

From:	(b)(6)@nssf.org>
To:	Benacci, Kevin </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ffef45d17df44fe3aa7e1835852ed91.(b)(6)>
Subject:	FW: NSSF (Keane) Ltr to Dir Krebs Re National Critical Infrastructure Industry (03-20-2020) (FINAL)
Date:	2020/03/20 12:44:33
Due Date:	2020/03/19 20:00:00
Importance:	High
Priority:	Urgent
Type:	Note

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Dear Mr. Benacci

Please see the email below and attached (b)(6) suggested that I reach out to you on the issue of having DHS CISA list the firearm and ammunition industry as a national critical infrastructure industry.

I participated in yesterday's CISA conference call and raised the issue during the Q&A session. I know that Vista Outdoor (Fred Ferguson) also raised the issue from the ammunition manufacturer's perspective.

Please give me a call at your convenience to discuss the issue. I can be reached at 203-526-6773. I look forward to hearing from you soon.

Lawrence G. Keane

Senior Vice President for Government & Public Affairs,
Assistant Secretary & General Counsel

National Shooting Sports Foundation

(b)(6)

Wash DC: 400 No. Capitol St., NW, Suite 475, Washington, DC 20001

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NSSF – The Firearms Industry Trade Association

www.nssf.org

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From: Larry Keane
Sent: Friday, March 20, 2020 12:00 PM
To: CISA.CAT@cisa.dhs.gov
Cc: (b)(6)@nssf.org>
Subject: NSSF (Keane) Ltr to Dir Krebs Re National Critical Infrastructure Industry (03-20-2020) (FINAL)
Importance: High

Greetings Director Krebs,

First, thank you for hosting the conference call yesterday on the initial launch of Essential Critical Infrastructure Workforce and for taking my questions during the Q&A portion of the call.

As you requested, I am submitting the attached letter for your consideration. The National Shooting Sports Foundation (NSSF) is the trade association for America's firearm and ammunition industry. NSSF strongly believes that our industry (manufacturers – distributors – retailers) should be identified by DHS CISA as a critical infrastructure industry. As explained in more detail in the attached letter, we believe our industry members qualify as part of the Defense Industrial Base (DIB) and Emergency Services Sector (ESS). In addition, our industry members particularly federally licensed firearm retailers and shooting ranges, must be identified as critical infrastructure because it is how Americans can exercise the Second Amendment rights. As I mentioned in my question, a growing number of jurisdictions are ordering federally licensed firearm retailers to shutter as "non-essential" businesses, while dry cleaners and marijuana dispensaries are deemed "essential." Respectfully, that defies logic and common sense. The Supreme Court has held in its landmark Heller and McDonald rulings that the Second Amendment is a fundamental civil liberty that applies both to the federal and state/ local governments.

Please feel free to contact me if you have any questions concerning my letter or you need additional information to evaluate our request.

Thank you again for what DHS CISA is doing to protect America at this unprecedented time.

Lawrence G. Keane
Senior Vice President for Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

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Sent Date:	2020/03/20 12:44:01
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NATIONAL SHOOTING SPORTS FOUNDATION, INC.

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400 N. Capitol Street NW, Suite 490, Washington, D.C. 20001

(b)(6)

Lawrence G. Keane

SVP Gov't & Public Affairs

Assistant Secretary & General Counsel

March 20, 2020

The Honorable Christopher Krebs
Director of Cybersecurity and Infrastructure Security Agency
Department of Homeland Security
300 7th Street, SW
Washington, D.C. 20528

Dear Director Krebs:

The National Shooting Sports Foundation (NSSF) is America's trade association for the firearm, ammunition, hunting and recreational shooting sports industry. Our over 9,000 member companies include federally licensed manufacturers, distributors and retailers of firearms and ammunition products. On behalf of our members nationwide, I am writing to thank you for your leadership and the ongoing efforts of your agency to combat the COVID-19 (Coronavirus) pandemic.

I am also respectfully requesting that your agency designate the firearm and ammunition industry as a "National Critical Infrastructure Industry" and the employees who work in our industry should be clearly identified and listed as "Essential Critical Infrastructure Workers."

The firearm and ammunition industry is proud to provide the U.S. military and federal, state and local law enforcement agencies with the tools they need to carry out their vital national security and public safety missions. While we are facing a different kind of war in combatting an unprecedented public health crisis, it is imperative that we maintain a strong national defense and maintain public order.

As you are aware, the Department of Homeland Security (DHS) oversees the country's National Infrastructure Protection Plan (the "Plan")¹. This Plan outlines how government and private sector participants in the critical infrastructure community work together to manage risks and achieve security and resilience outcomes. The Plan identifies 16 different critical infrastructure sectors, including Defense Industrial Base (DIB)² and Emergency Services Sector (ESS)³.

Defense Industrial Base

¹ National Infrastructure Protection Plan, Cybersecurity and Infrastructure Security Agency. Retrieved March 19, 2020 from <https://www.cisa.gov/national-infrastructure-protection-plan>

² National Infrastructure Protection Plan, 2010 Defense Industrial Base Sector-Specific Plan, Cybersecurity and Infrastructure Security Agency. Retrieved March 19, 2020 from <https://www.cisa.gov/sites/default/files/publications/nipp-ssp-defense-industrial-base-2010-508.pdf>

³ Emergency Services Sector-Specific Plan, An Annex to the National Infrastructure Protection Plan, 2015. Retrieved March 19, 2020 from <https://www.cisa.gov/sites/default/files/publications/nipp-ssp-emergency-services-2015-508.pdf>

The United States military acquires virtually all its small arms from domestic commercial firearm manufacturers. All handgun ammunition used by the U.S. military is sourced from commercial ammunition manufacturers. The Department of Defense arsenal located in Lake City, Missouri, is operated by a commercial ammunition manufacturer under a DOD contract. Most of the rifle ammunition used by the U.S. military is produced in Lake City. The U.S. military also purchases rifle ammunition directly from domestic commercial ammunition manufacturers. The federal government recognizes the importance of ammunition and firearm manufacturing in times of crisis.

We believe federally licensed firearm and ammunition manufacturers, and their employees, are clearly part of the Defense Industrial Base.

Manufacturers cannot remain operational if they are unable to secure necessary raw material and component parts in order to produce finished products for the military, law enforcement and commercial market. Therefore, it is vital that the supply chain upon which our industry relies, including the ability to transport materials, parts and finished products, must also be designated as critical infrastructure industry.

Emergency Services Sector – Public Safety

According to DHS Cybersecurity and Infrastructure Security Agency (CISA), “The mission of the Emergency Services Sector (ESS) is to save lives, protect property and the environment, assist communities impacted by disasters, and aid recovery during emergencies.” Law enforcement is one of the five distinct disciplines composing the ESS sector that encompasses a wide range of emergency response functions and roles.

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

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

We cannot expect law enforcement to do its job of serving, protecting, and defending our communities without making sure they have access to the tools they need and which our industry provides. Our industry’s manufacturers, distributors and retailers are a vital part of the Emergency Services Sector.

Second Amendment – The Right to Keep and Bear Arms

