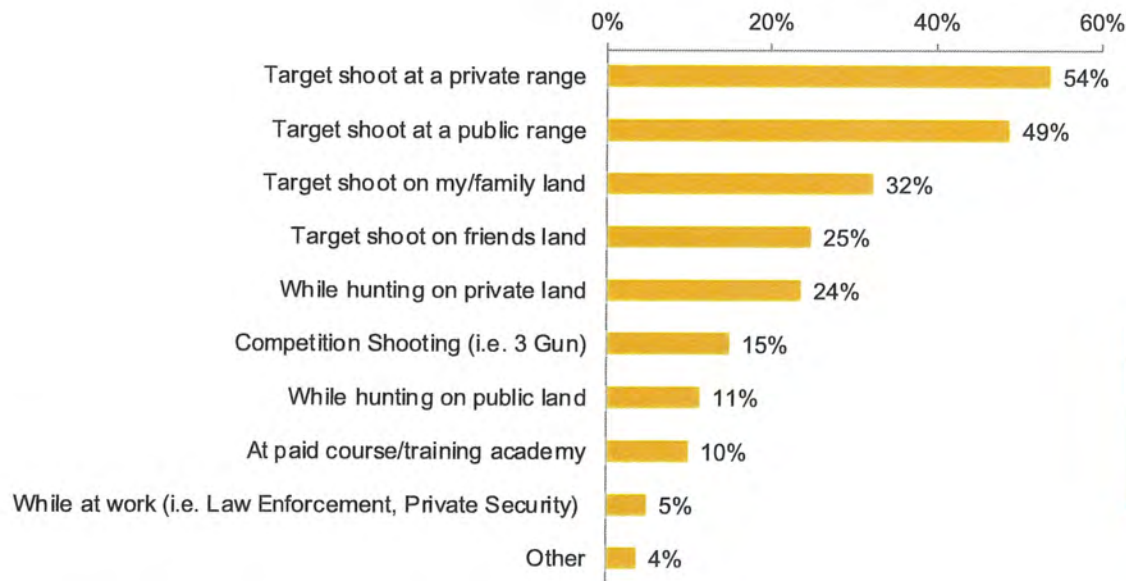


Scale:
1=Not at all important, 10= very important

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MSR Usage and Activities

MSR Activities in Last 12 Months

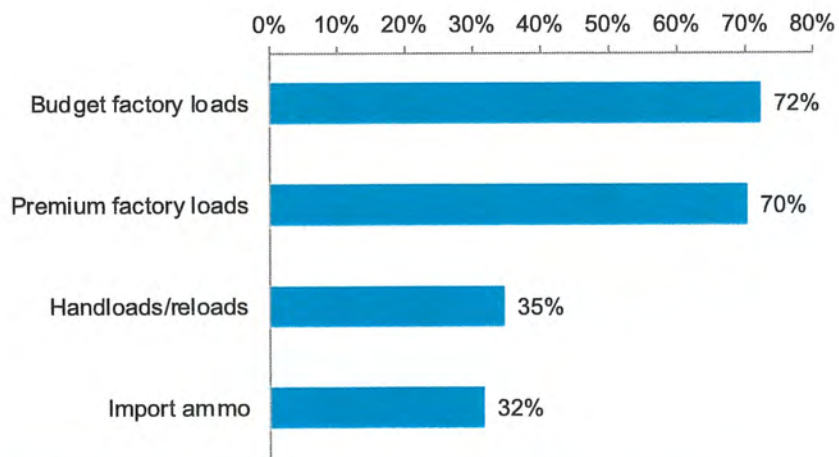


- The most popular activity by MSR owners is target shooting; 54% said they did at a private range, while 49% said they did at a public range.

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MSR Usage and Activities: Ammunition Used - Type

Ammo Used (% of MSR Owners Using)



- Across all MSR owners, roughly 70% of used budget factory loads and premium factory loads in the last 12 months.

Ammo Profile - Average % Breakdown Per MSR Owner

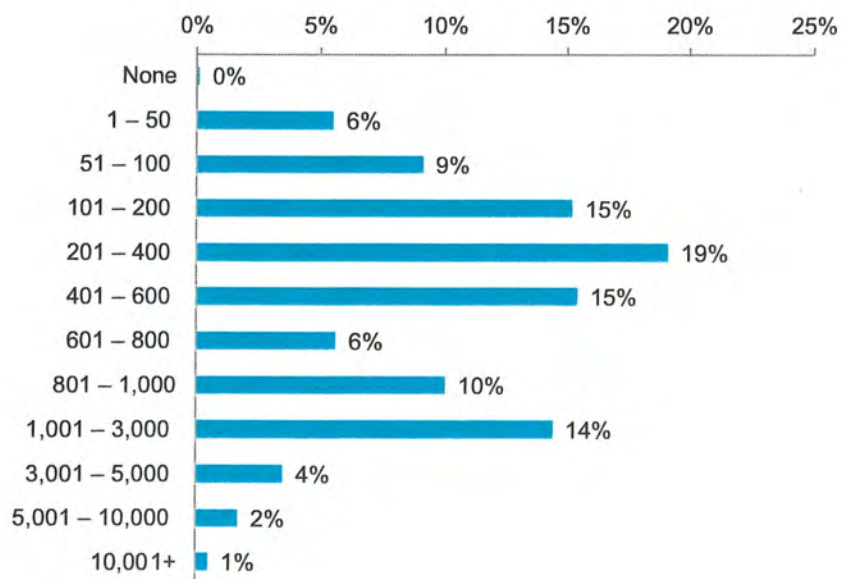


- The ammo breakdown per MSR owner shows that 42% of ammo they used in the past 12 months are factory loads/bulk packs.

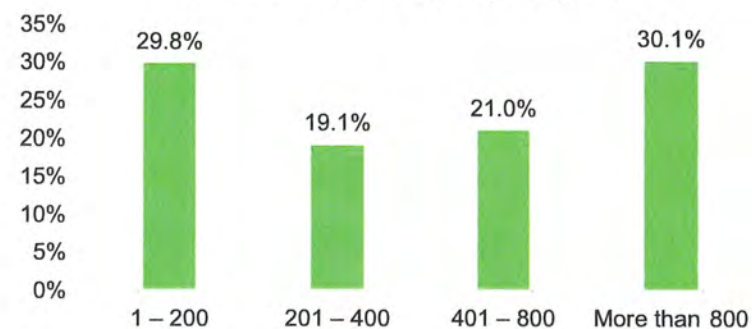
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MSR Usage and Activities: Ammunition Used - Amount

Rounds of Ammo Fired Through MSR In Last 12 Months



Rounds of Ammo Fired (Grouped)

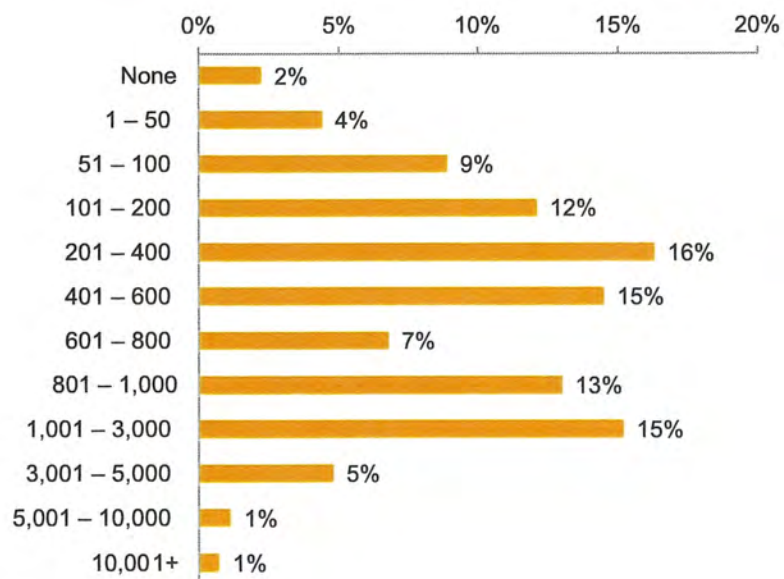


- The average number of rounds used by MSR owners in the last 12 months is 907.
- Approximately half of MSR owners fired between 1 and 400 shots in the last 12 months, the other half shooting more than 400 rounds.

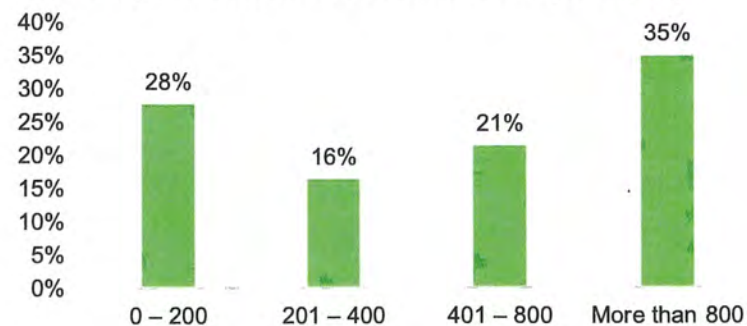
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MSR Usage and Activities: Ammunition Used – Projected Amount

Projected Rounds of Ammo Fired Through MSR In Next 12 Months



Projected Rounds of Ammo Fired (Grouped)

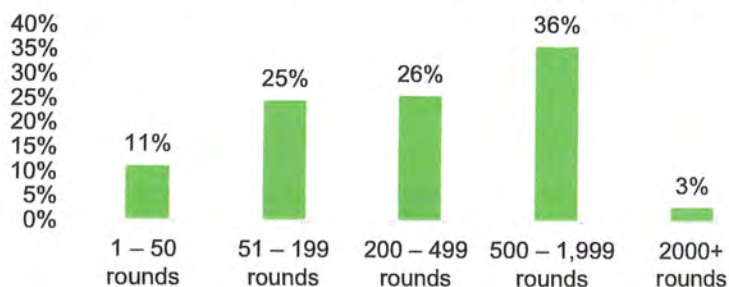


- The average number of rounds that MSR owners project they will fire in the next 12 months is 984.
- Over one-third of MSR owners anticipate firing more than 800 rounds of ammunition in the next 12 months.

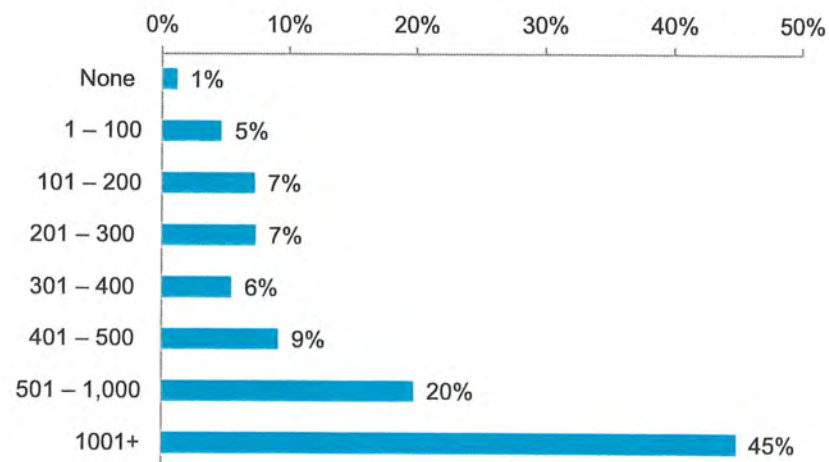
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MSR Usage and Activities: Ammunition Quantity Purchased, Kept On Hand

Quantity of MSR Ammo Typically Purchased



Number of MSR Rounds Owned/Kept on Hand

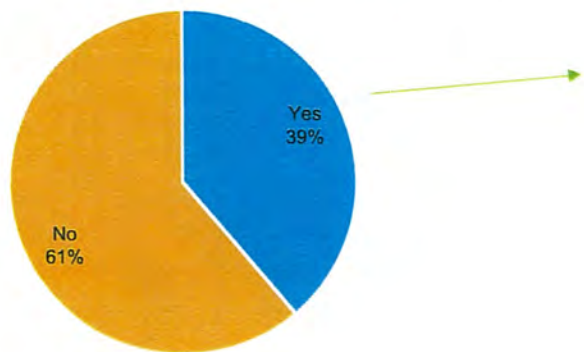


- When purchasing ammunition, the average number of ammo rounds typically purchased by MSR owners is 637.
- 36% of MSR owners typically purchase between 500-1,999 rounds.
- Nearly half of MSR owners own/keep more than 1,000 rounds on hand.

NSSF MSR Consumer Study – Report of Findings

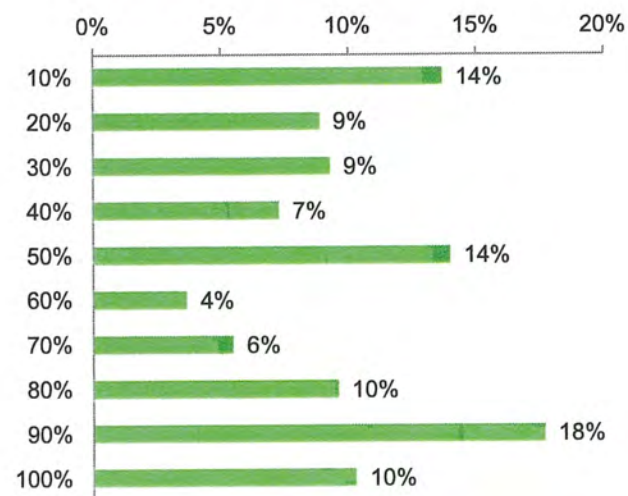
MSR Usage and Activities: Ammunition Reloads

Do you reload your own ammunition?



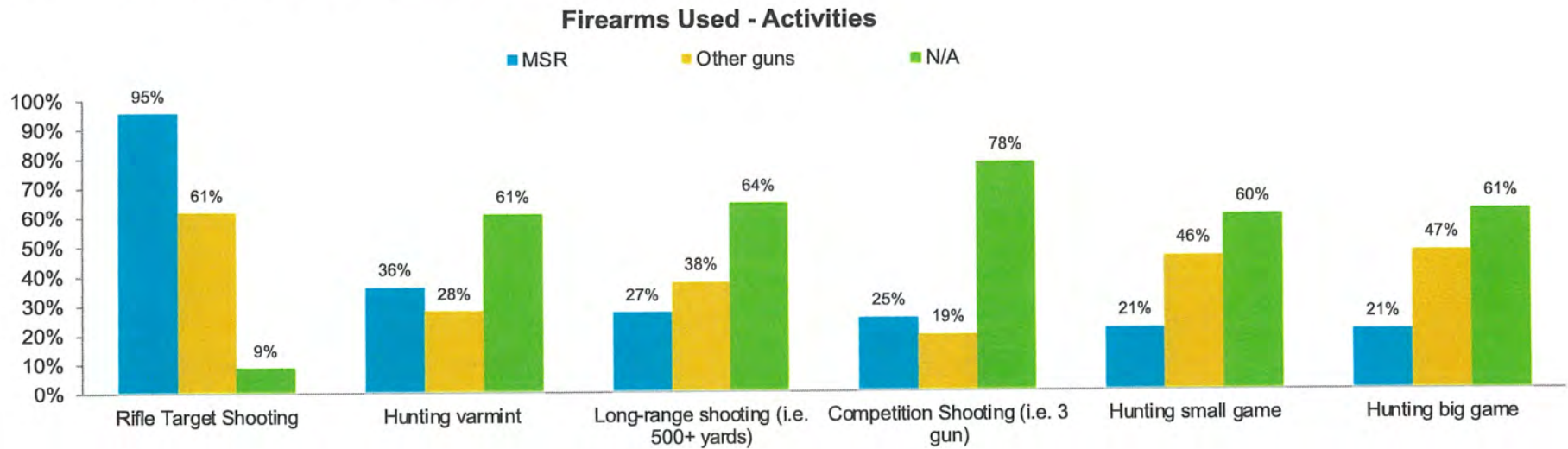
- 6 out of 10 MSR owners do not reload their own ammunition.
- Of the 40% who do, the average percentage of their ammunition they reload is 53%.

Percentage of Ammo Reloaded



NSSF MSR Consumer Study – Report of Findings

MSR Usage and Activities: Firearms Used

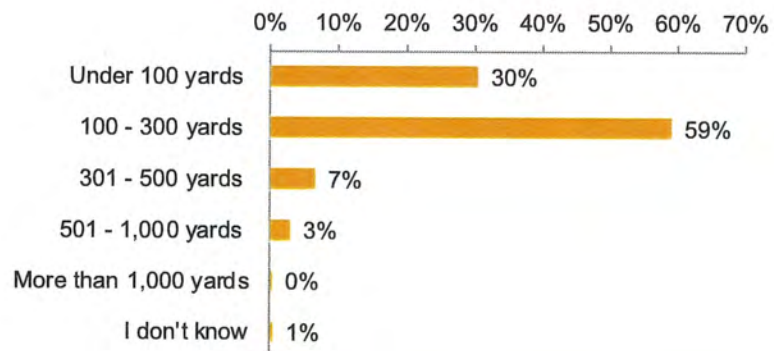


• 95% of respondents used their MSR to rifle target shoot.

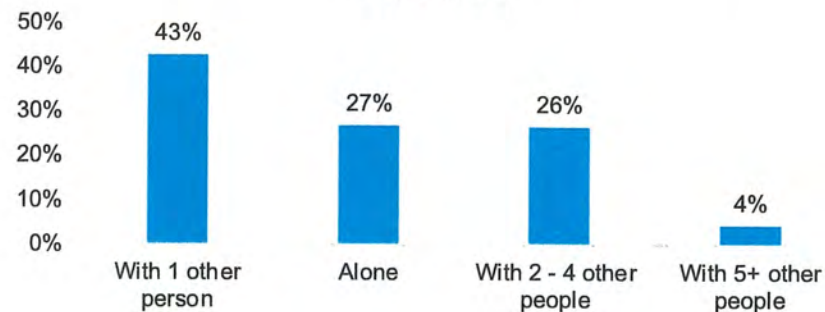
NSSF MSR Consumer Study – Report of Findings

MSR Usage and Activities: Target Shooting/Hunting

Typical Distance When Using MSR for Hunting/Target Shooting



Target Shooting - Do you generally go alone or with others?



- The most frequent distance that MSR owners hunt/target shoot at is 100-300 yards.
- 43% generally go target shooting with one other person. 27% go alone.

NSSF MSR Consumer Study – Report of Findings

Respondent Profile: Favorite Part About Owning MSR

Respondents were asked in an open-ended question to explain their favorite part of owning an MSR. Common themes in answers include:

FUN/ENJOYMENT OF SHOOTING

- General enjoyment of shooting; relaxing
- Challenge of target shooting, hunting; improving
- Camaraderie with others, quality time with loved ones
- Ability to customize/building from parts

EXERCISING FREEDOM/2A RIGHTS

- Represents freedom and America
- Tradition and history

EASE OF USE

- Lightweight
- Low-recoil
- Accurate, versatile
- Instills confidence

RELIABLE

- Craftsmanship and engineering
- Peace of mind – excellent for home defense

NSSF MSR Consumer Study - Report of Findings



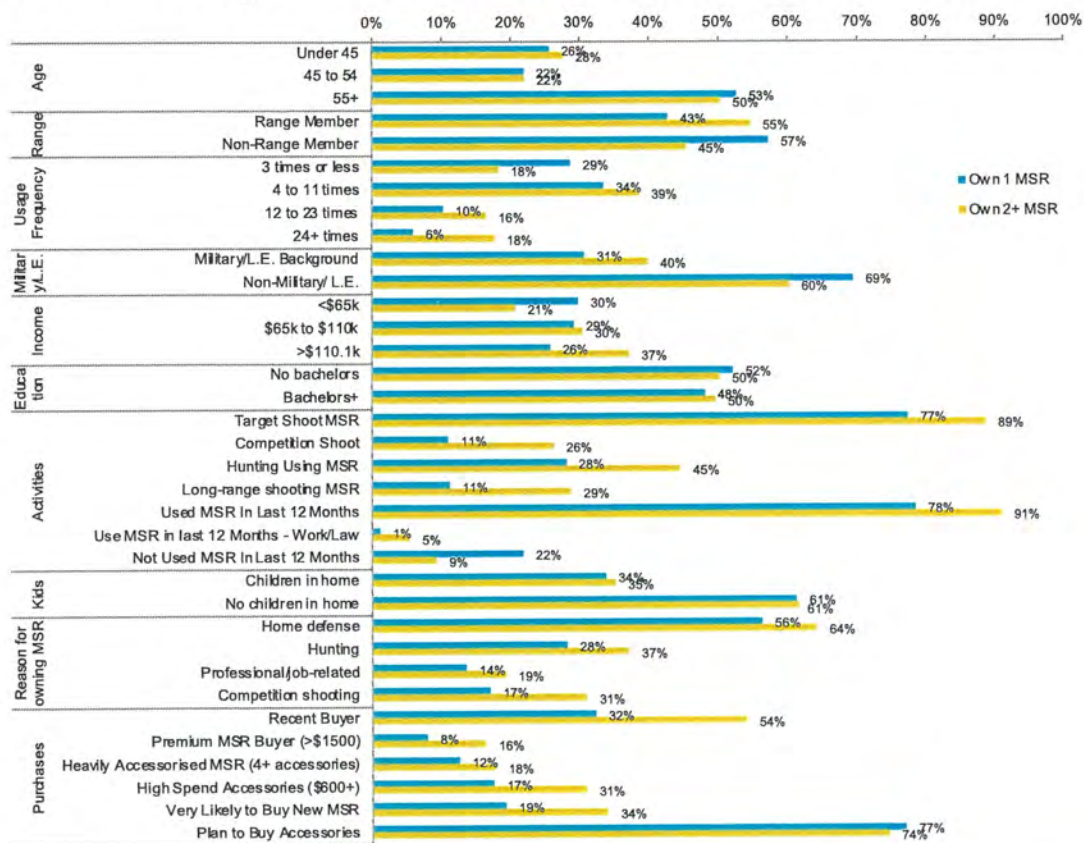
Section 4: MSR Owner Profiles



7/14/22

NSSF MSR Consumer Study – Report of Findings

Profile: Single MSR Owners vs Multi-MSR Owners

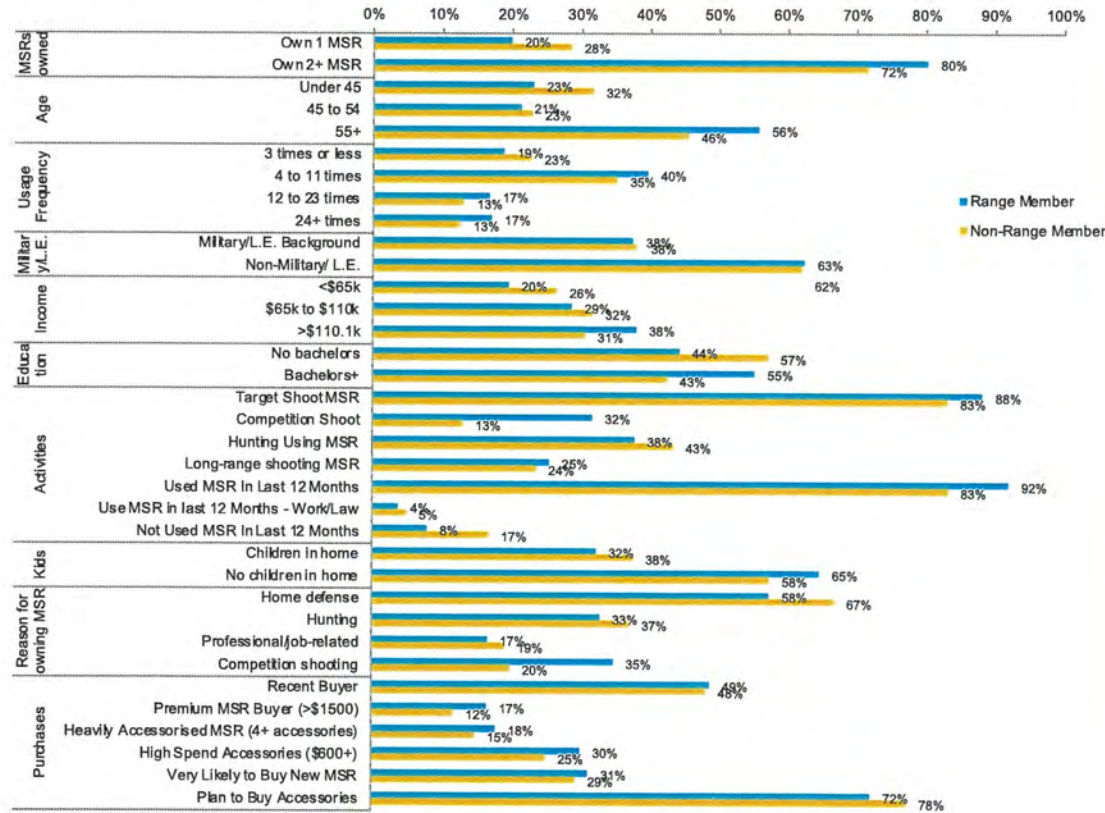


Multiple-MSR owners are relatively more likely to be:

- Ages 55+
- Non-range members
- Those who used MSR 11 or less times in the last 12 months
- Not from a military/law enforcement background
- Those with an income under \$65k, though there is fairly even distribution across ranges
- Users of MSR for target shooting
- Those with no kids at home
- Owners of a MSR(s) for home defense purposes
- Those who plan to buy MSR accessories in the next 12 months

NSSF MSR Consumer Study – Report of Findings

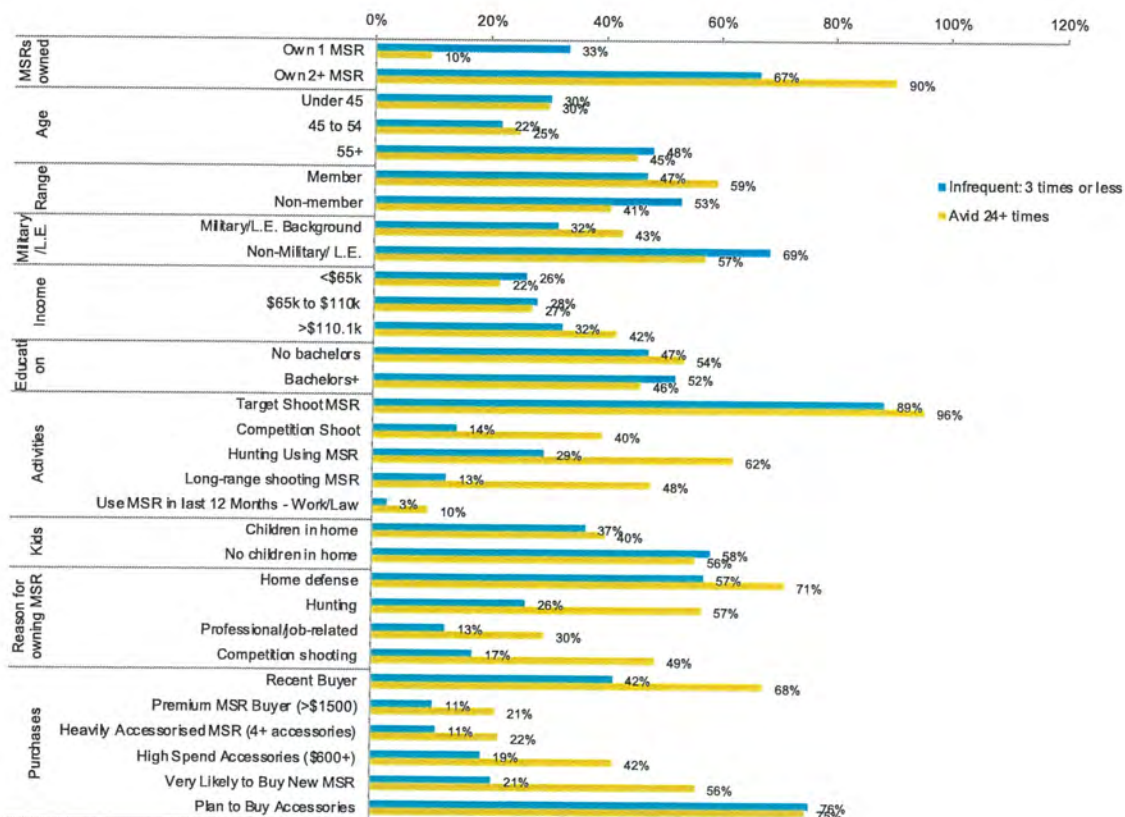
Profile: Range vs Non-Range Member



- MSR owners who are shooting range members are relatively more likely to be:
- Owners of multiple MSRs
 - Ages 55+
 - Occasional users of MSRs – 4 to 11 times times in the last 12 months
 - Not from a military/law enforcement background
 - Those with an income over \$110k
 - Users of MSR for target shooting
 - Those with no kids at home
 - Owners of a MSR(s) for home defense, hunting, competition shooting
 - Those who plan to buy MSR accessories in the next 12 months

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Profile: Infrequent vs Avid MSR Users

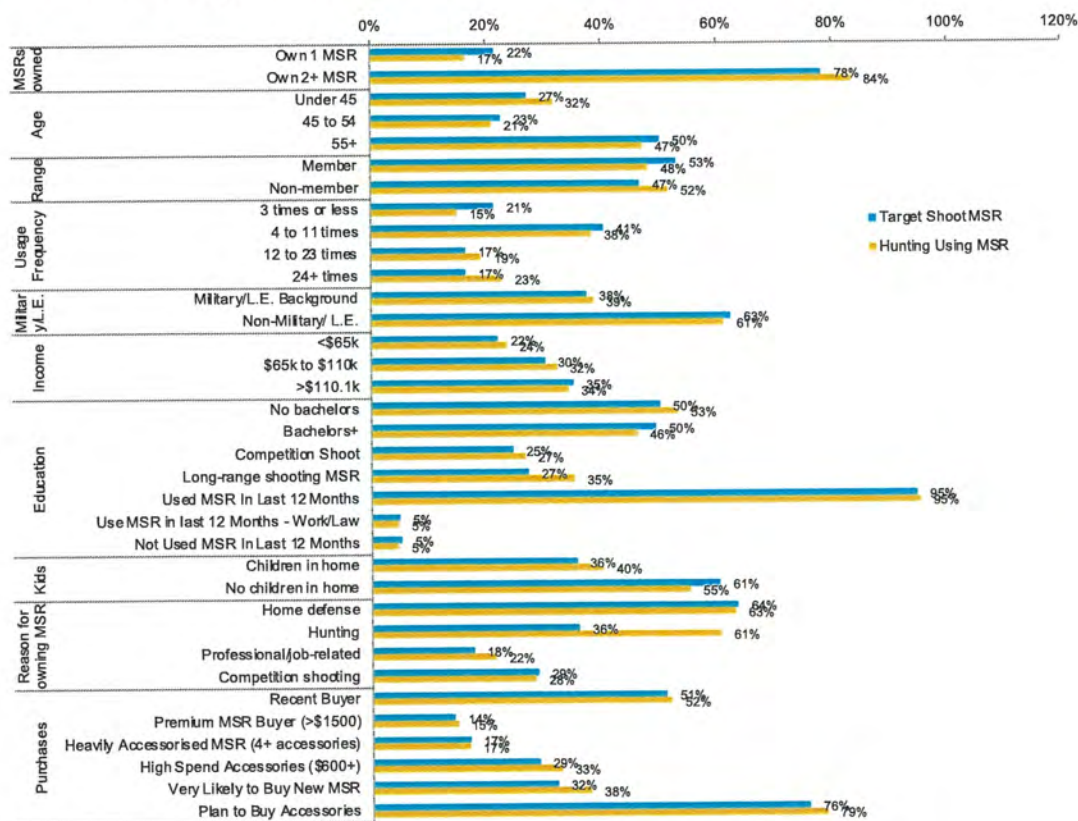


Avid MSR owners are relatively more likely to be:

- Owners of multiple MSRs
- Ages 55+
- A member of a shooting range
- Not from a military/law enforcement background
- Those with an income over \$110k
- Users of MSR for target shooting and hunting
- Those with no kids at home
- Owners of a MSR(s) for home defense, hunting, competition shooting
- Those who recently bought a MSR in 2020 or 2021, plan to buy accessories or a new MSR in the next 12 months

NSSF MSR Consumer Study – Report of Findings

Profile: Target Shooters vs Hunters

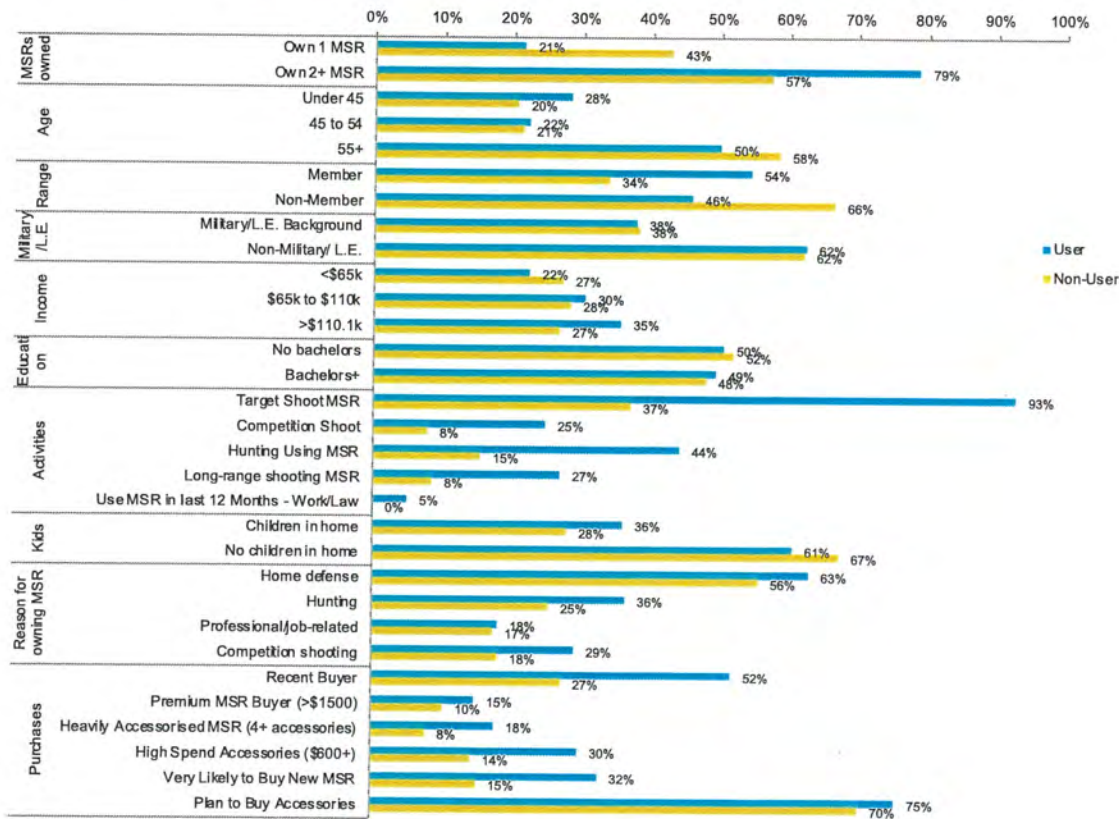


Target shooters and hunters have similar profiles. Hunters are slightly more likely to be:

- Owners of multiple MSRs
- Under 45 years old
- A frequent or avid user of MSRs
- Those without a bachelors degree
- Users of MSR for target shooting and hunting
- Those with kids at home
- Owners of a MSR(s) for home defense, hunting, competition shooting
- Those who are likely to buy a new MSR in the next 12 months

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Profile: Owners Who Haven't Used MSR In Last 12 Months

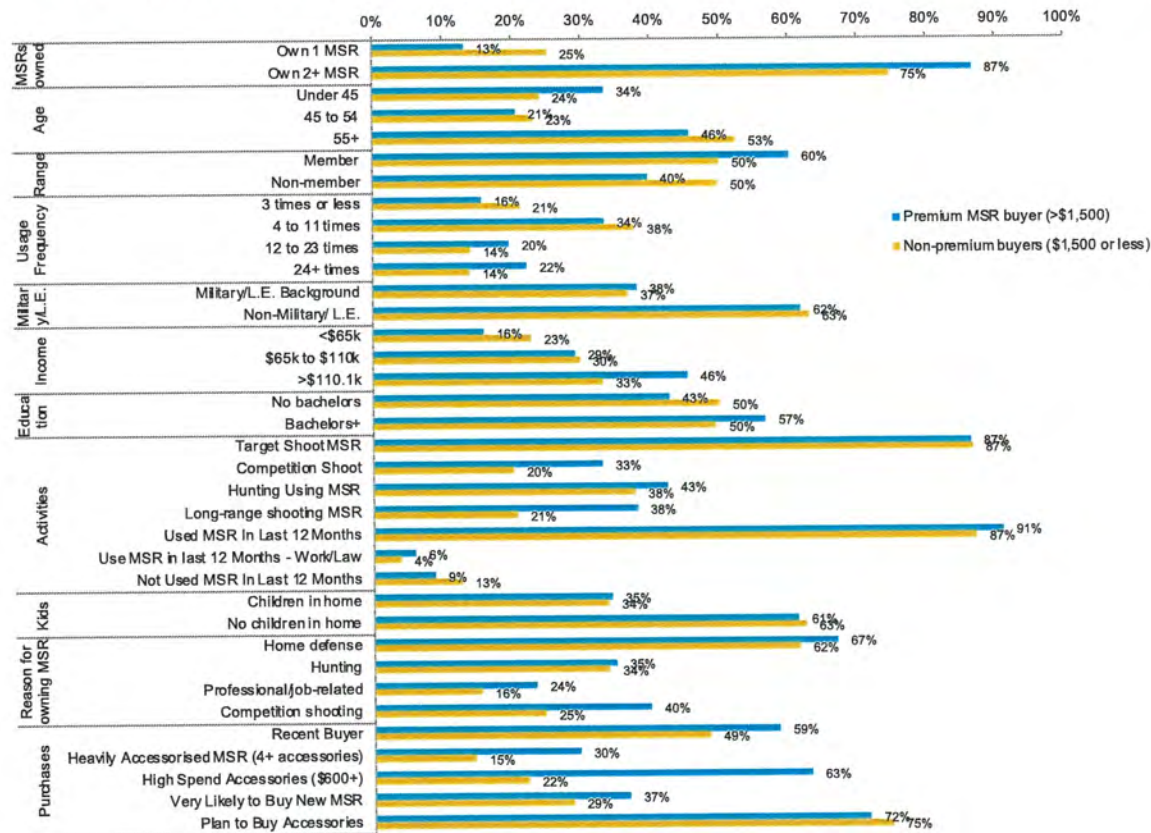


Non-MSR users are relatively more likely to be:

- Owners of multiple MSRs
- Ages 55 & older
- Not a member of a shooting range
- Those with a household income of less than \$110k
- Those with no kids at home
- Owners of a MSR(s) for home defense, some hunting
- Those who plan to buy accessories for their MSR in the next 12 months

NSSF MSR Consumer Study – Report of Findings

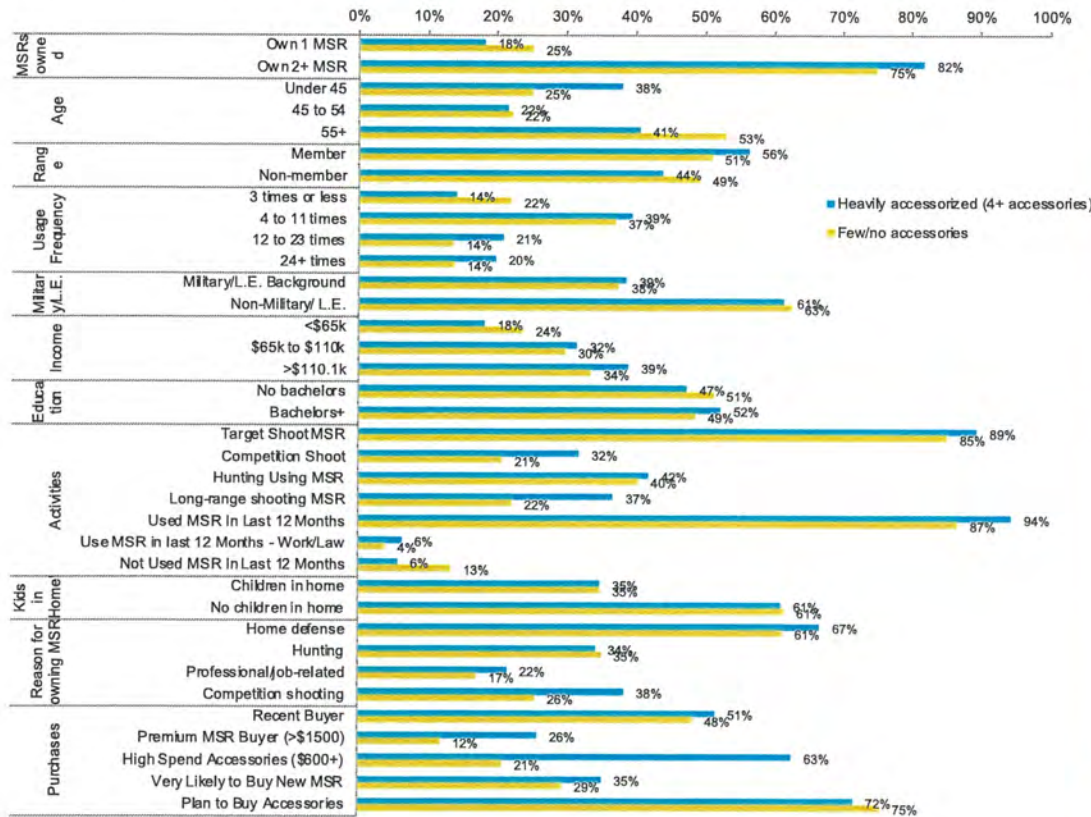
Profile: Premium Buyers (>\$1500 spent on MSR) vs Non-Premium Buyers



- Premium MSR buyers are relatively more likely to be:
- Owners of multiple MSRs
 - Ages 55 & older
 - A member of a shooting range
 - Regular users of MSRs, using 4 to 11 times a year
 - Those with a household income greater than \$110k
 - With a bachelors degree or more
 - Using MSR for target shooting, competition shooting, and hunting.
 - Owners of a MSR(s) for home defense, competition shooting, hunting
 - Recent buyers (purchased MSR in 2021 or 2020), high-spenders on accessories (\$600+) and very likely to buy new MSR in the next 12 months.

NSSF MSR Consumer Study – Report of Findings

Profile: Heavily Accessorized (4+ accessories) MSR Owners

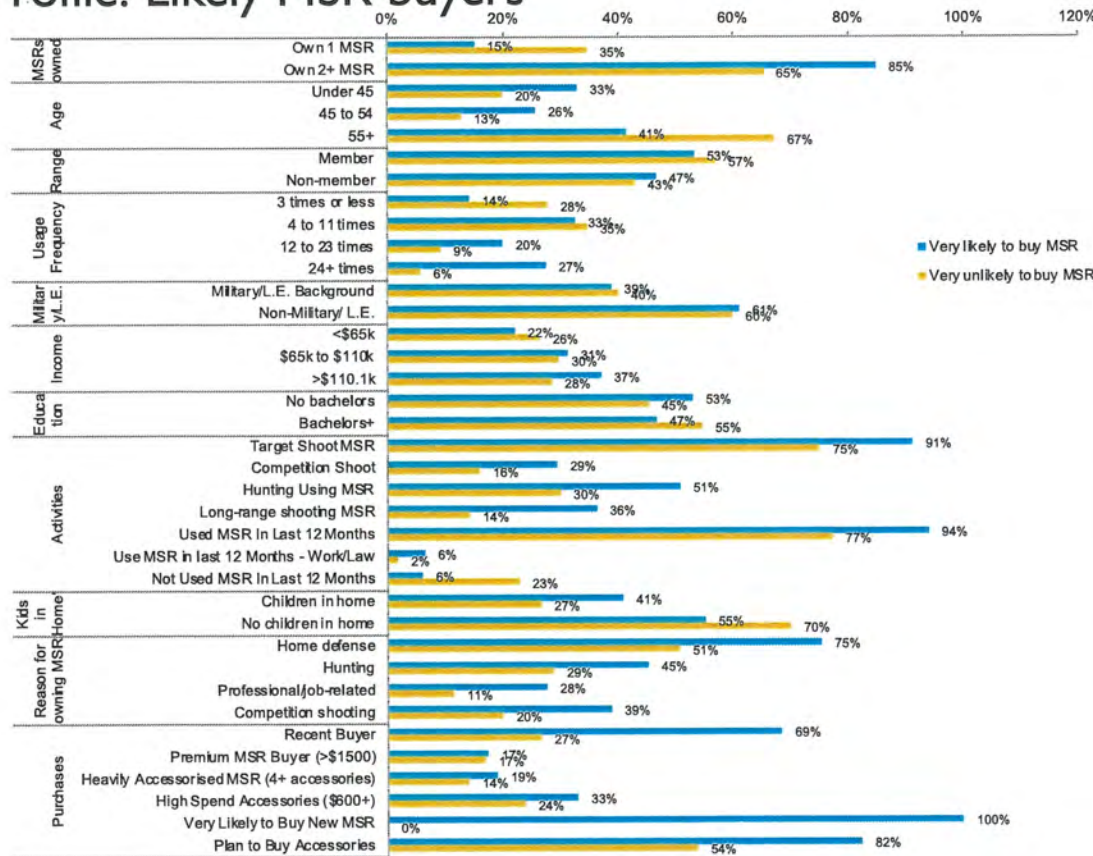


Owners of heavily accessorized MSR are relatively more likely to be:

- Owners of multiple MSR
- Under 45 years old
- A member of a shooting range
- Frequent/avid users of MSR
- Those with a household income greater than \$110k
- With a bachelors degree or more
- Using MSR for target shooting, competition shooting, and hunting.
- Owners of a MSR(s) for home defense, competition shooting, hunting
- Premium MSR buyers (>\$1500 spent on last MSR), high-spenders on accessories (\$600+) and very likely to buy new MSR in the next 12 months.

NSSF MSR Consumer Study – Report of Findings

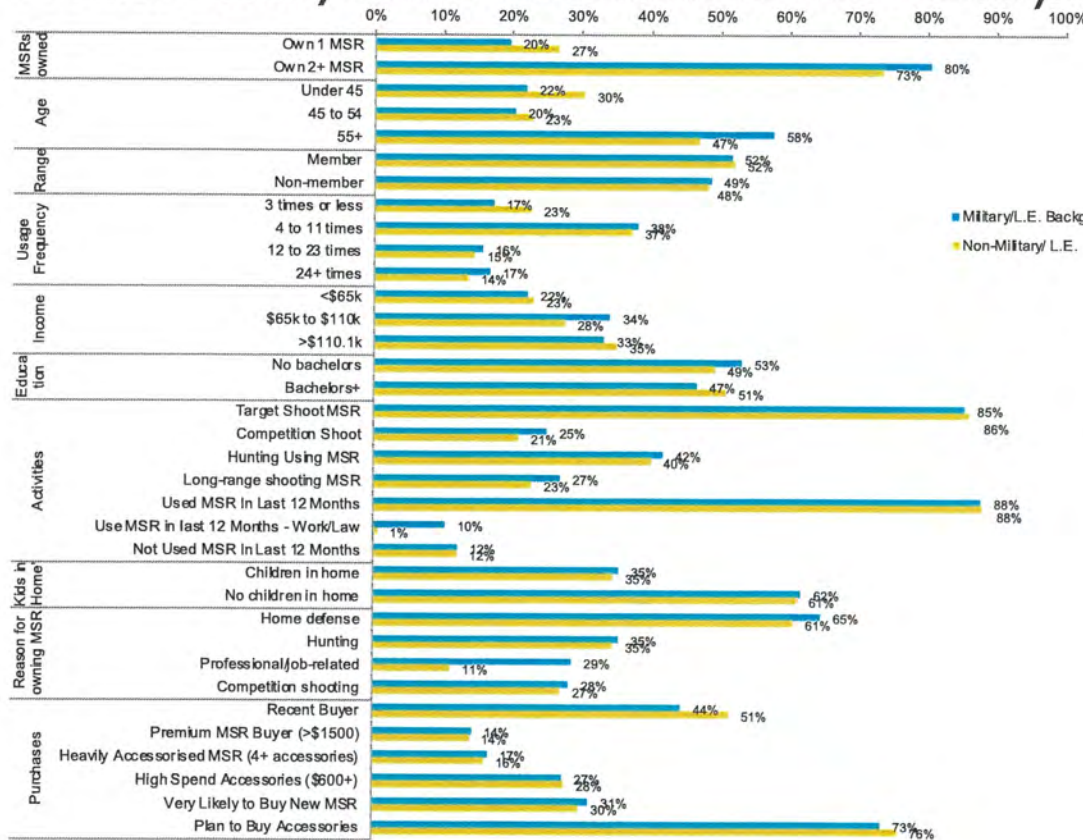
Profile: Likely MSR buyers



- Likely MSR buyers are relatively more likely to be:
- Owners of multiple MSRs
 - Under 45 years old
 - Frequent/avid users of MSRs
 - Those with a household income greater than \$110k
 - With a bachelors degree or more
 - Using MSR for target shooting, competition shooting, and hunting.
 - Owners of a MSR(s) for home defense, competition shooting, hunting
 - Premium MSR buyers (>\$1500 spent on last MSR), high-spenders on accessories (\$600+) and very likely to buy new MSR in the next 12 months.

NSSF MSR Consumer Study – Report of Findings

Profile: Military/Law Enforcement vs Non-Military/Law Enforcement



MSR owners with a military/law-enforcement background are relatively more likely to be:

- Owners of multiple MSRs
- 55 years old or older
- Frequent/avid users of MSRs
- Those with a household income of \$65-\$110k
- Those without a bachelors degree or more
- Using MSR for competition shooting or work
- Owners of a MSR(s) for home defense or professional/job-related purpose

NSSF MSR Consumer Study – Report of Findings



Section 5: Clusters/Segmentation



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NSSF MSR Consumer Study – Report of Findings

Clusters Analysis/Market Segmentation Explained

A Cluster Analysis is method used in market segmentation to help marketers identify specific consumer groups based on a specific set and sub-set of demographic and specific product usage patterns. Market segmentation means dividing the market into distinct groups of individual segments or clusters with similar wants or needs and behaviors.

A market segment or cluster is a sub-set of a people, in this case, MSR owners with one or more characteristics that cause them to demand similar product and/or services based on qualities of those products – such as usage activity and demographics. A true market segment meets all of the following criteria: it is distinct from other segments (different segments have different needs), it is homogeneous within the segment (exhibits common needs), and responds similarly to market stimulus and media.

In the MSR Study, we used the following variables to establish clusters:

- Age
- Reasons for owning an MSR
- Annual Household Income
- Number of MSRs Owned
- Military/Law-Enforcement Affiliation

NSSF MSR Consumer Study – Report of Findings

MSR Clusters Summary

	1. Law Enforcement & Competition	2. Casual Hunter	3. Affluent Gun Enthusiast	4. Low-Use Home Defense	5. Hunting Aficionado
% of owners	18%	17%	23%	21%	21%
% of MSRs	24%	13%	27%	11%	25%
Number of MSRs Owned	3+	1	3+	1	3+
Age	Under 45	Under 45	45 to 54	55+	55+
Reasons for Owning a MSR	Professional use/job-related, competition	Hunting	Competition shooting	Home defense	Hunting
Annual Household Income	\$65 to \$110k	<\$65k	>\$110k	<\$65k	>\$110k
Military/Law-Enforcement Affiliation	Military/L.E.	Non-Military/L.E.	Non-Military/L.E.	Slightly more Military/L.E.	Slightly more non-Military/L.E.
MSR usage frequency (last 12 months)	More than 24 times	3 times or less	12 to 23 times	3 times or less	4 to 11 times
Range Member	Slightly more likely to be a range member	Non-member	Range Member	Non-member	Non-member
Education	Slightly more likely to not have a bachelors	No bachelors	Bachelors+	Both bachelors+/no bachelors	Bachelors+
Introduction to MSRs	Military/job, Other	Family/friends, personal interest	Shooting Range	Media/internet, military/job	Family/friends, personal interest
MSR Activities In Last Year	Use MSR for work, competition shooting	Hunting, long-range shooting	Competition shooting	Not Used MSR	Hunting
MSR Purchase Behavior	Very likely to buy MSR in next year, premium MSR buyer (>\$1500 for MSR), High-spend accessories, heavily accessorized, recent buyer	Very likely to buy MSR in next 12 months, plans on buying accessories	Premium MSR buyer (>\$1500), heavily accessorized MSR, high-spend on accessories, recent buyer	Slightly less likely to plan to buy accessories in next year	Recent buyer (obtained MSR in 2020 or 2021)
Place of Purchase	Mom & Pop Retail Store	Gun Show	Gun show, custom built	Chain/Big-Box Retail	Bought as kit/custom-built

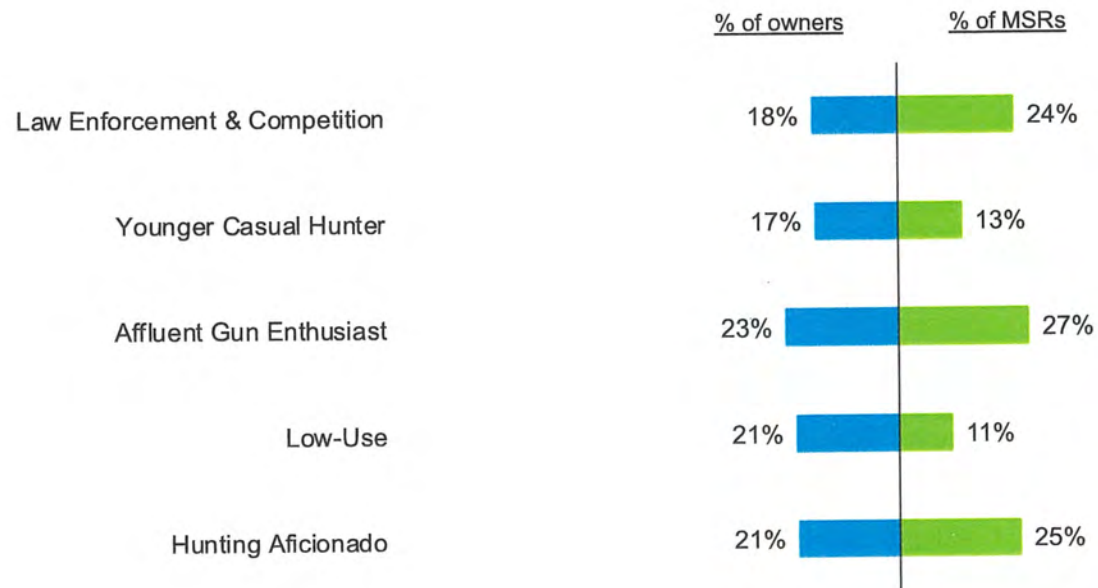
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MSR Clusters Summary

Clusters: Makeup of MSR Owners & Total MSRs Owned



NSSF MSR Consumer Study – Report of Findings

How to Read Cluster Graphs

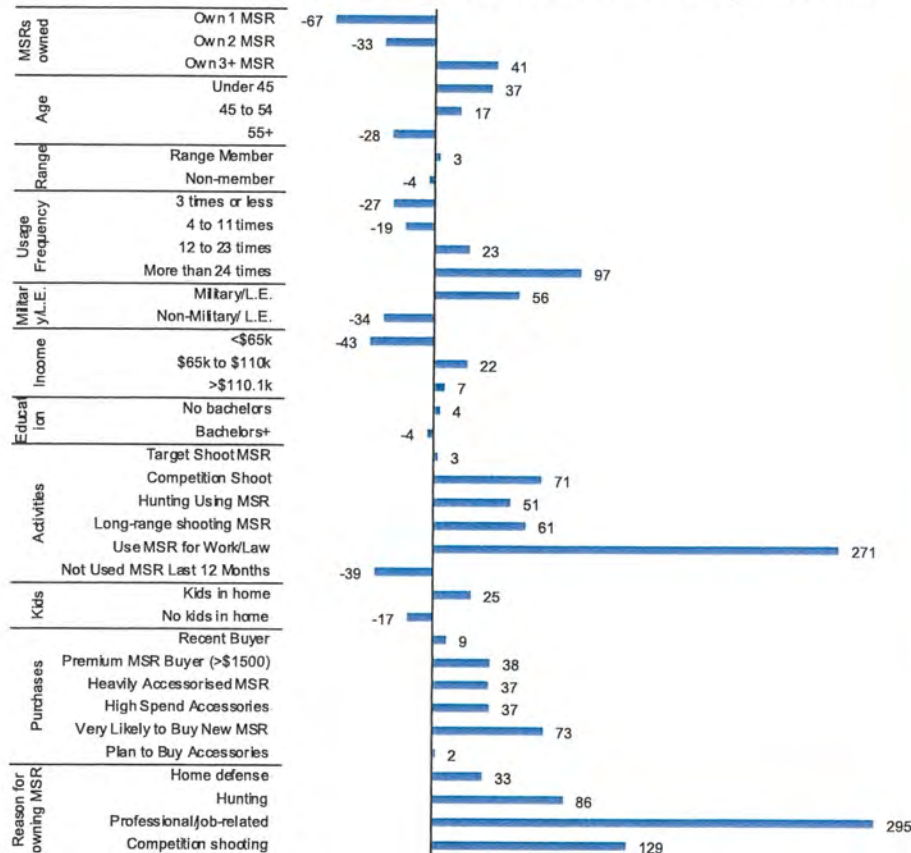
In the cluster graphs, the overall MSR sample profile is represented by a value of 0. The index is calculated by dividing the profile of the cluster (percentage of that cluster for a category) by the profile of the total MSR population. An index of 20 means the cluster is 20% more likely to exhibit that behavior or be a part of that group. For examples, MSR owners in Cluster 1 (Law Enforcement & Competition) have an index of 37 for ages under 45 —this means a MSR owner in this cluster is 37% relatively more likely to be under 45 years old compared to the overall MSR user population.

We describe this as a relative measure since it does not account for the percentage of the MSR owner population. Using our previous example, MSR owners in Cluster 1 (Law Enforcement & Competition) have an index of 37 for ages under 45; this does not mean MSR owners under 45 form the majority of Cluster 1, only that they're over-represented compared to the overall MSR owner population.

NSSF MSR Consumer Study – Report of Findings

Cluster 1: Law Enforcement & Competition

Index (All MSR Owners = 0)



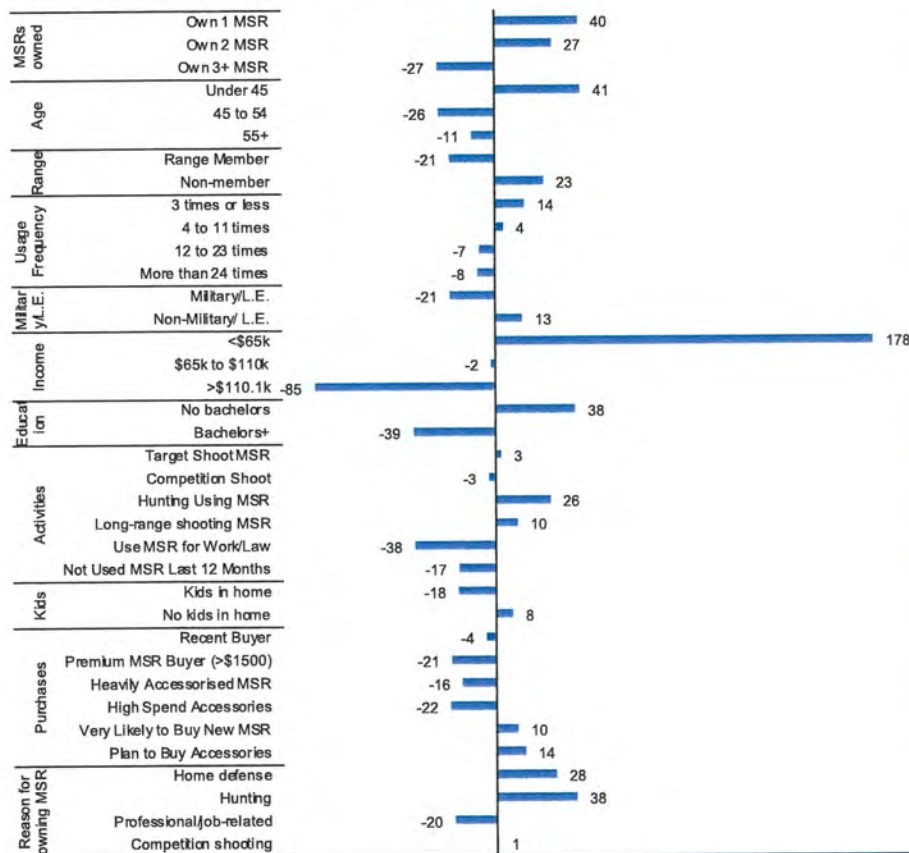
The Law Enforcement & Competition Cluster accounts for 18% of MSR owners. They tend to be:

- Owners of 3+ MSRs
- Under 45 years old
- Avid users of MSR
- From a military/law enforcement background
- Those with income of \$65k to \$110k
- Users of MSR for work/law, competition shooting
- Those with kids at home
- Very likely to buy new MSR in next 12 months, a premium buyer of MSRS (spending more than \$1500 most recently acquired MSR), high-spenders on accessories

NSSF MSR Consumer Study – Report of Findings

Cluster 2: Casual Hunter

Index (All MSR Owners = 0)



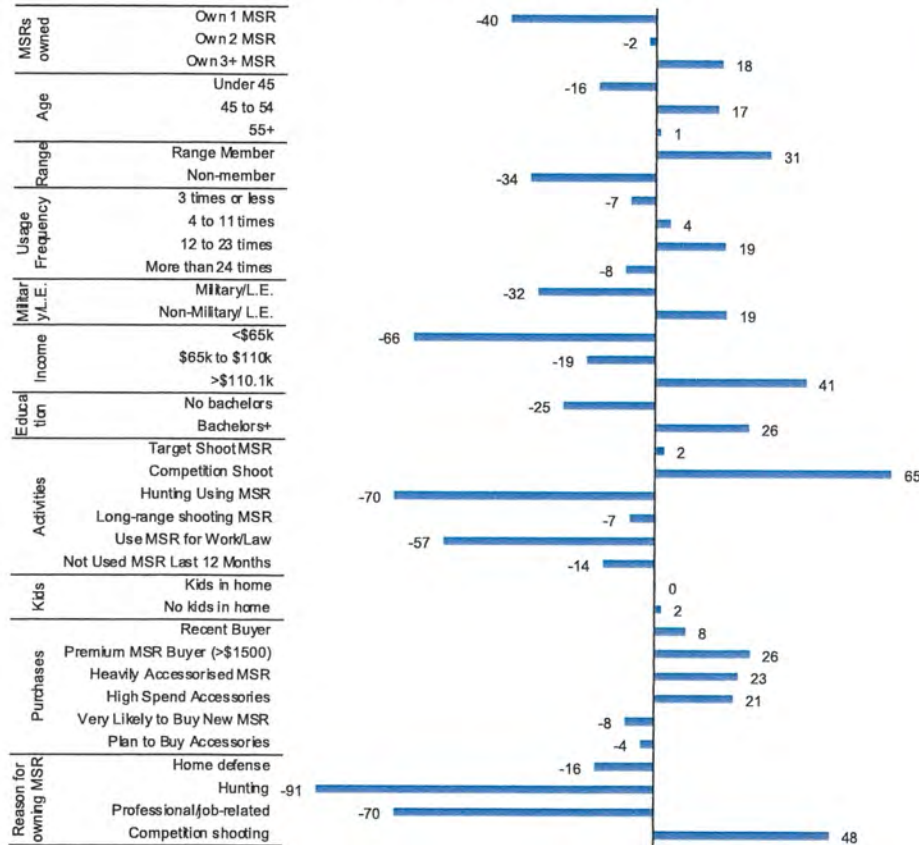
The **Casual Hunter** Cluster accounts for 17% of MSR owners. They tend to be:

- Owners of 1 MSR
- Under 45 years old
- Not members of a shooting range
- Casual users, using their MSR 3 times or less in the past 12 months
- Not from a military or law enforcement background
- Those with income less than \$65k
- Those without a bachelors degree
- Users of MSRs for hunting and long-range shooting
- Those without kids at home
- Very likely to buy new MSR in next 12 months and plan to buy accessories.
- Owners of MSRs for hunting and self-defense

NSSF MSR Consumer Study – Report of Findings

Cluster 3: Affluent Gun Enthusiast

Index (All MSR Owners = 0)



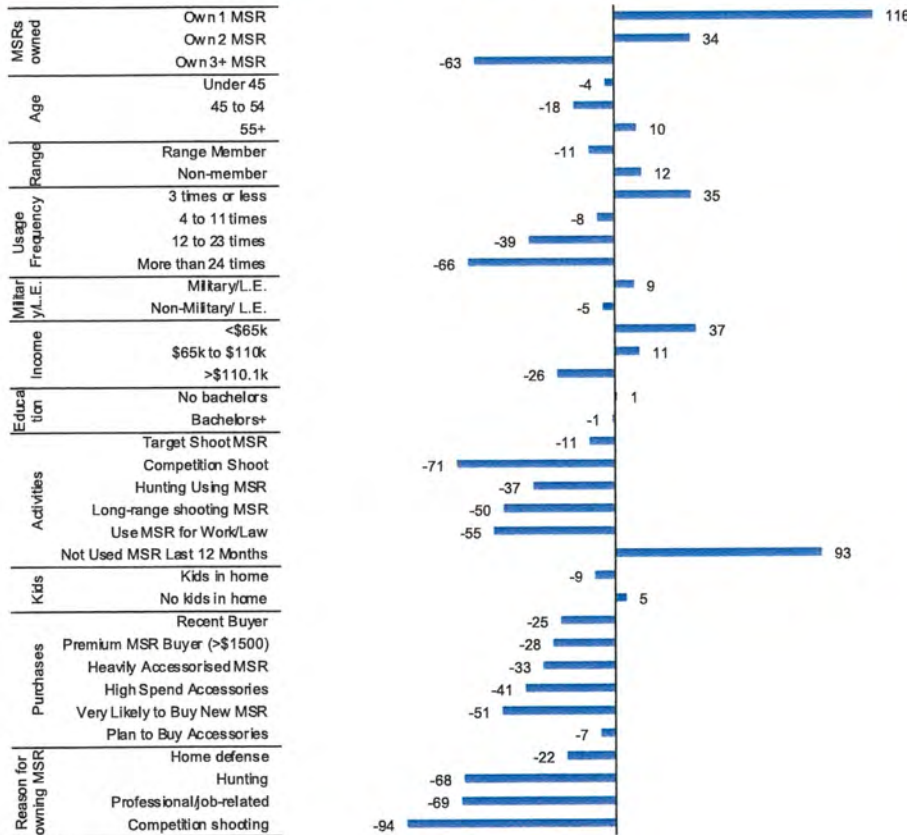
The Affluent Gun Enthusiast Cluster accounts for 23% of MSR owners. They tend to be:

- Owners of 3+ MSR
- 45 to 54 years old
- Members of a shooting range
- Frequent users, using their MSR 12 to 23 times in the last 12 months
- Not from a military or law enforcement background
- Those with income greater than \$110k
- Those with a bachelors degree
- Users of MSRs for competition shooting
- Premium MSR Buyers (>\$1500 on most recent MSR, heavily accessorized and high spender on accessories)
- Owners of MSRs for competition shooting

NSSF MSR Consumer Study – Report of Findings

Cluster 4: Low-Use Self Defense

Index (All MSR Owners = 0)



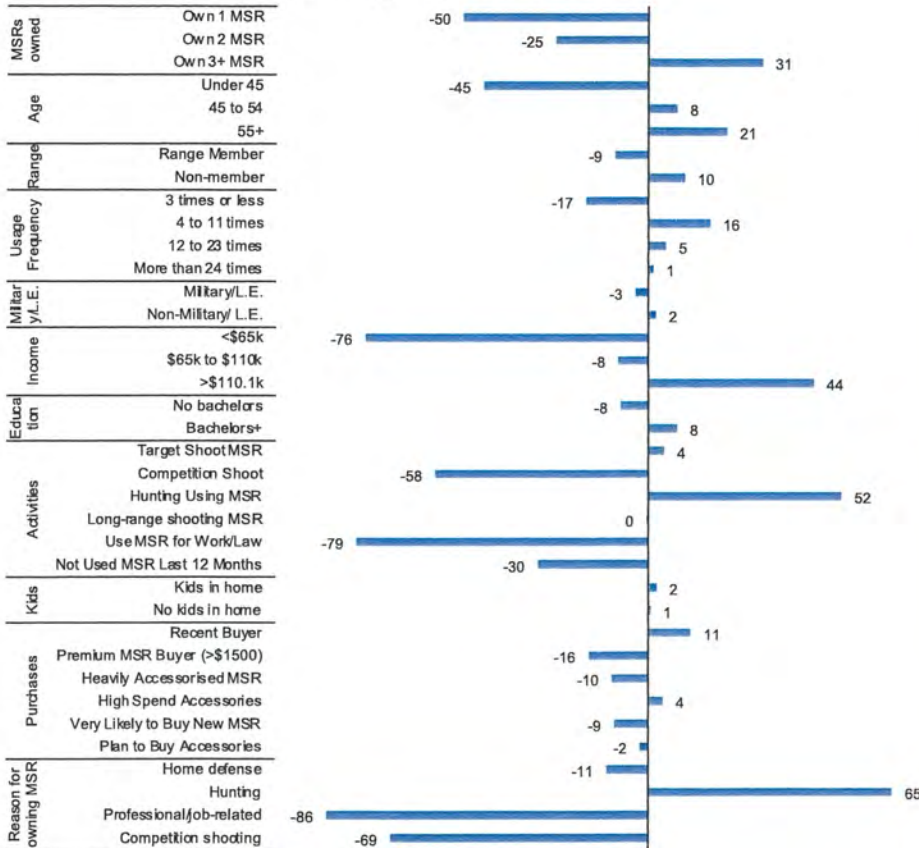
The Low-Use Self Defense Cluster accounts for 21% of MSR owners. They tend to be:

- Owners of 1 MSR
- 55 years old or older
- Not members of a shooting range
- Infrequent users, using their MSR 3 times or less in the last 12 months
- Slightly more likely to be from a military or law enforcement background
- Those with income less than \$65k
- Those who did not use their MSR in the last 12 months
- Those with no kids at home
- Less likely to buy new MSR or be a premium buyer
- Owners of MSRs for home defense

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Cluster 5: Hunting Aficionado

Index (All MSR Owners = 0)



The **Hunting Aficionado** Cluster accounts for 21% of MSR owners. They tend to be:

- Owners of 3+ MSRs
- 55 years old or older
- Not members of a shooting range
- Occasional MSR users, using their MSR 4 to 11 times in the last 12 months
- Slightly more likely to not be from a military or law enforcement background
- Those with income of greater than \$110k
- Those with a bachelors degree
- Those used their MSR for hunting in the last 12 months
- Recent buyers of a MSR (in 2020 or 2021)
- Less likely to buy new MSR or be a premium buyer
- Owners of MSRs for hunting

NSSF MSR Consumer Study – Report of Findings



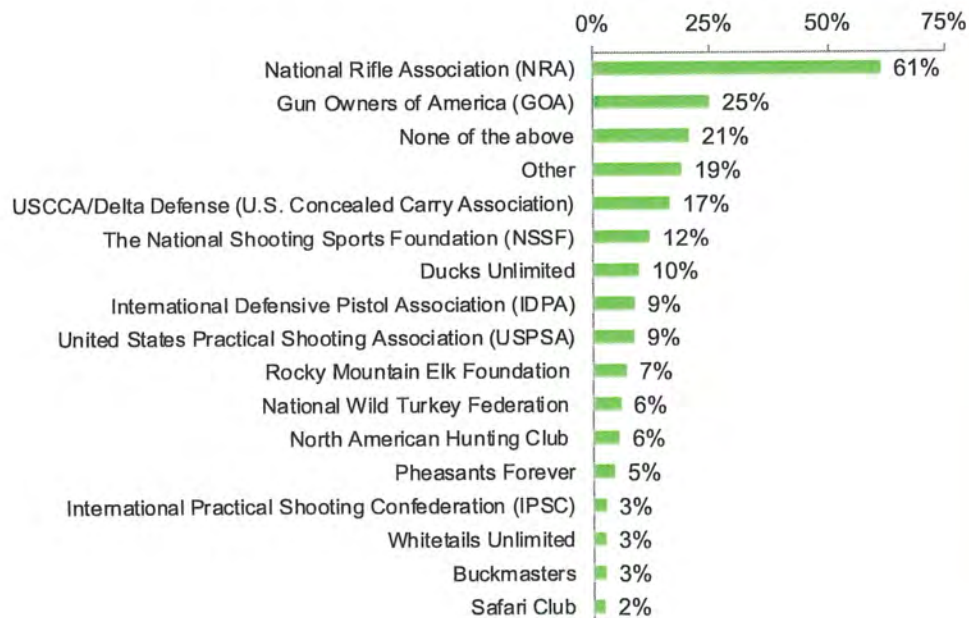
Section 6: Sample Profile



NSSF MSR Consumer Study – Report of Findings

Respondent Profile: Organizations

Current Membership or Recent Donation to Organizations

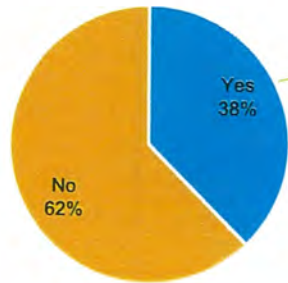


- When asked what organizations they are a member of or recently donated to, the most-selected organization was the NRA (61%), chosen more than twice as much as any other organization.
- 21% of MSR owners are not members of or recently donated to any organizations listed.
- 12% are members or recently donated to the NSSF.
- Of the 19% who selected “Other” organizations, the most common mentions were:
 - Firearms Policy Coalition
 - Liberal Gun Club/Liberal Gun Owners
 - Second Amendment Foundation
 - National Skeet Shooting Foundation
 - National Sporting Clays Association

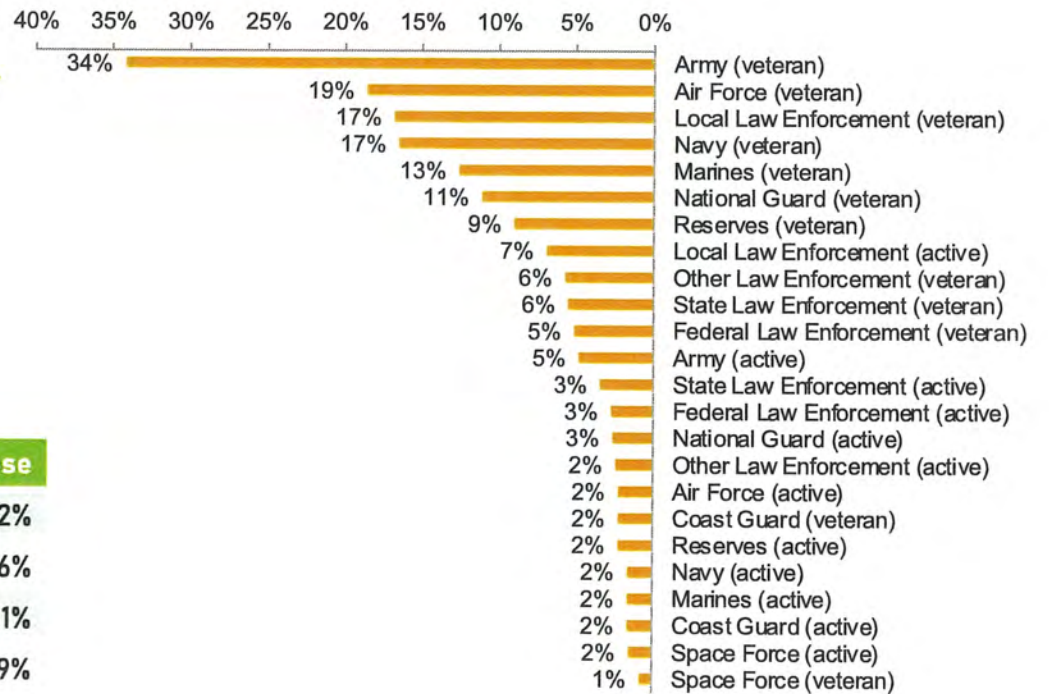
NSSF MSR Consumer Study – Report of Findings

Respondent Profile: Military/Law-Enforcement

Active or Veteran/Retired Member of Law Enforcement/Military



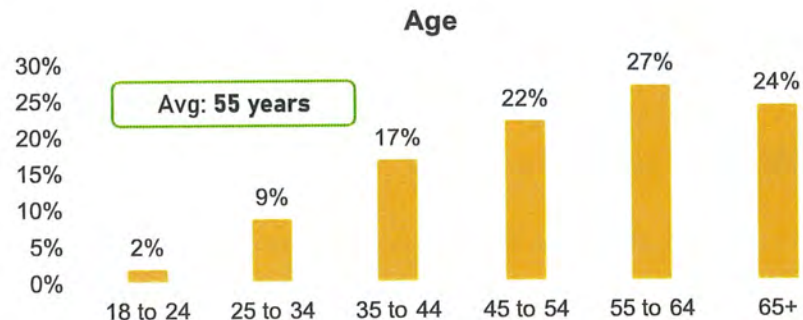
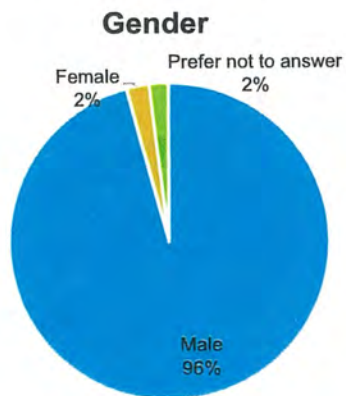
Military/Law Enforcement Affiliation



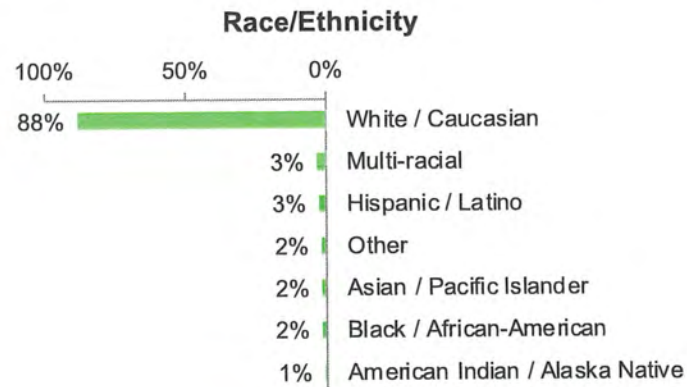
Military/law-enforcement (grouped)	% of those
Veteran military	82%
Veteran law enforcement	26%
Active law enforcement	11%
Active military	9%

NSSF MSR Consumer Study – Report of Findings

Respondent Profile: Age, Gender

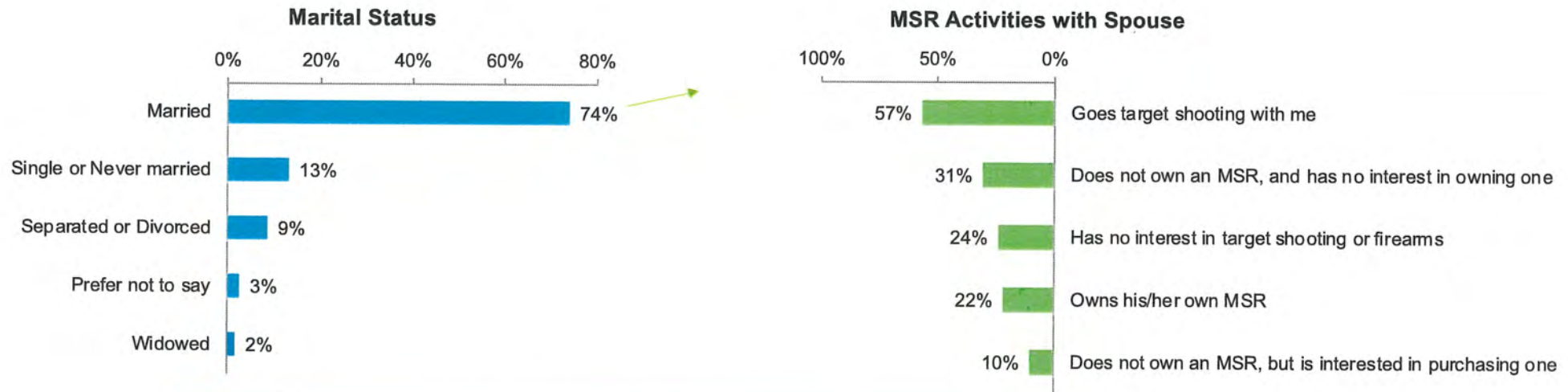


- 96% of respondents are Male.
- The average age of respondents is 55 years old. Only 27% are under the age of 45.
- 88% of respondents are White/Caucasian.



NSSF MSR Consumer Study – Report of Findings

Respondent Profile: Martial Status, Shooting Activities with Spouse

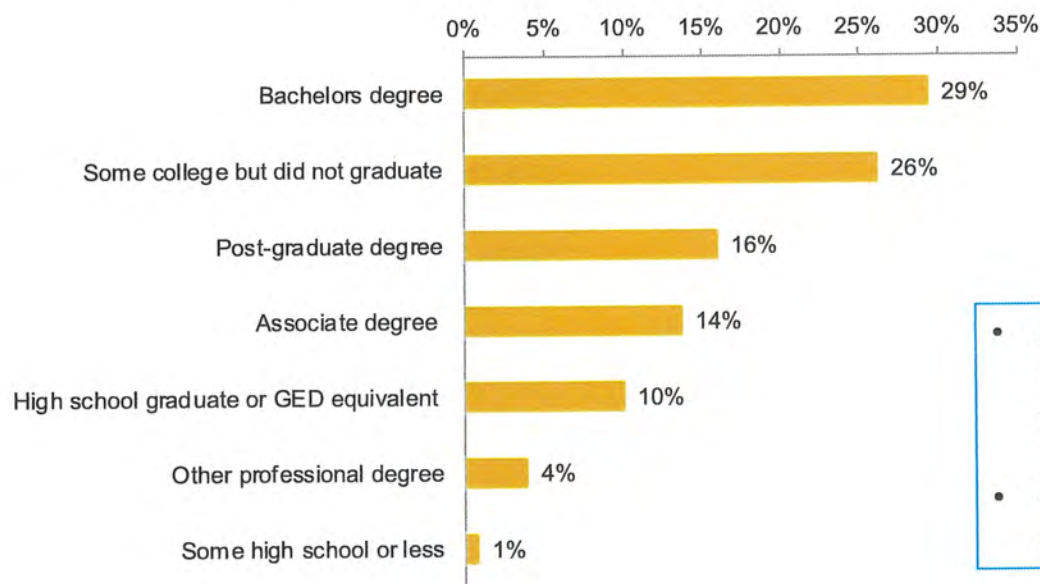


- 74% of respondents are married.
- Of these MSR owners, over half (57%) say their spouse accompanies them for target shooting. Nearly a quarter, 24%, say their spouse has no interest in target shooting or firearms.

NSSF MSR Consumer Study – Report of Findings

Respondent Profile: Education

Highest Level of Education Completed

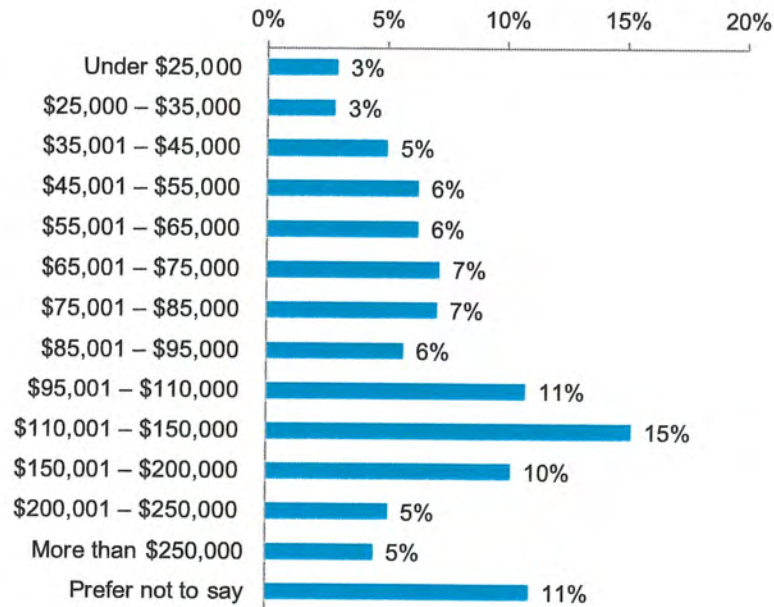


- 45% of respondents have attained at least a bachelors degree (29% have bachelors, 16% post-graduate).
- One-quarter of MSR owners have attended some college but did not graduate.

NSSF MSR Consumer Study – Report of Findings

Respondent Profile: Income

Estimated Yearly Household Income



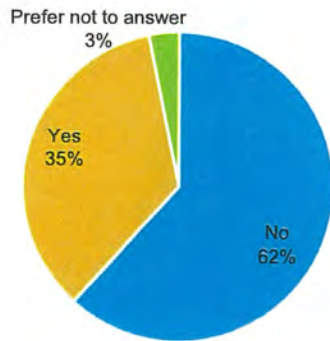
Avg: \$110,934
\$85k or less: 37%
More than \$85k: 52%

- The average yearly household income for respondents is \$110,934.
- More than half of MSR owners are in households with an annual income of greater than \$85,000.

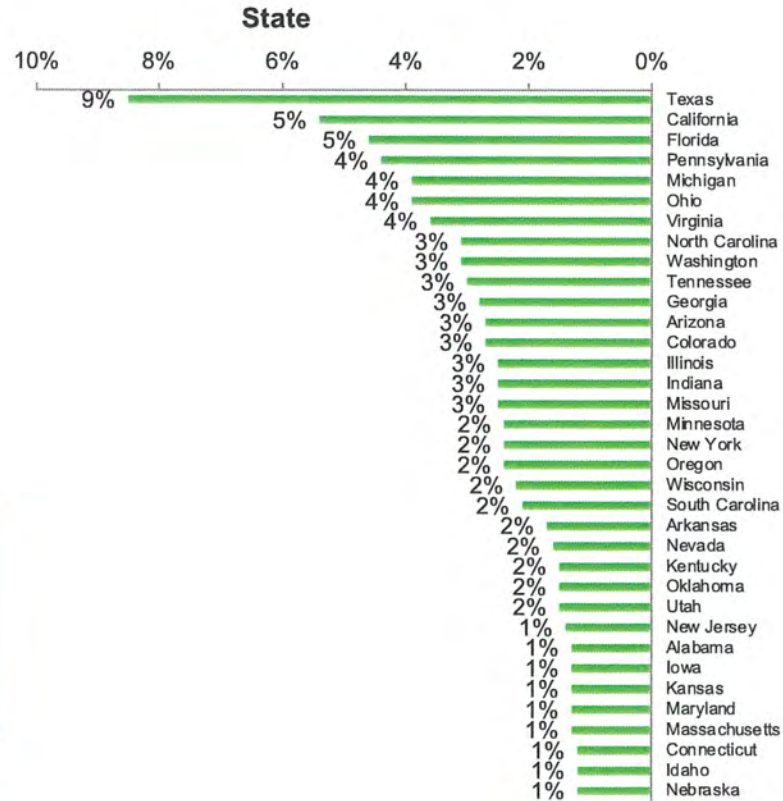
NSSF MSR Consumer Study – Report of Findings

Respondent Profile: State, Household Children

Do you have any children living with you?

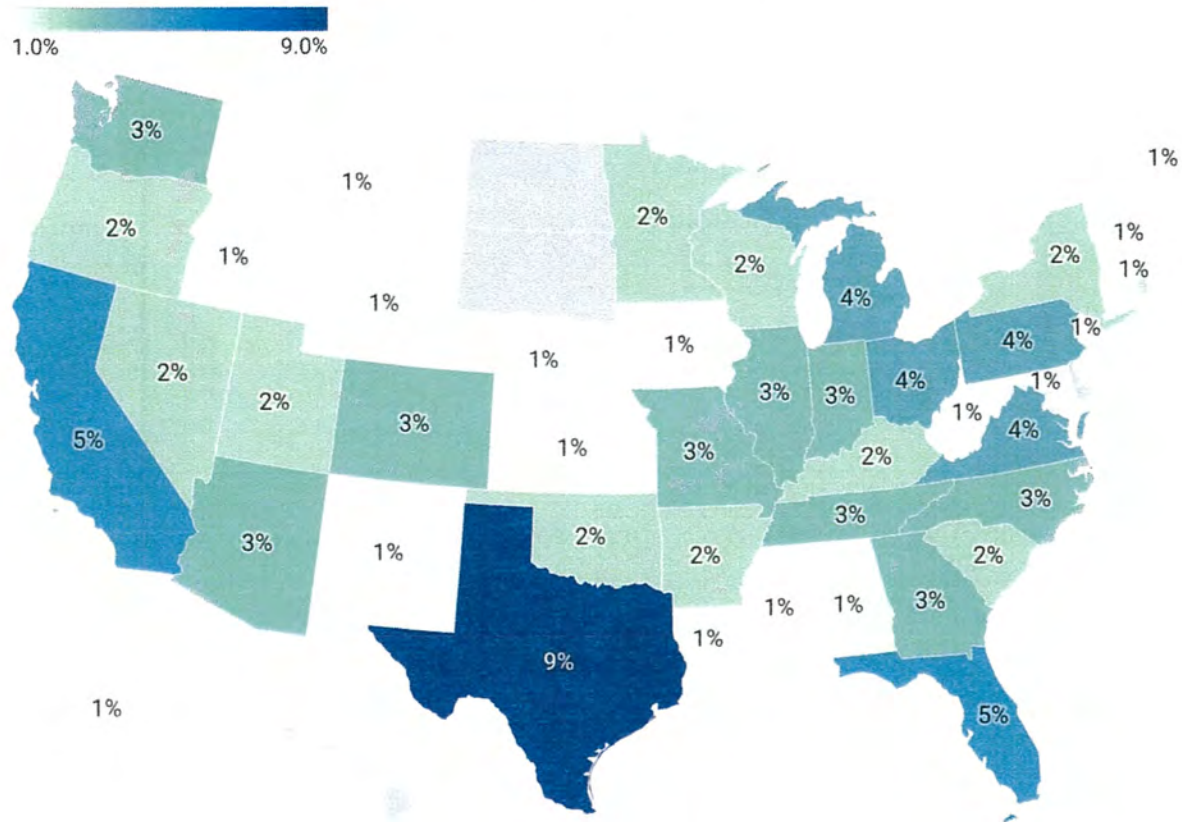


- Nearly two-thirds of respondents do not have any children living with them.
- The states with the most respondents are Texas (9%), California (5%), and Florida (5%).



NSSF MSR Consumer Study – Report of Findings

Respondent Profile: State, Household Children





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7/22 Item #33101-21

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Sports Marketing Surveys USA

National Shooting Sports Foundation's Modern Sporting Rifle Online Study

PLEASE TAKE A FEW MINUTES TO COMPLETE THE SURVEY
BELOW - Thank you for your help!

Welcome to the Modern Sporting Rifle online study for the National Shooting Sports Foundation® (NSSF®). For the purpose of this study, the term **modern sporting rifle (MSR)** is being used in regard to semi-automatic AR & AK- platform rifles such as an AR-15, AR-10, AK-47, AK-74. **This does not include non-rifle firearms such as AR pistols, etc.**

We appreciate you taking the time to answer the following questions about your ownership and usage of modern sporting rifles. Insights will be used to help educate those influencing public policy in the effort to preserve our constitutional rights. The results of this study will also provide the NSSF and manufacturers with a better understanding of current consumer wants, needs, and uses of the modern sporting rifle, which in turn may influence the future of this market.

You will need approximately 15-20 minutes to complete the questionnaire. **In exchange for your completed study, you will have the opportunity to enter a drawing to win one (1) of four (4) \$250 Mastercard prepaid gift cards.** Please submit your completed survey by [TO BE DETERMINED]

We respect your privacy — all responses are confidential and will be aggregated. No individual responses will be identified and once aggregated individual responses it will be destroyed. Please forward this link to other modern sporting rifle (MSR) owners you think would be interested. Again, thank you for your participation.

Contest Terms and Conditions: [\(Add Link\)](#)

For more information on the NSSF: please visit www.nssf.org

[Click "Next" to begin.](#)

[QUESTIONS WITH A * MUST BE ANSWERED TO PROCEED]

Sports Marketing Surveys USA



2. Modern Sporting Rifle (MSR) Ownership

*2.1) Do you own at least one complete and fully functional modern sporting rifle? (If you do not own a modern sporting rifle but would still like to be entered in the contest, please select “No.”)

For purposes of this study, the term modern sporting rifle is used in regard to semi-automatic AR and AK-platform rifles (such as AR-15, AR-10, AK-47, AK-74). This does not include non-rifle firearms such as AR pistols, etc.

(Select One)

- Yes <<Go-to Q2.2>>
- No <<Go-to Q6.1>>

Please answer all remaining questions in regard to your complete and fully functional modern sporting rifle(s).

*2.2) How many modern sporting rifles do you own? Please enter a number for each row. This does not include non-rifle firearms such as AR pistols, etc. (Open-ended numerical)

- AR Platform _____
- AK Platform _____
- Other _____

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*2.3) When did you purchase / obtain your first modern sporting rifle? (Dropdown)

- 2021
- 2020
- 2019
- 2018
- 2017
- 2016
- 2015
- 2014
- 2013
- 2012
- 2011
- 2010
- 2005 – 2009
- 2000 – 2004
- Prior to 1999

*2.4) Which, if any, of the following did you purchase or own PREVIOUS to owning a Modern sporting rifle? (Select all that apply) (Select many)

- Handgun
- Traditional Rifle (bolt action, lever action, semi-auto... Not AR/AK platform)
- Shotgun
- Muzzleloader
- BB / Airgun
- Paintball gun
- None of the above

*2.5) Where did you first gain interest in modern sporting rifles? (Select One)

- Military
- Friend
- Job
- Family member
- Shooting Range
- Movies/TV
- Books/Magazines
- Internet
- My own personal interest
- Video games
- Influencer on social media
- Other (Please specify)

*2.6) Are you an active or retired/veteran of law enforcement and/or the Armed Forces? (Select one)

- Yes <<Go-to Q2.7>>
- No <<Go-to Q2.9>>

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2.7) In what branch of the Armed Forces and/or section of law enforcement have you served/are you serving? Leave it blank if not applicable. (Multi-point scale)

Active Veteran

- Army
- Navy
- Air Force
- Marines
- National Guard
- Coast Guard
- Reserves
- Space Force
- Local Law Enforcement
- State Law Enforcement
- Federal Law Enforcement
- Other Law Enforcement

2.9) Do you currently have a membership at a local shooting range? (Select one)

- Yes, I am a current member
- No, but I was previously a member
- No, I have never been a member

2.10) How important were each of the following reasons for owning a modern sporting rifle? Please rate each reason from 1 to 10, where 1 is "not important at all" and 10 is "very important." (Multi-point)

(Scale 1 – 10)

- Recreational Target Shooting
- Home/self-defense
- Varmint Hunting
- Big Game Hunting
- Competition shooting (i.e. 3. Gun)
- Collecting
- Professional use / Job-related

3. Most Recent Modern Sporting Rifle Purchase

The following questions in this section are all in regard to the modern sporting rifle you most recently acquired (whether recently purchased or received as a gift). Please answer in regard to complete and fully functional firearms.

*3.1) What platform was your most recently acquired modern sporting rifle? Please think of this firearm when answering the remainder of this survey. (Select one)

- AR Platform
- AK Platform
- Other (Please specify)

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*3.2) How did you obtain your most recently acquired modern sporting rifle? (Select one)

- I purchased it NEW
- I purchased it USED
- I received it NEW as a gift
- I received it USED as a gift
- I inherited it

*3.3) Where did you buy/obtain your most recently acquired modern sporting rifle? (Select one)
(asked if Q3.2=purchased new or used)

- Gun Show
- Internet Website
- Independent (Mom & Pop) Retail Store
- Chain or Big Box Retail Store
- Purchases of different parts
- Purchased as a complete kit
- Other (Please specify)

3.4) Which online store or retail store was your most recently acquired modern sporting rifle purchased from? (Open-ended) (asked if Q3.3 = Internet website, independent (mom & pop retail store, chain or big box retail store)))

*3.5) In what year did you obtain your most recently acquired modern sporting rifle? (Drop-down)

- 2021
- 2020
- 2019
- 2018
- 2017
- 2016
- 2015
- 2014
- 2013
- 2012
- 2011
- 2010
- 2005 – 2009
- 2000 – 2004
- Prior to 1999

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*3.6a) What was the price of your most recently acquired NEW modern sporting rifle (new-out-of-box cost)? (Select one) <<Show if Q3.2 = Purchased as new>>

- Under \$500
- \$500 - \$1,000
- \$1,001 - \$1,500
- \$1,501 - \$2,000
- \$2,001 - \$2,500
- \$2,501 - \$3,500
- More than \$3,500
- I don't know

*3.6b) What was the price of your most recently acquired USED modern sporting rifle (Used-purchase cost)? (Select one) <<Show if Q3.2 = Purchased as used >>

- Under \$500
- \$500 - \$1,000
- \$1,001 - \$1,500
- \$1,501 - \$2,000
- \$2,001 - \$2,500
- \$2,501 - \$3,500
- More than \$3,500
- I don't know

*3.7) What brand is your most recently acquired modern sporting rifle? (Dropdown)

- Aero Precision
- Anderson
- Armalite
- Arsenal - Bulgaria
- Arsenal - USA
- Bravo Company Mfg Inc
- Bushmaster
- Colt
- Christensen Arms
- CMMG
- Daniel Defense
- Double Star
- Del-ton
- DPMS
- DS Arms Inc.
- Eagle Arms
- Essential Arms
- FN Manufacturing LLC
- I.O. Inc
- Izhmash
- Kel-Tec CNC Industries
- Lewis Machine & Tool
- LRB of Long Island Inc
- LWRC
- MAK-90
- Maverick
- Meridian Defense
- Mossberg & Sons
- Norinco
- Noveske
- Olympic Arms
- Patriot Ordn.
- Palmetto
- PTR Industries
- PWA
- Remington
- Rock River Arms
- Sabre Defense
- Saiga
- Seekins Precision
- Sig Sauer Inc/SIGARMS
- Smith & Wesson
- Sons of Liberty Gun Works
- Springfield (Aromory) Inc
- Stag Arms
- Sturm, Ruger & Co., Inc.
- TNW Firearms Inc.
- Vector
- Yankee Hill
- Yugo
- Windham Armory
- Other (Please specify)

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*3.8) What caliber is your most recently acquired modern sporting rifle? (Select one)

- .22 Long Rifle
- .223 / 5.56mm
- .308 Winchester (7.62 x 51)
- .350 Legend
- .30-06
- .40 S&W
- 5.7 x 28mm
- 6.8 SPC
- 6mm ARC
- 6.5 Creedmoor
- 5.45 x 39mm
- 7.62x39mm
- .450 Bushmaster
- .338 Lapua
- .50 BMG
- 9mm Luger
- 9mm Kurtz
- .300 Blackout
- .45 ACP
- Other (Please specify)

3.9) How important were each of the following reasons for buying your most recently acquired modern sporting rifle? Please rate on a scale from 1 to 10, where 1 is “not important at all” and 10 is “very important.” <<Show if Q3.2 = Purchased as New/ Show if purchased as used >>
Request but not require answer

(Scale 1 – 10)

- Accuracy
- Low recoil
- Ability to accessorize
- Potential to avoid any potential future ownership ban
- Availability of ammunition in this caliber
- Availability of parts
- Easy to shoot
- My friends / family had one
- Reliable
- Aesthetically pleasing
- Fun

3.10) How important were each of the following reasons for buying your most recently acquired modern sporting rifle? Please rate on a scale from 1 to 10, where 1 is “not important at all” and 10 is “very important.” <<Show if Q3.2 = Purchased as used/Purchased as new >> Request but not require answer

(Scale 1 – 10)

- Light weight
- Low cost of ammunition
- Price
- Reputation of manufacturer
- Ability to shoot competitively
- Good ergonomics, easy access to safety, fits my body
- Recommended by retailer
- Taught to use a similar firearm in military / law enforcement
- To hunt
- For home/self-defense

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*3.11 With regard to accessories, how would you consider your most recent modern sporting rifle as you currently use it? **(Select one)**

- Out of the box (no accessories) <<Go-to Q3.16>>
- Have a few accessories (1 – 3 accessories) <<Go-to Q3.12>>
- Heavily accessorized (4+ accessories) <<Go-to Q3.12>>

3.12) When have you added accessories to your most recently acquired modern sporting rifle? Please select all that apply. **(select many) (asked if Q3.11= few or heavily accessorized)**

- At time of purchase
- Within 12 months after purchase
- 12+ months after purchase

3.13) How much after-market customization have you done to your most recently acquired modern sporting rifle in terms of dollars spent? **(Select one) (asked if Q3.11= few or heavily accessorized)**

- | | |
|-----------------|---------------------|
| • \$0 | • \$801 - \$999 |
| • \$1 - \$100 | • \$1,000 - \$2,000 |
| • \$101 - \$200 | • \$2,001 - \$2,500 |
| • \$201 - \$400 | • \$2,501 - \$3,000 |
| • \$401 - \$600 | • More than \$3,000 |
| • \$601 - \$800 | |

3.14) What type of optic(s) do you have on your most recently acquired modern sporting rifle? You can skip the question if you are unsure. **(Select one per row)**

- | | Primary Optics | Secondary sighting/aiming device | Not applicable |
|--|----------------|----------------------------------|----------------|
| • Iron sights | | | |
| • Scope | | | |
| • Red dot | | | |
| • Laser Designator | | | |
| • Night Vision/Thermal | | | |
| • Other (Please specify) <<If Primary Optics or Secondary sighting/aiming device is selected GO TO 3.14O Else Skip 3.14O>> | | | |

3.14O) Please specify the 'other' types of optics that you have on your most recently acquired modern sporting rifle.

3.15) What type of scope do you have on your most recent modern sporting rifle? You can skip the question if you are unsure. **(Select one) (SHOW IF q.14 R2 SELECTED)**

- 1 – 4x power scope
- 2 – 7x power scope
- 3 – 9x power scope
- 4 – 14x power scope
- 6 – 20x+ power scope
- 1 – 6x Variable power scope
- Other (Please specify)

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*3.16) Which magazine capacity do you use most frequently in your most recently acquired modern sporting rifle? (Select one)

- 5 round capacity
- 10 round capacity
- 15 round capacity
- 20 round capacity
- 25 round capacity
- 30 round capacity
- 40 round capacity
- 50 round capacity
- More than 50 rounds capacity
- I don't know
- Other (Please specify)

3.16b) Why did you decide the magazine capacity above? (Open-ended) (asked if Q3.16 is 5 through More than 50 rounds capacity)

3.17) What type of stock is on your most recently acquired modern sporting rifle? (Select one)

- Fixed
- Collapsible / Folding
- Precision
- Arm brace
- I don't know
- Other (Please specify)

3.18) What type of upper receiver is on your most recently acquired modern sporting rifle? (Select one)

- Flat top
- Fixed carrying handle (A1 or A2)
- Removable carry handle (A3)
- I don't know
- Other (Please specify)

3.19) What type of handguard is on your most recently acquired modern sporting rifle? (Select one)

- Standard with rails/M-LOK/KeyMod
- Standard without rails/M-LOK/KeyMod
- Free floating with rails/M-LOK/KeyMod
- Free floating without rails/M-LOK/KeyMod
- Monolithic
- I don't know
- Other (Please specify)

3.20) What type of finish color is your most recently acquired modern sporting rifle? (Select one)

- Olive Green
- Flat Dark Earth (FDE)
- Wood grain
- Camouflage
- Black
- Custom
- Other (Please specify)

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3.21) What option best describes the barrel on your most recently acquired modern sporting rifle? **(Select one)**

- Threaded
- Pinned and welded
- Non-threaded
- I don't know
- Other (Please specify)

3.22) What does your barrel have on your most recently acquired modern sporting rifle? Select an option below. **(Select one)**

- No Muzzle Device
- Thread Protector
- Flash Hider
- Muzzle Brake/Compensator
- Silencer/Suppressor
- Other (Please specify)
- I don't know

*3.23) What is the barrel length on your most recently acquired modern sporting rifle? **(Select one)**

- Less than 10.5"
- 10.5" to 14.5"
- 14.6" to 15.9"
- 16" to 20"
- More than 20"
- I don't know
- Other (Please specify)

3.24) How does your most recently acquired modern sporting rifle operate? **(Select one)**

- Direct gas impingement
- Gas piston
- Recoil / Blow-back operated
- Delayed toggle bolt recoil
- I don't know
- Other (Please specify)

3.25) When not in use, how do you typically store your modern sporting rifle(s)?

- Secured (e.g., in a safe, lock box, trigger lock) – unloaded
- Secured (e.g., in a safe, lock box, trigger lock) - loaded
- Unsecured – unloaded
- Unsecured - loaded

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*3.26) How likely are you to purchase a new modern sporting rifle in the next 12 months?
 Please rate from 1 to 10, where 1 is "very unlikely" and 10 is "very likely." (Net Promoter Score)
 Scale (1 – 10)

1 - Very unlikely
 likely

10 – Very
 likely

4. Accessories

4.1 For each of the accessories below, please select whether it is something you currently own, plan to buy, or do not plan to own/buy for your modern sporting rifle(s). (Multi Select)

- | | Currently Own | Plan to buy in next 12 months | I don't plan to own or |
|------------------------|---------------|-------------------------------|------------------------|
| buy | | | |
| • Bipod | | | |
| • Rifle Scope | | | |
| • Spotting Scope | | | |
| • Range Finder | | | |
| • Rifle Sling | | | |
| • Mounted Flashlight | | | |
| • Night Vision/Thermal | | | |
| • Vertical Fore-grip | | | |
| • Laser Designator | | | |
| • Railed Handguard | | | |
| • Stock Upgrade | | | |
| • Suppressor/silencer | | | |
| • Backup sights | | | |

4.2) For each of the accessories below, please select whether it is something you currently own, plan to buy, or do not plan to own/buy. (Multi Select)

- | | Currently Own | Plan to buy in next 12 months | I don't plan to own or |
|--------------------------|---------------|-------------------------------|------------------------|
| buy | | | |
| (select all that apply) | | | |
| • Hard Carrying Case | | | |
| • Soft Carrying Case | | | |
| • Trigger Upgrade | | | |
| • Gun Lock | | | |
| • Gun Safe | | | |
| • Extra Magazines | | | |
| • Targets | | | |
| • Gun Cleaning Kit | | | |
| • Other (Please specify) | | | |

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4.2O) Please specify the 'other' accessories you have. (asked if "currently own" or "plan to buy" is selected for "Other on Q4.2)

5. Modern Sporting Rifle Usage and Shooting Activity

*5.2) Have you used/shot your modern sporting rifle(s) in the last 12 months? (Select one)

- Yes <<Go-to Q5.3>>
- No <<Go-to Q5.8>>

*5.3) Approximately how many times in the last 12 months have you used/shot your modern sporting rifle(s)? (Dropdown) (each number from 1 – 99 will be listed followed by a 100+ option)

- 1 – 99
- 100 or more times

*5.4) In the last 12 months, did you shoot your modern sporting rifle(s) more, less, or about the same compared to the year before? (Select one)

- More
- Less
- About the same

*5.5) In the last 12 months, where did you shoot your modern sporting rifle? Please select all that apply. (select all that apply)

- Target shoot at a public range
- Target shoot at a private range
- Target shoot on my/family land
- Target shoot on friends land
- Competition Shooting (i.e. 3 Gun)
- While hunting on private land
- While hunting on public land
- While at work (i.e. Law Enforcement, Private Security)
- At paid course/training academy
- Other (Please specify)

5.6) What is the % breakdown of the ammunition you used in the last 12 months for your modern sporting rifles? (Should add up to 100%) (Open-ended input adding to 100%)

- Premium factory loads
- "Budget" Factory Loads/Bulk packs
- Handloads/Reloads
- Import Ammo

5.7) Approximately how many rounds of ammunition did you fire through your modern sporting rifle(s) in the last 12 months? (Select one)

- None
- 1 – 50
- 51 – 100
- 101 – 200
- 201 – 400
- 401 – 600
- 601 – 800
- 801 – 1,000
- 1,001 – 3,000
- 3,001 – 5,000
- 5,001 – 10,000
- 10,001+

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5.8) Approximately how many rounds of ammunition do you anticipate firing through your modern sporting rifle(s) in the next 12 months? (Select one)

- None
- 1 – 50
- 51 – 100
- 101 – 200
- 201 – 400
- 401 – 600
- 601 – 800
- 801 – 1,000
- 1,001 – 3,000
- 3,001 – 5,000
- 5,001 – 10,000
- 10,001+

*5.9) When you buy ammunition, what quantity do you typically buy at one time? (Select one)

- 1 – 50 rounds
- 51 – 199 rounds
- 200 – 499 rounds
- 500 – 1,999 rounds
- 2000+ rounds

*5.10) Do you reload your own ammunition? (Select one)

- Yes <<Go-to Q5.11>>
- No <<Go-to Q5.12>>

5.11) What percent of the total ammunition you use do you reload? (asked if Q5.10=yes) (Select one)

- 10%
- 20%
- 30%
- 40%
- 50%
- 60%
- 70%
- 80%
- 90%
- 100%

*5.12) Approximately how many rounds of ammunition for your modern sporting rifle(s) do you keep on hand/own? (Select one)

- None
- 1 – 100
- 101 – 200
- 201 – 300
- 301 – 400
- 401 – 500
- 501 – 1,000
- 1001+

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*5.14) For each of the following activities you participated in *within the last 12 months*, please select the firearm you used. If you did not participate in an activity, select N/A. (Multi-point scale)

- | | Using modern sporting rifle(s) | Using other gun(s) | Not applicable |
|---|--------------------------------|--------------------|----------------|
| • Hunting big game | | | |
| • Hunting small game | | | |
| • Hunting varmint | | | |
| • Rifle Target Shooting | | | |
| • Competition Shooting (i.e. 3 gun) | | | |
| • Long-range shooting (i.e. 500+ yards) | | | |

5.15) What distance do you generally hunt or target shoot with your primary modern sporting rifle? (Select one) (asked if any options on 5.14 are select with "using modern sporting rifle")

- Under 100 yards
- 100 - 300 yards
- 301 - 500 yards
- 501 - 1,000 yards
- More than 1,000 yards
- I don't know

5.16) When you go target shooting with your modern sporting rifle, do you generally go alone or with others? Please select the option that best describes you. (Select one) (asked if Q5.14 is "using MSR" for rifle target shooting or competition shooting)

- Alone
- With 1 other person
- With 2 - 4 other people
- With 5+ other people

*5.17) Have you been able to shoot your modern sporting rifle as often as you would like in the last 12 months? (Select one)

- Yes
- No

5.18) How important are each of the following in preventing you from shooting your modern sporting rifle(s) more often? Please rate from 1 to 10, where 1 is "not at all important" and 10 is "very important." (Multi-point scale) (asked if Q5.17=No)

(Scale 1 – 10)

- Cost of ammunition
- Lack of ammunition availability
- No one to go with
- Not enough free time
- Distance I must travel for a suitable place to shoot
- Cost of range fees
- Other (Please specify)

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5.18o) Please specify the “other” factor preventing you from shooting your modern sporting rifle(s) as much as you would like. (asked if “Other” on Q5.18 is answered 5-10)

6. Profile and Shooting Media

6.1) Are you a current member of, or have you recently donated to any of the following organizations? Please select all that apply. (select all that apply)

- International Practical Shooting Confederation (IPSC)
- International Defensive Pistol Association (IDPA)
- National Rifle Association (NRA)
- North American Hunting Club
- Ducks Unlimited
- Pheasants forever
- Rocky Mountain Elk Foundation
- Safari Club
- Buckmasters
- National Wild Turkey Federation
- Whitetails Unlimited
- The National Shooting Sports Foundation (NSSF)
- Gun Owners of America (GOA)
- USCCA/Delta Defense (U.S. Concealed Carry Association)-
- United States Practical Shooting Association (USPSA)
- None of the above
- Other (Please specify)

6.2) In a few brief sentences, please tell us your favorite part about owning your modern sporting rifle(s). (Open-Ended)

*6.3) What is your gender? (Select one)

- Male
- Female
- Prefer not to answer

*6.4) How old are you? Please enter your age in years. (open-ended numeric) (Respondents younger than 18 years old will be removed from analysis sample).

6.5) Please select the option that best describes your race/ethnicity.

- White (Caucasian)
- Black / African-American
- Hispanic/Latino
- Asian / Pacific Islander
- American Indian / Alaska Native
- Multi-racial
- Other (please specify _____)

6.6) What is your current marital status (Select one)

- Single, never married
- Married
- Separated or Divorced
- Widowed
- Prefer not to say

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6.7) Please select all that apply regarding your spouse. "My spouse... (asked if Q6.6=Married)

- Goes target shooting with me
- Owns his/her own MSR
- Does not own an MSR, but is interested in purchasing one
- Does not own an MSR, and has no interest in owning one
- Has no interest in target shooting or firearms

*6.8) What is the highest level of education you have completed? (Select one)

- Some high school or less
- High school graduate or GED equivalent
- Some college but did not graduate
- Associate degree
- Bachelor's degree
- Post-graduate degree
- Other professional degree (Please specify)

6.9) What is your estimated yearly household income? (Select one)

- Under \$25,000
- \$25,000 – \$35,000
- \$35,001 – \$45,000
- \$45,001 – \$55,000
- \$55,001 – \$65,000
- \$65,001 – \$75,000
- \$75,001 – \$85,000
- \$85,001 – \$95,000
- \$95,001 – \$110,000
- \$110,001 – \$150,000
- \$150,001 – \$200,000
- \$200,001 – \$250,000
- \$250,000+
- Prefer not to say

6.10) Do you have any children living with you? (Select one)

- Yes
- No
- Prefer not to answer

*6.11) Please select the state you currently live in. (drop-down) (all 50 states + Puerto Rico + Other US territories)

6.12) Please enter your zip code. (Open-ended)

6.13) Would you like to be entered in the drawing for the chance to win one (1) Visa \$250 Gift Card? (Select one)

- Yes (go to 6.14)
- No (go to End)

6.14) Please fill out your email address to be entered into the drawing. (Open ended)

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The National Shooting Sports Foundation thanks you for your time.

Please select the DONE button below to complete the survey. You will be re-directed to the NSSF website.

NSSF® REPORT 2021 EDITION **FIREARMS RETAILER**

SURVEY REPORT



Conducted for the
National Shooting Sports Foundation®
by: Southwick Associates

NSSF
The Firearm Industry
Trade Association
NSSF 000053

EXHIBIT

21

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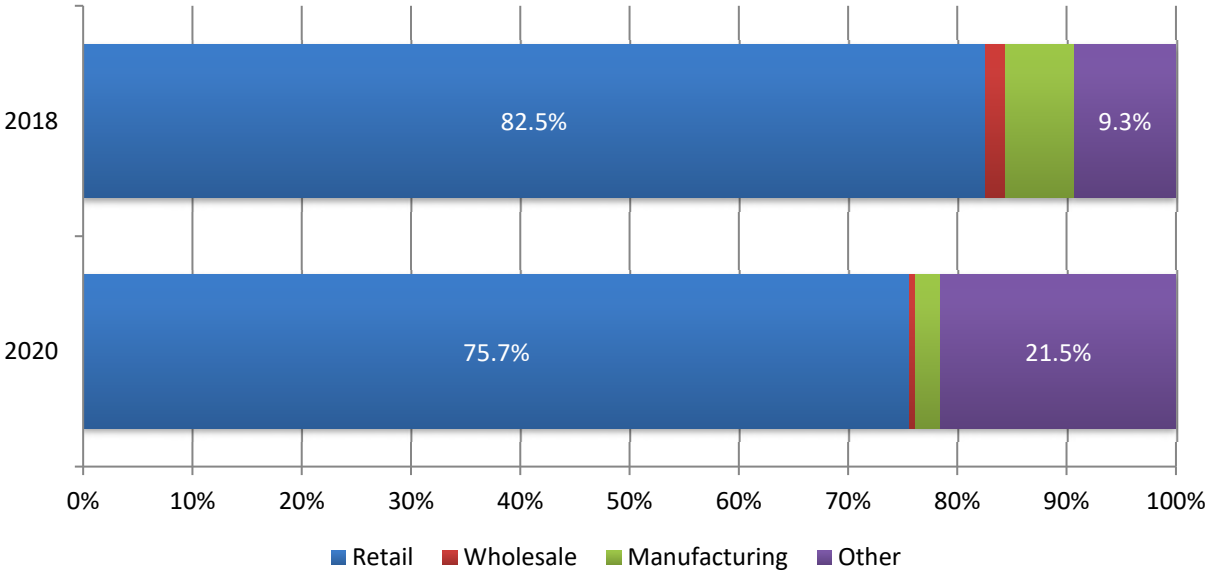
OVERVIEW

This report is the result of an in-depth analysis of the U.S. firearms retail industry sponsored by the National Shooting Sports Foundation. The information for the report was collected through an online survey of retailers that was conducted from February through March 2020. The survey respondents included 313 retail establishments located in 50 states. They range in size from single proprietors to large outdoor specialty retailers.

This report shows results for 2018 and 2020. Due to significant changes in survey design during 2020, several questions only show results for the most recent year. Results for 2019 are not available since the retailer survey was not conducted that year.

PRODUCTS SOLD

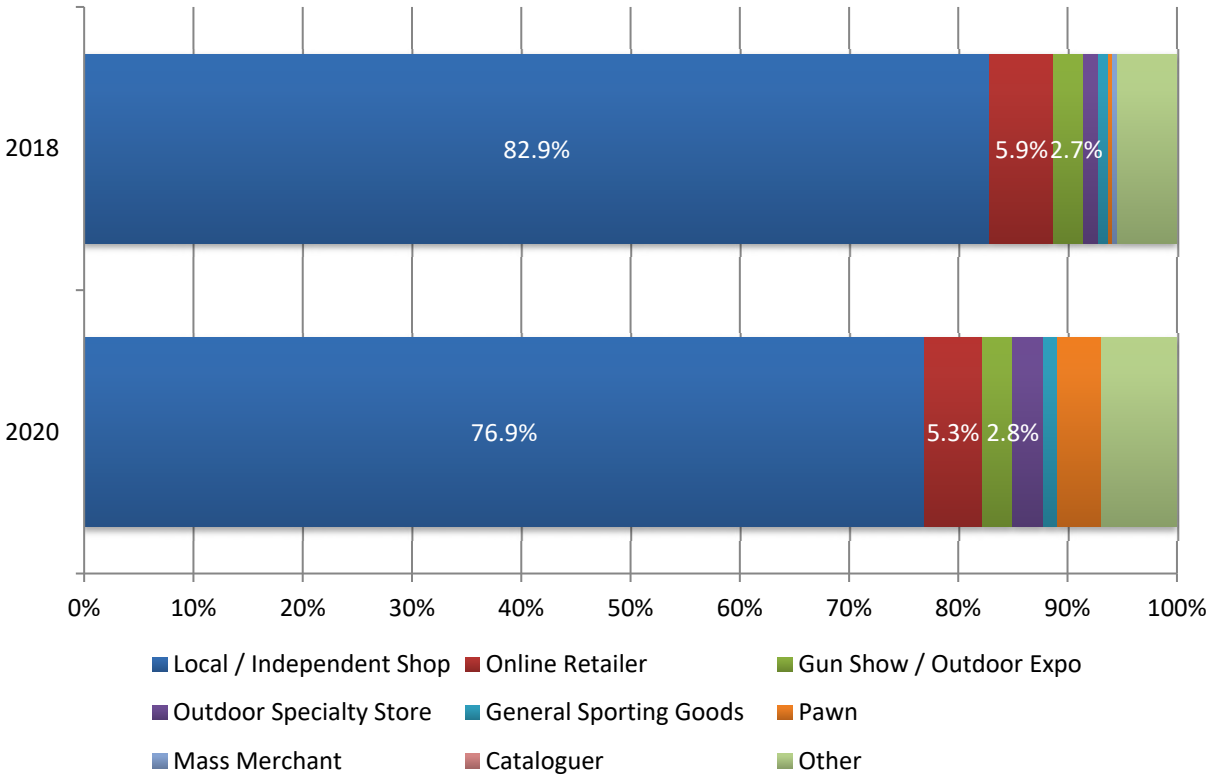
From which business activity does your business earn a majority of its annual revenues?



Total number of responses in 2020: n = 423

Of those that selected "Retail" as earning the majority of annual revenues:

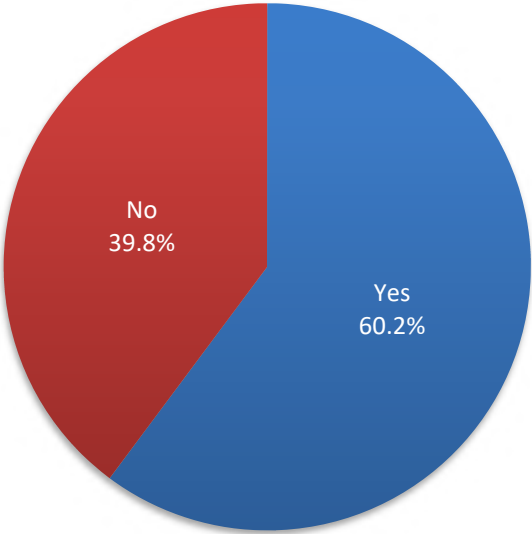
Please check the category that best describes your retail business:



	2018	2020	Responses (2020)
Local / Independent Shop	82.9%	76.9%	246
Online Retailer	5.9%	5.3%	17
Gun Show / Outdoor Expo	2.7%	2.8%	9
Outdoor Specialty Store	1.4%	2.8%	9
General Sporting Goods	0.9%	1.3%	4
Pawn	0.5%	4.1%	13
Mass Merchant	0.5%	0.0%	0
Cataloguer	0.0%	0.0%	0
Other	5.4%	6.9%	22
Total	100%	100%	320

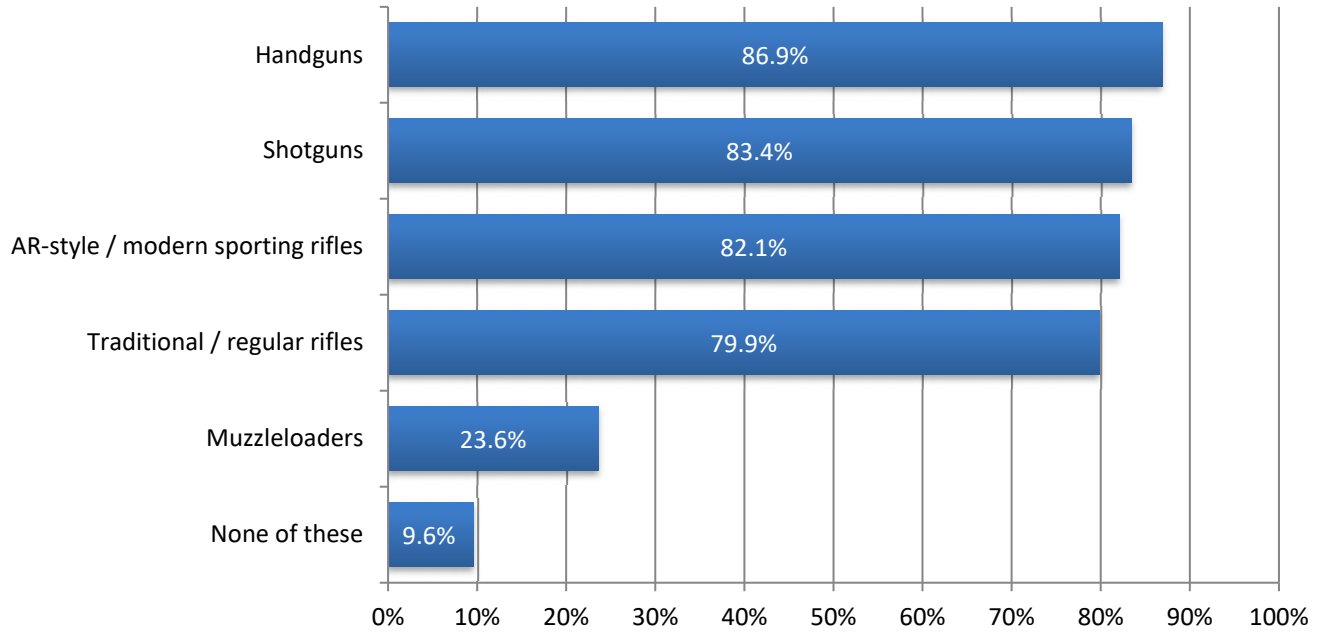
Of those that selected "Wholesale", "Manufacturing" or "Other" as earning the majority of annual revenues:

Do you earn any revenues from retail sales (sales directly to customers)?



	2020	Responses (2020)
Yes	60.2%	62
No	39.8%	41
Total	100%	103

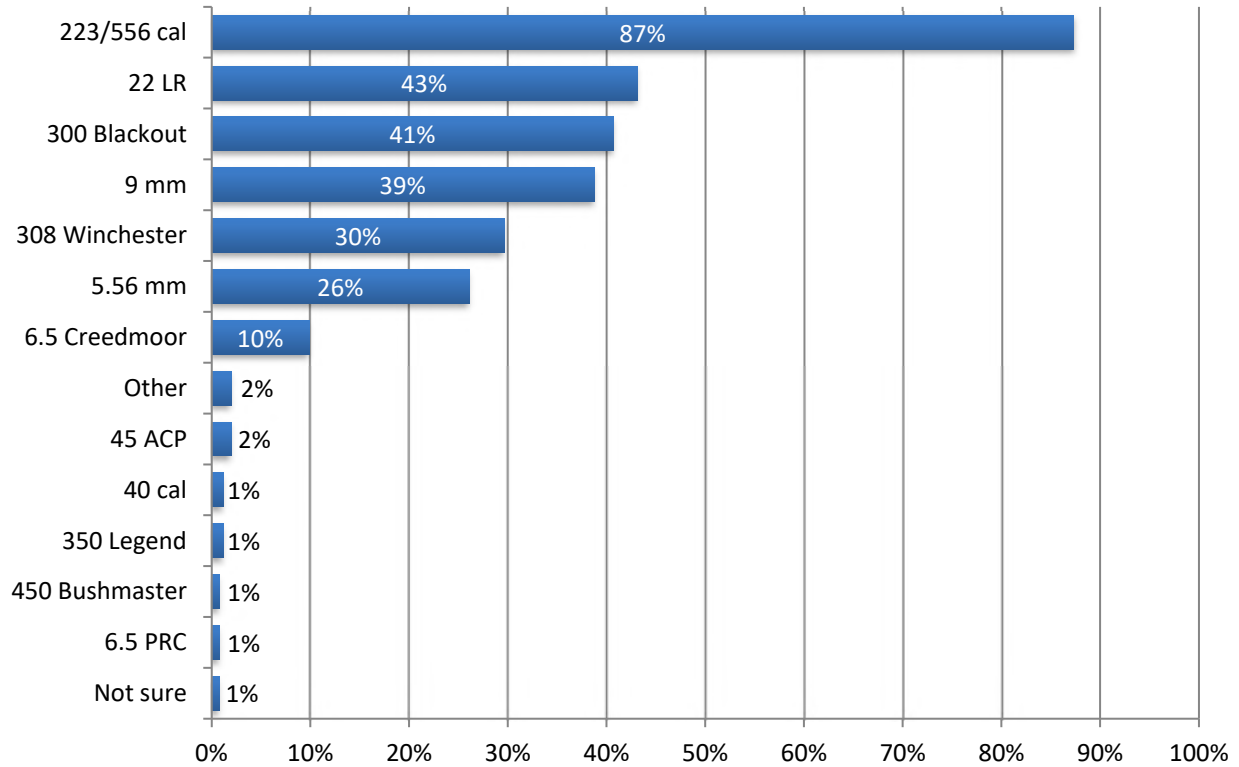
Which categories of NEW products do you currently sell retail?



	2020	Responses (2020)
Handguns	86.9%	272
Shotguns	83.4%	261
AR-style / modern sporting rifles	82.1%	257
Traditional rifles	79.9%	250
Muzzleloaders	23.6%	74
None of these	9.6%	30

Total number of responses for 2020: n = 313

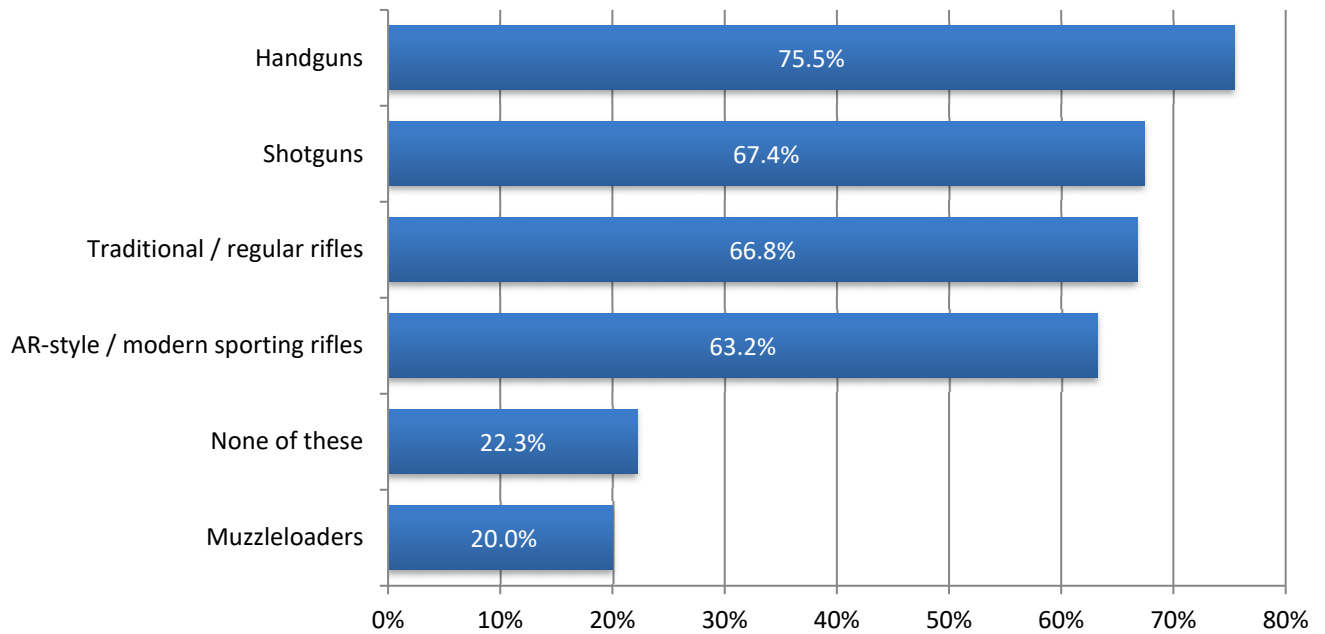
Please check the top three calibers sold for NEW modern sporting rifles:



	2020	Responses (2020)
223/556 cal	87%	221
22 LR	43%	109
300 Blackout	41%	103
9 mm	39%	98
308 Winchester	30%	75
5.56 mm	26%	66
6.5 Creedmoor	10%	25
45 ACP	2%	5
Other	2%	5
350 Legend	1%	3
40 cal	1%	3
450 Bushmaster	1%	2
6.5 PRC	1%	2
Not sure	1%	2
280 Ackley Improved	0%	1
458 Socom	0%	1
6 mm	0%	0

Total number of responses in 2020: n = 253

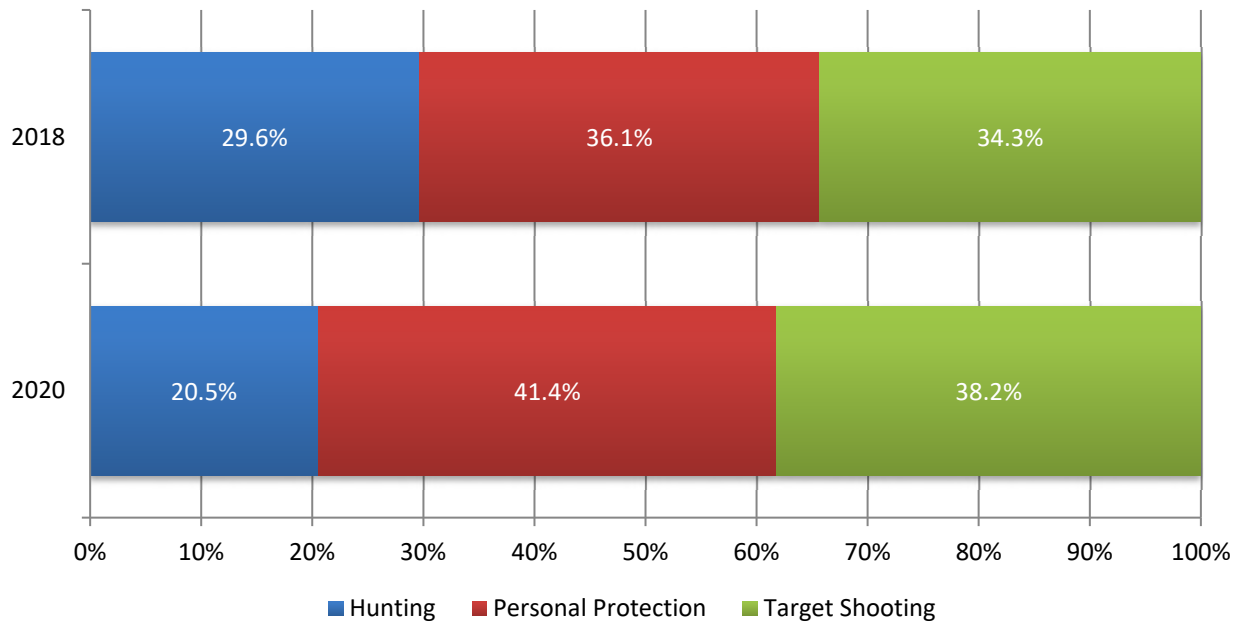
Which categories of USED products do you currently sell retail?



Number of responses selling at least one of these firearm types USED in 2020: n = 310

	2020	Responses (2020)
Handguns	75.5%	234
Shotguns	67.4%	209
Traditional rifles	66.8%	207
AR-style / modern sporting rifles	63.2%	196
None of these	22.3%	69
Muzzleloaders	20.0%	62

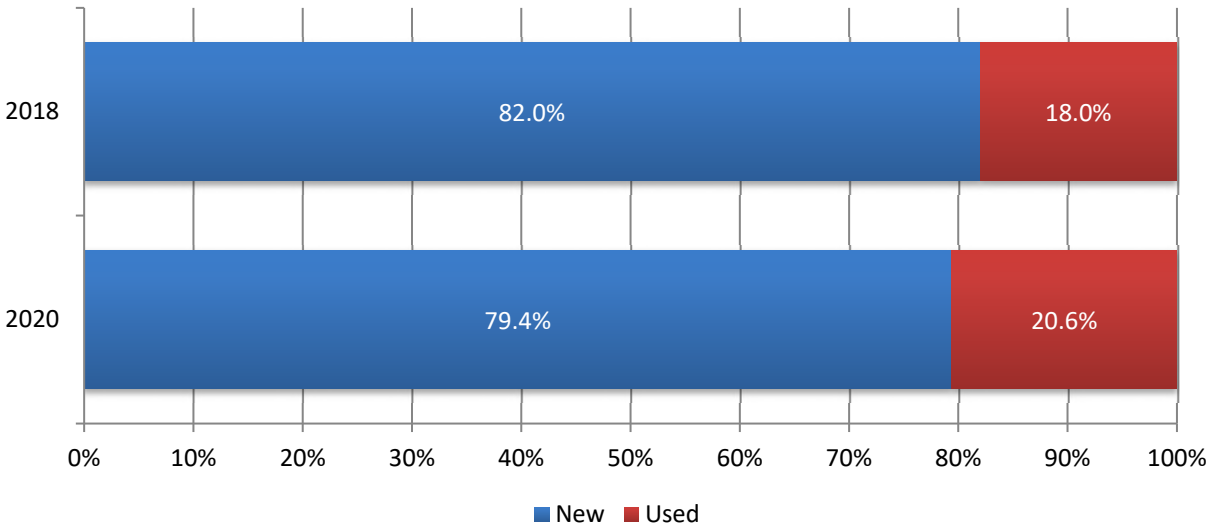
Of your annual AR-style/modern sporting rifle sales in 2020, please report the percentages you think were sold primarily for hunting purposes, target-shooting purposes and personal-protection purposes.



AR-style/modern sporting rifles	2018	2020
Hunting purposes	29.6%	20.5%
Personal-protection purposes	36.1%	41.4%
Target/informal shooting	34.3%	38.2%

Total number of responses in 2020: n = 244

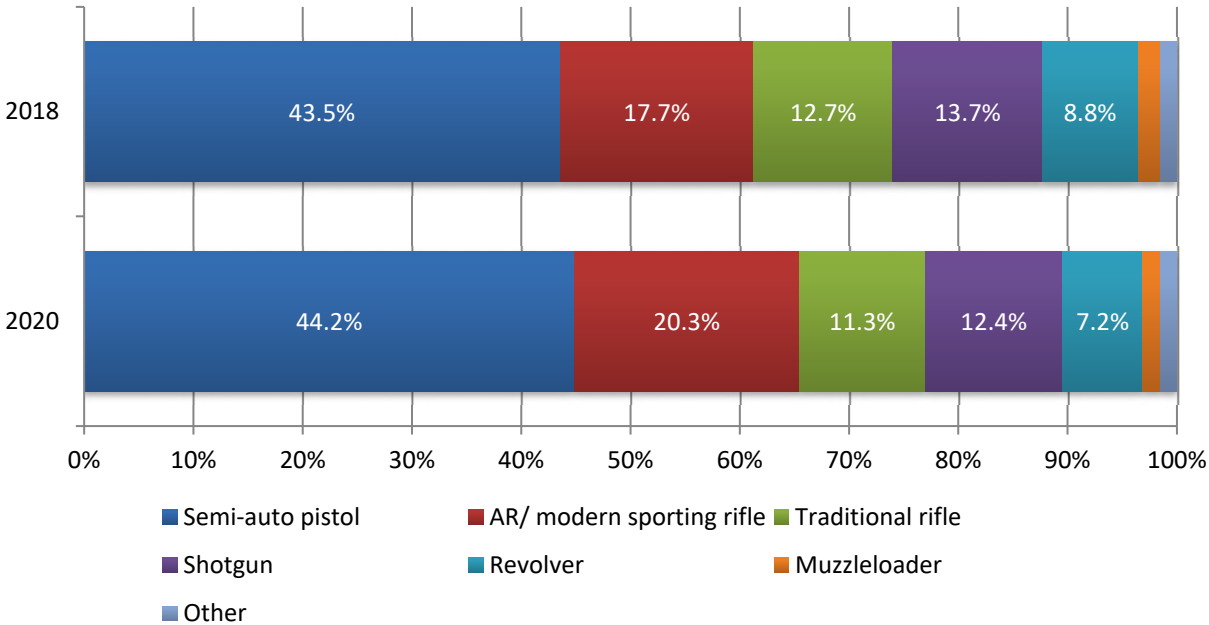
Approximately what percentage of the firearms you sold in 2020 were:



Firearms sold	2018	2020
New	82.0%	79.4%
Used	18.0%	20.6%

Total number of responses in 2020: n = 250

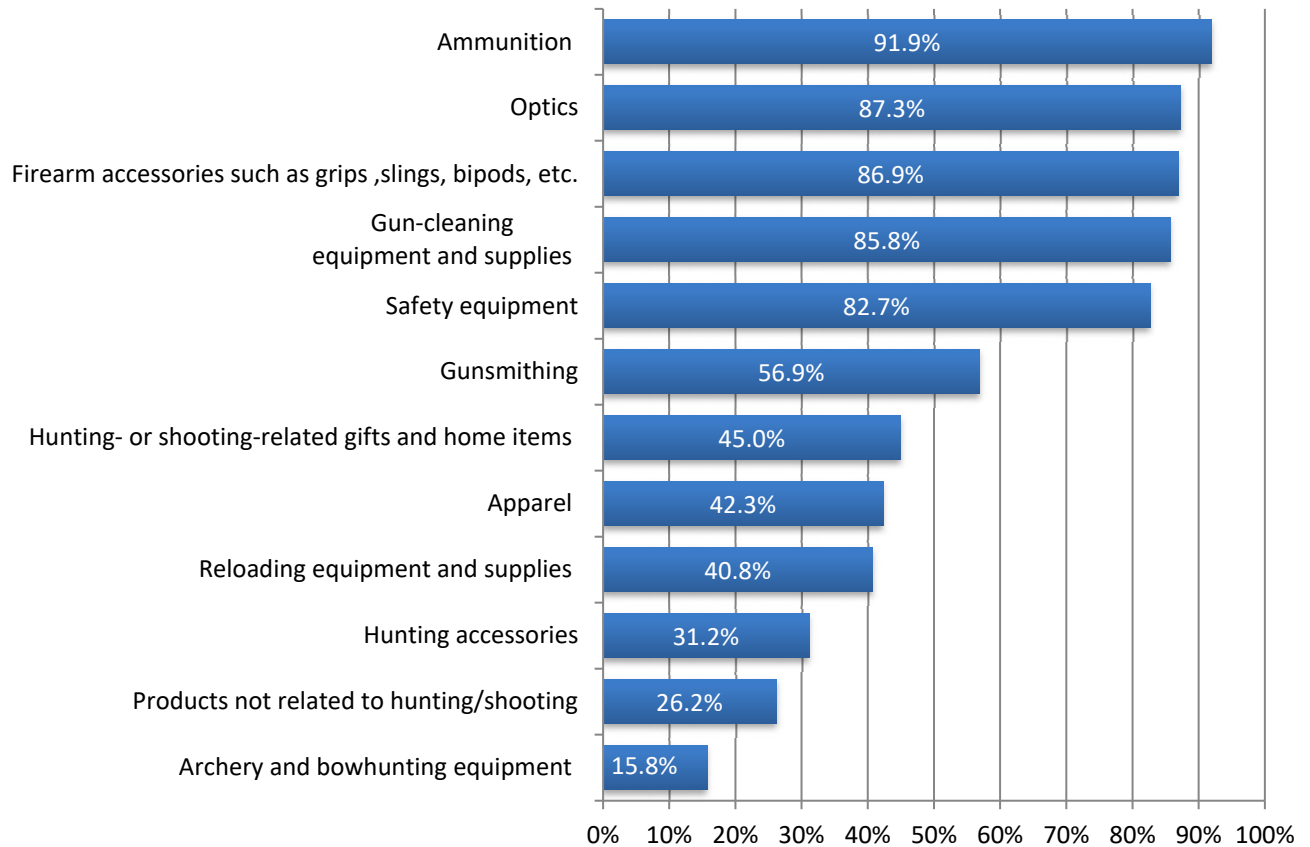
Approximately what percentage of the firearms you sold in 2020 were:



	2018	2020
Semi-auto pistol	43.5%	44.2%
AR/ modern sporting rifle	17.7%	20.3%
Traditional rifle	12.7%	11.3%
Shotgun	13.7%	12.4%
Revolver	8.8%	7.2%
Muzzleloader	2.0%	1.6%
Other	1.5%	1.5%

Total number of responses in 2020: n = 241

Which of these product categories do you currently sell?

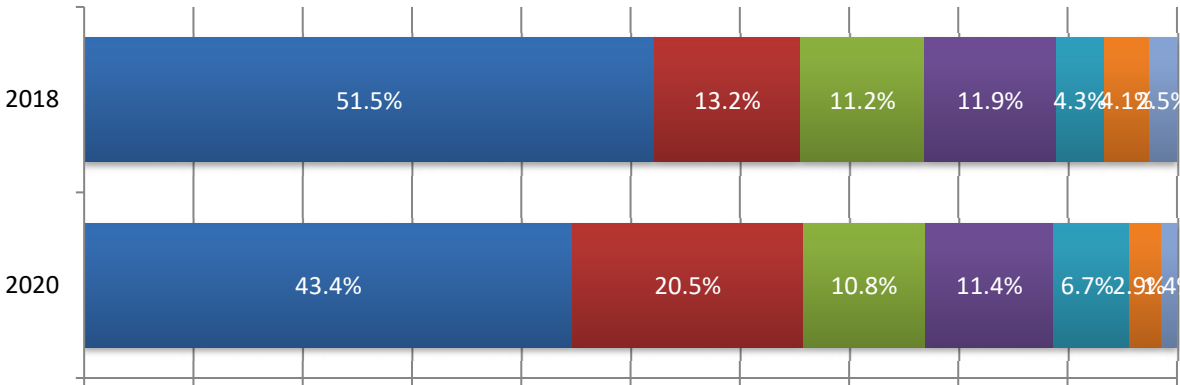


	2020	Responses (2020)
Ammunition	91.9%	239
Optics	87.3%	227
Firearm accessories such as grips, slings, bipods, etc.	86.9%	226
Gun-cleaning equipment and supplies	85.8%	223
Safety equipment	82.7%	215
Gunsmithing	56.9%	148
Hunting- or shooting-related gifts and home items	45.0%	117
Apparel	42.3%	110
Reloading equipment and supplies	40.8%	106
Hunting accessories	31.2%	81
Products not related to hunting/shooting	26.2%	68
Archery and bowhunting equipment	15.8%	41

Total number of responses in 2020: n = 260

SALES TRENDS

What percent of your gross annual sales were from the following categories?

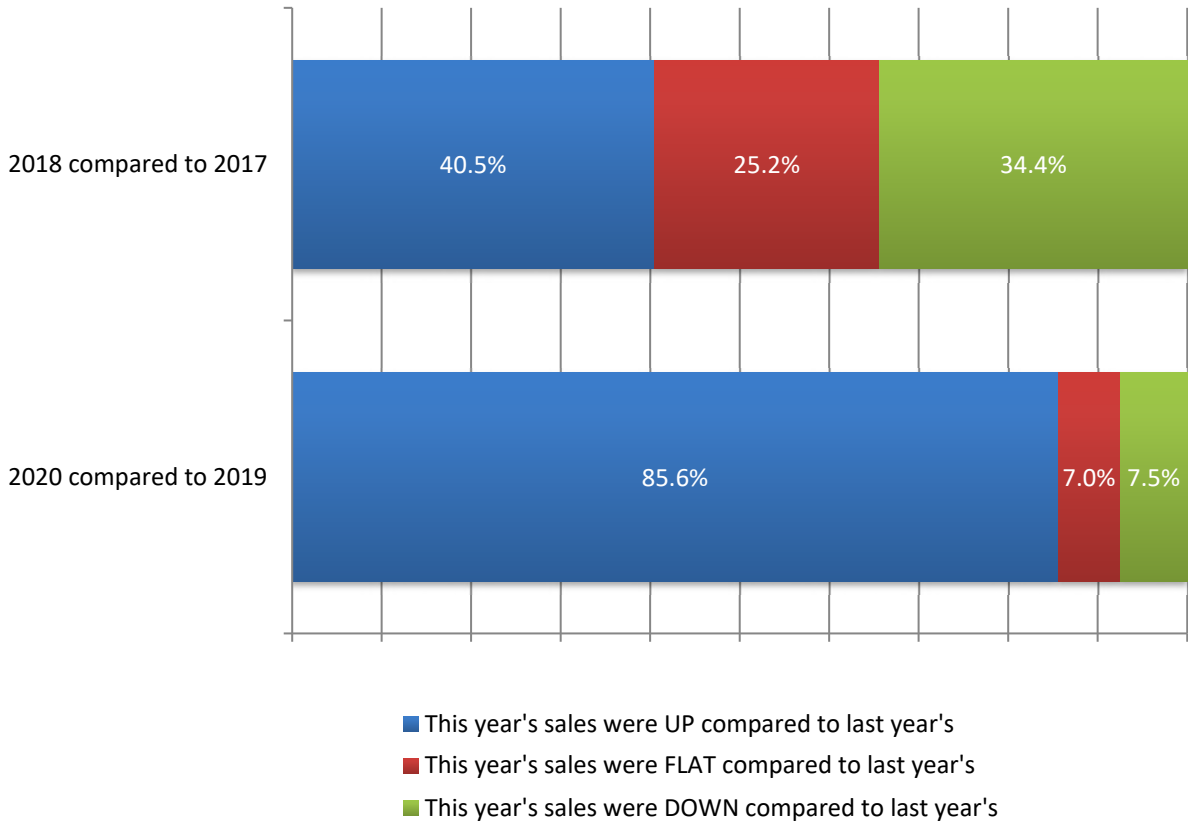


- New firearms
- Ammunition
- Hard goods
- Used firearms
- Products not related to hunting and shooting
- Soft goods
- Archery and bowhunting

	2018	2020
New firearms	51.5%	43.4%
Ammunition	13.2%	20.5%
Hard goods	11.2%	10.8%
Used firearms	11.9%	11.4%
Products not related to hunting and shooting	4.3%	6.7%
Soft goods	4.1%	2.9%
Archery and bowhunting	2.5%	1.4%

Total number of responses in 2020: n = 288

Total sales compared to the previous year:

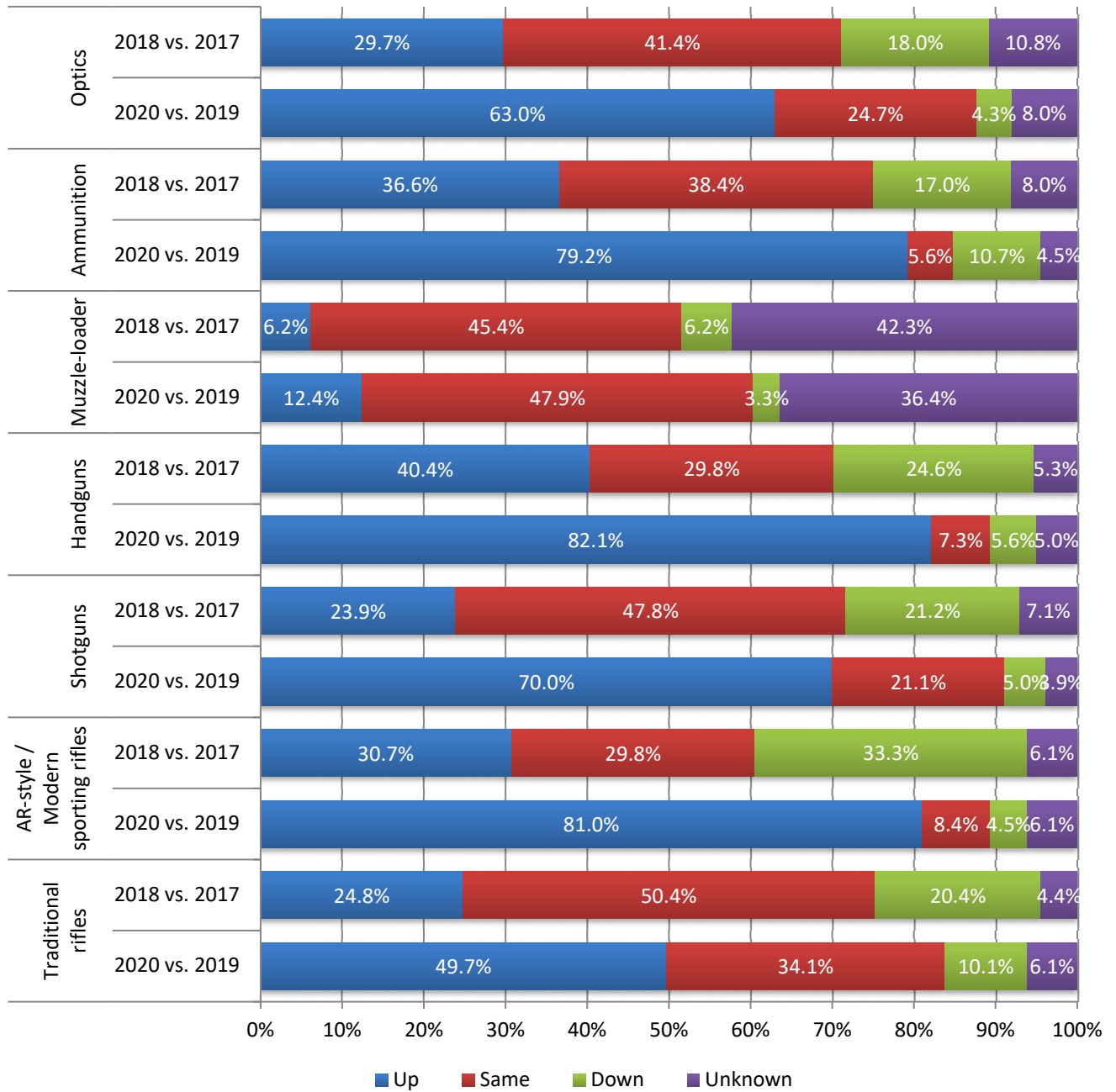


	2018	2020	Responses (2020)
Up	40.5%	85.6%	172
Flat	25.2%	7.0%	14
Down	34.4%	7.5%	15

What was the average change of total sales compared to the previous year?

	2018	2020	Responses (2020)
Avg. Increase	22.9%	80.8%	170
Avg. Decrease	18.2%	42.5%	15

Please compare your sales this year to your sales last year in the following categories listed below. For each category please say whether sales were UP or DOWN.

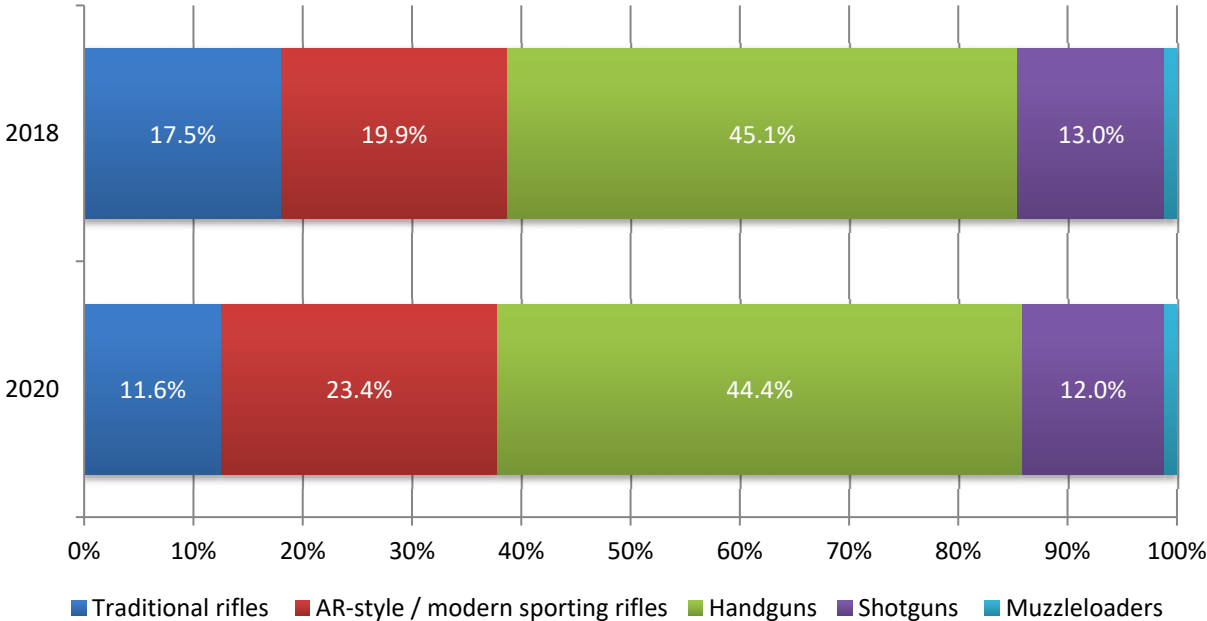


Total responses (year over year sales) in 2020: Optics (163); Ammunition (179); Muzzleloaders (122); Handguns (180); Shotguns (181); AR-Style rifles (180); Traditional rifles (180).

In 2020, what were your total sales of shooting and hunting-related items only, including firearms, ammo, accessories, apparel, etc.?

Year	Average Total Sales
2018	\$1,252,011
2020	\$2,666,719
# of 2020 Responses	170

Of all your FIREARM sales last year, please estimate the percentage of sales dollars attributable to each type of firearm:



Total responses in 2020: n = 194

SALES MARGINS and NET PROFIT

What is your average margin on the sale of NEW firearms?

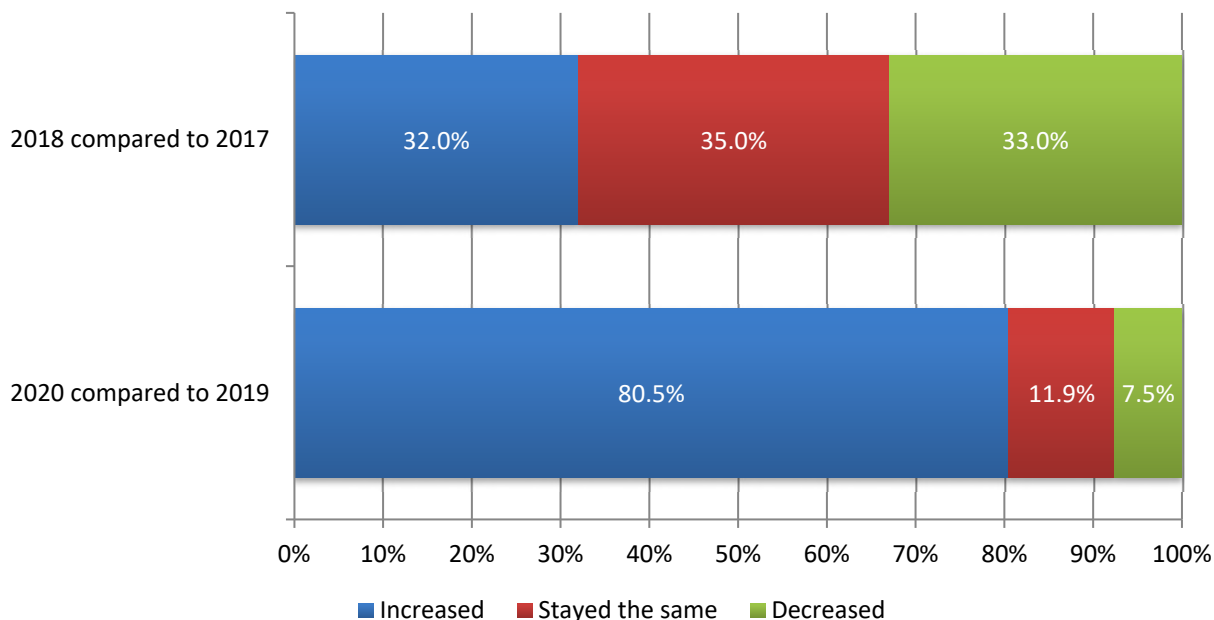
	2018	2020
NEW Firearms	15.8%	18.6%
Handguns	16.3%	20.2%
Rifles	16.8%	20.1%
Shotguns	16.4%	20.0%
Muzzleloaders	5.7%	12.6%

Total responses in 2020: n = 155

	2018	2020
Centerfire	24.1%	34.0%
Rimfire	21.4%	30.7%

Total responses in 2020: n = 156

Did your net profit increase, decrease or stay the same compared to the previous year?



Total number of responses in 2020: n = 159

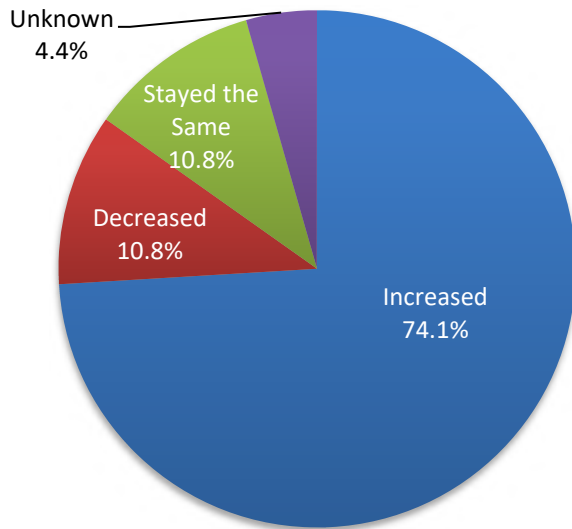
Estimated changes in net profit (for those who reported an increase or decrease).

	2018	2020	Responses (2020)
Average Increase	15.2%	70.2%	118
Average Decrease	38.9%	37.1%	12

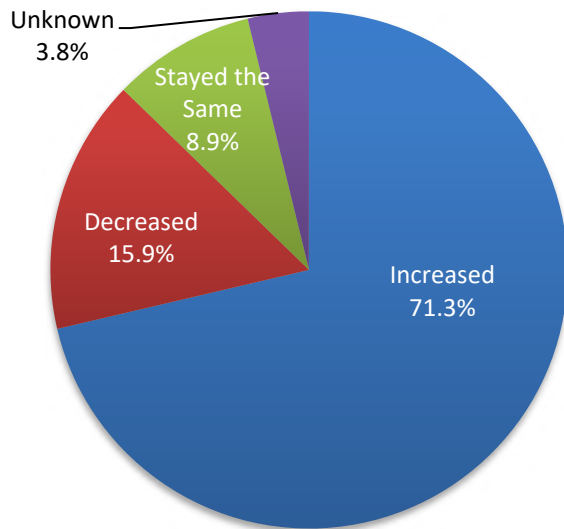
INVENTORY

How did your spending on inventory change in 2020 versus 2019 for:

Firearms



Ammunition



Product	Change in Spending on Inventory	2020
Firearms	Increased	74.1%
	Decreased	10.8%
	Stayed the Same	10.8%
	Unknown	4.4%
Ammunition	Increased	71.3%
	Decreased	15.9%
	Stayed the Same	8.9%
	Unknown	3.8%

Total number of respondents for FIREARMS (2020): n = 94

Total number of respondents for AMMUNITION (2020): n = 94

For 2020, what was the percentage change in your spending on inventory for each of the following items?

		2020	Responses (2020)
Firearms	Average Increase	93.3%	74
	Average Decrease	44.5%	7
Ammunition	Average Increase	121.3%	73
	Average Decrease	50.4%	8

SELECTED OPERATING MEASURES

NOTE: The following tables are based on a subset of respondents who provided complete information for sales, inventory, square footage, and cost of goods sold. Results are broken out into two categories: retailers with \$1 million or more in total annual sales of shooting and hunting-related items only, and those with less than \$1 million in sales.

What was the average value (replacement value, not retail value) of the total inventory you had on hand in 2020 for shooting- and hunting-related merchandise only, including firearms, ammo, accessories, apparel, etc.)? DO NOT include inventory for other activities such as fishing, hardware, camping, etc.

	2020	Responses (2020)
Retailers less than \$1 million	\$112,673.78	67
Retailers \$1 million or more	\$3,352,872.20	46

*Does not include inventory for other activities such as fishing, hardware, camping, etc.

To the best of your ability, please estimate the number of inventory turns you achieved in 2020:

	2020	Responses (2020)
Retailers less than \$1 million	7.34	23
Retailers \$1 million or more	7.56	33

*78 retailers were not able to answer this question.

What was the total square footage of retail space dedicated to shooting- and hunting-related items only, as of December 31?

	2018	2020	Responses (2020)
Retailers less than \$1 million	1,116	2,087	71
Retailers \$1 million or more	4,788	9,299	47

Please tell us how many full-time employees your store had in 2018 for hunting and shooting related merchandise including firearms, ammunition, etc.

	2018	2020	Responses (2020)
Retailers less than \$1 million			
Full Time Employees	2.4	1.8	77
Part Time Employees	2.0	1.2	47
Retailers \$1 million or more			
Full Time Employees	5.6	10.1	77
Part Time Employees	4.6	9.9	48

MARKETS and CUSTOMERS

What percentage of your shooting- and hunting-related sales revenue do you attribute to female customers?

	2018	2020
% of sales revenue	20.3%	28.0%

Total number of responses in 2020: n = 143

What type of firearm did female buyers purchase most often? (ranked from 1 (most likely) to 6 (least likely))

	2018	2020	Responses (2020)
Semi-automatic handgun	1.2	1.2	126
Revolver	2.4	2.4	110
AR platform (MSR) rifle	3.5	3.2	105
Shotgun	3.8	3.4	104
Traditional rifle	3.9	4.3	89
Muzzleloader	5.8	6.0	60

These results show how firearms retailers rank the observed preferences of female firearm buyers for given types of firearm on a scale of 1 (very likely) to 6 (not likely at all). For instance, the average respondent suggested that female hunters/shooters who purchased firearms from their business in 2020 most likely purchased a semi-automatic handgun (average rank of 1.2 out of 6) and was least likely to purchase a muzzleloader (average rank of 6 out of 6).

In your opinion, what percent of your customers were first-time gun buyers?

	2018	2020
% of all customers who were first time gun buyers	24.0%	34.0%

Total number of responses in 2020: n = 162

What type of firearm did first-time buyers purchase most often?

	2018	2020	Responses (2020)
Semi-automatic handgun	1.3	1.2	142
AR platform (MSR) rifle	2.9	2.5	128
Revolver	3.1	3.2	125
Shotgun	3.6	3.3	112
Traditional rifle	3.9	4.5	130
Muzzleloader	5.9	6.0	75

These results show how firearms retailers rank the observed preferences of first-time firearm buyers for given types of firearm on a scale of 1 (very likely) to 6 (not likely at all). For instance, the average respondent suggested that first time gun buyer who purchased firearms from their business in 2020 was more likely to purchase a revolver (average rank of 3.2 out of 6), than a traditional rifle (average rank of 4.5 out of 6).

To the best of your knowledge, what was your total customer demographic in 2020?

	2018	2020
Male	78.5%	73.8%
Female	21.5%	26.2%
White	74.4%	68.9%
Black	9.3%	12.9%
Hispanic	12.1%	10.6%
Asian	4.1%	3.9%
White Male	59.5%	51.6%
White Female	15.0%	17.4%
Black Male	7.0%	9.0%
Black Female	2.4%	3.9%
Hispanic Male	9.0%	7.9%
Hispanic Female	3.1%	2.7%
Asian Male	3.1%	2.6%
Asian Female	1.0%	1.2%
Other	NA	3.7%

Total number of responses in 2020: n = 140

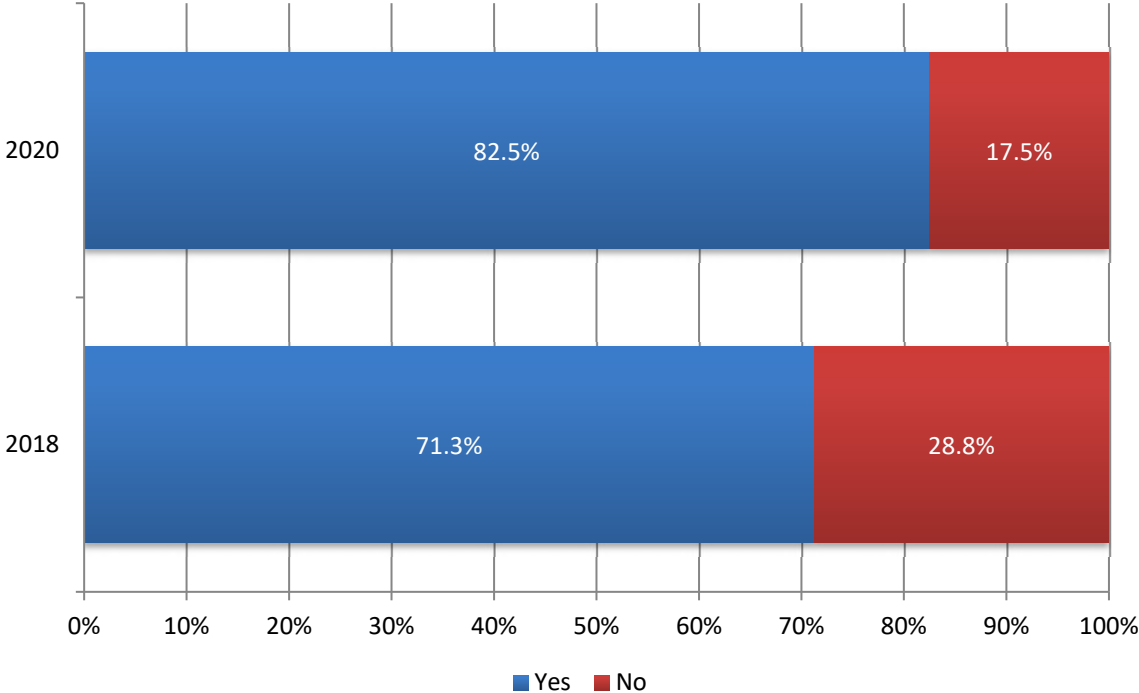
Do you have a system you use to collect demographic information (age, gender, race/ethnicity) on your customers?

	2018	2020
Yes	3.8%	8.6%
No	96.2%	91.4%

Total number of responses in 2020: n = 139

WEBSITE and ONLINE MARKETING

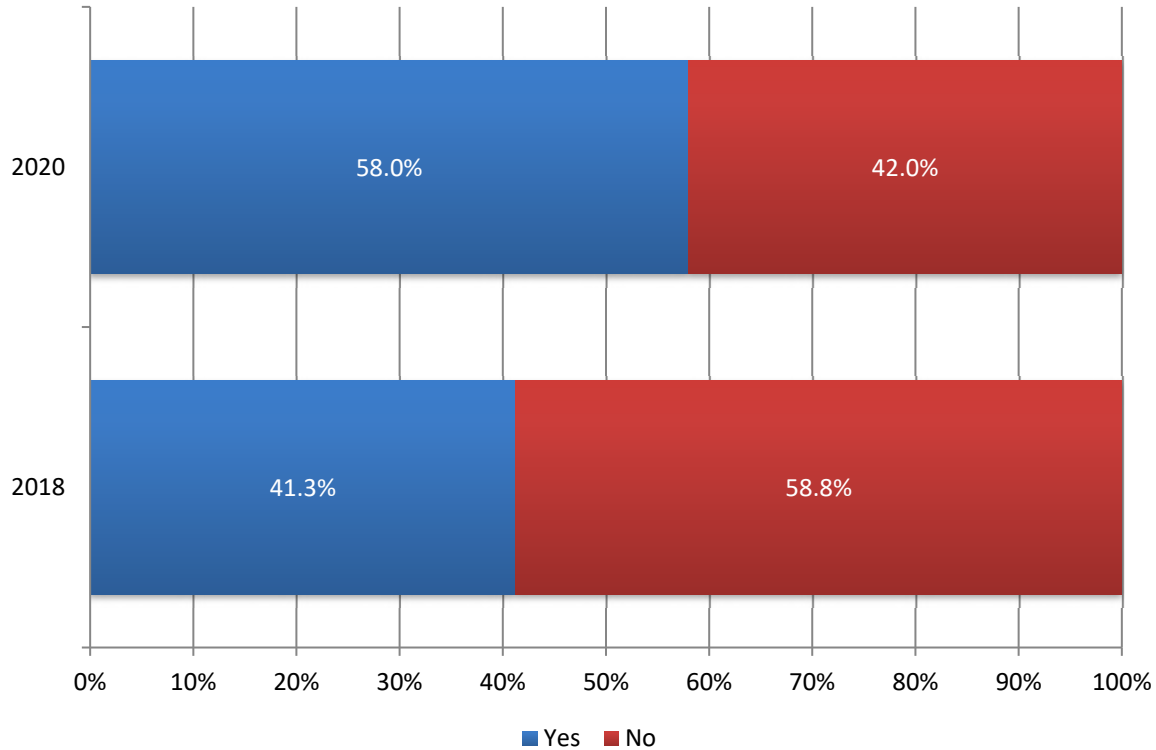
Does your business currently have a website?



2020	
Yes	82.5%
No	17.5%

Total number of responses in 2020: n = 143

Do you sell any hunting and shooting-related products via the Internet?



	2018	2020
Yes	41.3%	58.0%
No	58.8%	42.0%

Total number of responses in 2020: n = 143

This year, did your online sales increase or decrease?

	2018	2020
Increase	30.3%	69.9%
Stay the same	51.5%	18.1%
Decrease	18.2%	12.0%

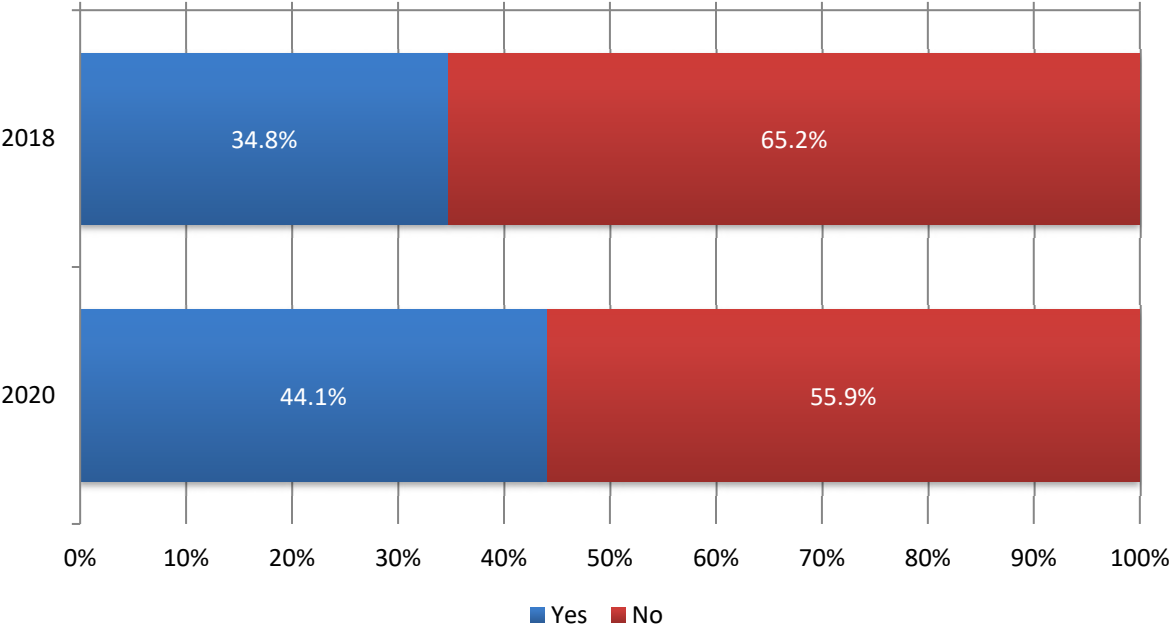
Total number of responses in 2020: n = 83

Please estimate as best as possible the percentage of annual shooting and hunting-related sales revenues that were generated online:

	2018	2020
% sales revenue generated online	26.0%	28.1%

Total number of responses in 2020: n = 78

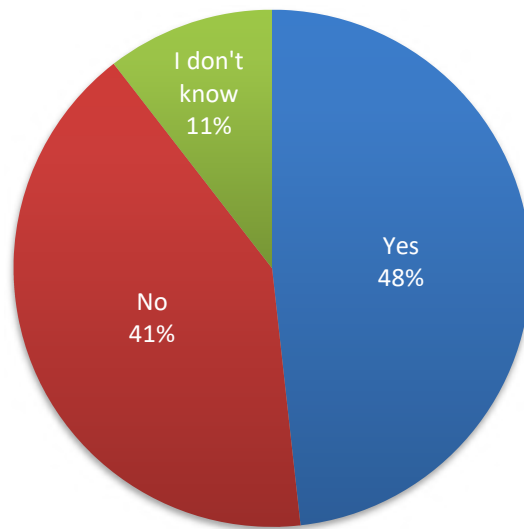
If you are not currently selling hunting and shooting products online, do your future business plans include selling online?



Total number of responses in 2020: n = 59

SOCIAL MEDIA AND CURRENT ISSUES

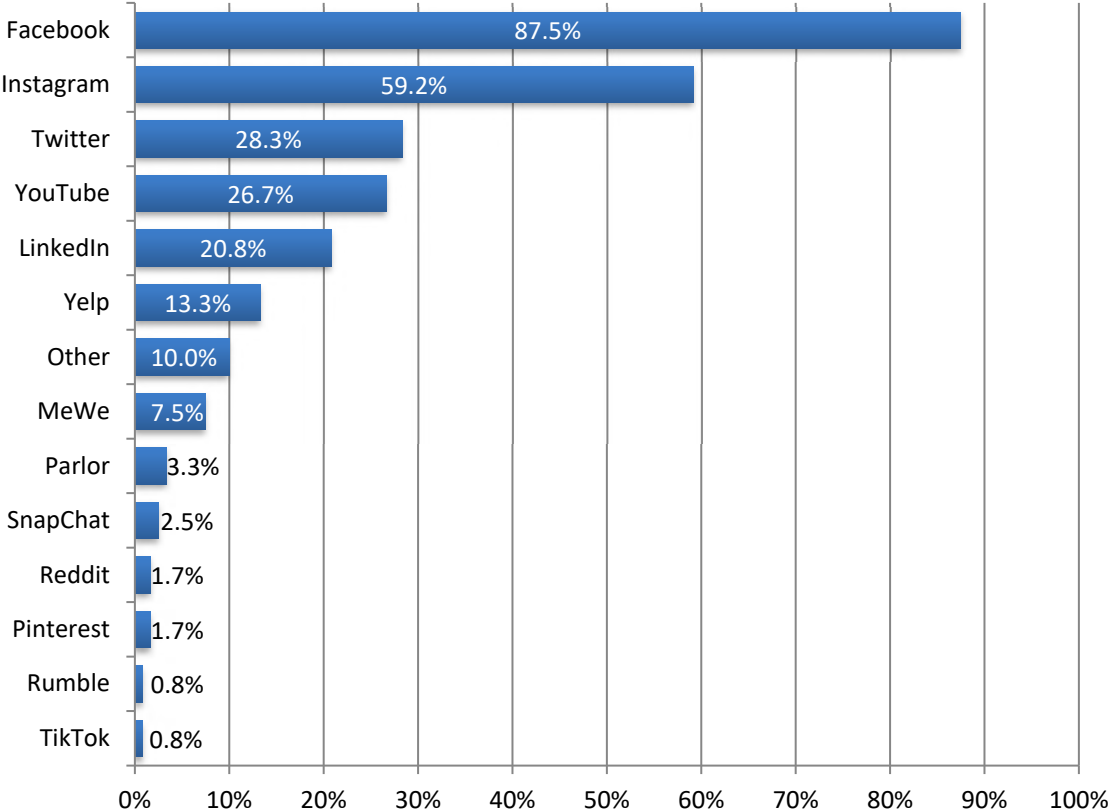
In 2020, were you denied the ability to advertise on any platforms?



2020	
Yes	48.3%
No	41.3%
I don't know	10.5%

Total number of responses in 2020: n = 139

Which social media platforms does your store use to communicate with customers?

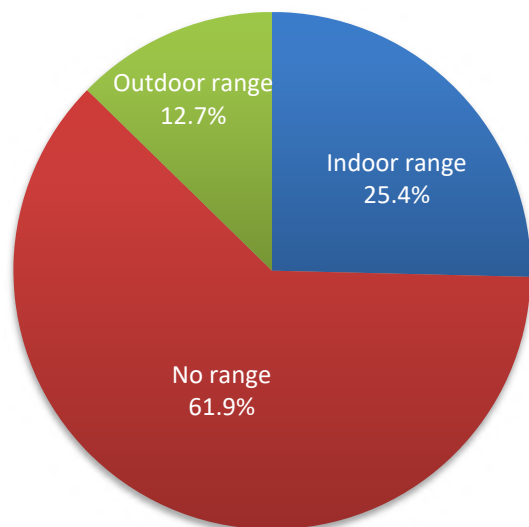


Social Media Platform	2020
Facebook	87.5%
Instagram	59.2%
Twitter	28.3%
YouTube	26.7%
LinkedIn	20.8%
Yelp	13.3%
Other	10.0%
MeWe	7.5%
Parlor	3.3%
Snapchat	2.5%
Pinterest	1.7%
Reddit	1.7%
TikTok	0.8%
Rumble	0.8%

Total number of responses in 2020: n = 120

SHOOTING RANGES AND OTHER OFFERINGS

Do you have an active shooting range on-site?



Total number of responses in 2020: n = 260

Do you offer any of the following general firearm instruction classes at your store? (select all that apply)

Class	2018	2020
Basic Pistol	36.6%	54.6%
Concealed Carry	39.8%	50.6%
Basic Rifle	23.6%	33.9%
Advanced Pistol Shooting	19.3%	33.5%
Women Only	20.5%	33.1%
Self-Defense	24.2%	31.5%
Basic Shotgun	21.1%	25.9%
Youth Classes	16.1%	25.9%
Tactical	14.3%	23.9%
Advanced Rifle Shooting	13.7%	20.3%
Hunter Education	11.8%	14.7%
Gunsmithing	9.9%	14.3%
Advanced Shotgun Shooting	8.7%	14.3%
Close Quarters Combat	3.7%	13.6%
Other	3.7%	7.6%
Reloading	5.0%	5.6%
We do not offer any firearm-related classes	49.1%	33.5%

Total number of responses in 2020: n = 251

BACKGROUND CHECKS AND OPERATING SYSTEMS

What percent of firearms sales (if any) in your store(s) use the approved alternate permits (such as concealed carry license) when completing a firearm sale? In other words, out of 100 firearms sold, what percent do not utilize the NICS system?

	2018	2020	Responses (2020)
Average response	38.4%	40.0%	117

Question shown only to respondents located in the following states: Alaska, Arizona, Arkansas, Georgia, Hawaii, Idaho, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Montana, Nebraska, Nevada, North Carolina, North Dakota, Ohio, South Carolina, South Dakota, Texas, Utah, Washington, West Virginia and Wyoming.

You are in a state that requires background checks on Private Party Transfers. Approximately what percent of total NICS background checks conducted by your store are for such Private Party Transfers?

	2020	Responses (2020)
Average response	11.2%	65

Question shown only to respondents located in the following states: California, Colorado Connecticut, Delaware, Illinois, Iowa, Maryland, Massachusetts, Michigan, Nebraska, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Washington and Washington D.C.

To the best of your recollection, on average how many firearms are sold per completed Form 4473?

	2018	2020	# 2020 Responses
Average number of firearms sold per completed form 4473	1.1	1.3	91

For example, in 2020 there were about 10 Form 4473s completed for every 13 firearms sold.

NSSF[®]
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Trade Association*

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