

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

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May 26, 2022

Mr. Mark P. Smith  
President and Chief Executive Officer  
Smith & Wesson Brands, Inc.  
2100 Roosevelt Avenue  
Springfield, MA 01104

Dear Mr. Smith:

I write to request information regarding your company's manufacture, marketing, and sale of deadly weapons used in mass shootings. Our country faces an epidemic of gun violence, which is now the leading cause of death for children in the United States. I am deeply concerned that gun manufacturers continue to profit from the sale of weapons of war, including the AR-15-style assault rifle that a white supremacist used to murder ten people last week in Buffalo, New York, and the AR-15-style assault rifle that was reportedly used this week in the massacre of at least 19 children and two teachers in Uvalde, Texas. Despite decades of rising gun deaths and mass murders using assault weapons, your company has continued to market assault weapons to civilians, reaping a profit from the deaths of innocent Americans.

This past Tuesday, an 18-year-old gunman entered Robb Elementary School in Uvalde, Texas, and opened fire on children in their classrooms. While information is still being gathered, initial reports indicate that the shooter possessed a handgun and at least one AR-15-style assault weapon manufactured by Daniel Defense. He reportedly used these weapons to kill at least 19 children and two teachers, and to injure multiple law enforcement officers.<sup>1</sup> The shooter had legally purchased two AR-15 style rifles just days after his 18th birthday.<sup>2</sup>

This horrific attack followed a mass shooting just ten days earlier, when a gunman wearing military gear opened fire on shoppers and workers at a Tops supermarket in Buffalo, New York. The shooter's attack was racially motivated and meticulously planned to target a

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<sup>1</sup> *At Least 19 Children, 2 Adults Killed After Shooter Open Fires at Texas Elementary School*, CBS News (May 24, 2022) (online at [www.cbsnews.com/live-updates/texas-elementary-school-shooting-robb-elementary-uvalde/](http://www.cbsnews.com/live-updates/texas-elementary-school-shooting-robb-elementary-uvalde/)).

<sup>2</sup> *Texas School Shooting: Shooter Legally Purchased 2 Rifles Upon Turning 18 Days Before Shooting*, Fox News (May 25, 2022) (online at [www.foxnews.com/us/texas-school-shooting-legally-2-rifles-days-before](http://www.foxnews.com/us/texas-school-shooting-legally-2-rifles-days-before)).

predominately Black community.<sup>3</sup> Using a Bushmaster XM-15, a semiautomatic rifle, the shooter murdered ten innocent people—including an armed security guard—and seriously wounded three others.<sup>4</sup>

The mass murders in Uvalde and Buffalo are just the latest examples of AR-15-style semiautomatic weapons being used to perpetrate mass shootings of innocent Americans. In fact, your company's own weapons of war have been repeatedly used to carry out horrific and deadly attacks. One of the weapons used in the 2012 mass shooting in Aurora, Colorado, which killed 12 people attending a movie, was a Smith & Wesson M&P15, an AR-15-style semiautomatic rifle.<sup>5</sup> The attacks on the San Bernardino, California, community in 2015 that killed 14 people were also perpetrated with the Smith & Wesson M&P15.<sup>6</sup> The gunman who took the lives of 17 students and adults at Marjory Stoneman Douglas High School in 2018 carried out his attack with the same weapon made by Smith & Wesson.<sup>7</sup>

Many other acts of violence, including homicides, have been carried out across the United States with weapons similar in nature to those you sell.<sup>8</sup> The deadly impact of your products is by design. AR-15-style rifles, in particular, were created to inflict maximum casualties in the shortest amount of time. These rifles are so named because they are largely based on the AR-15, which was originally marketed by Colt to the military.<sup>9</sup> Gun manufacturers have repeatedly emphasized the military characteristics of these firearms in advertising to civilians. Bushmaster, for example, touted the XM-15 as having “[v]ersatility on the Range or

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<sup>3</sup> *Buffalo Supermarket Shooting: What Do We Know So Far?*, Associated Press (May 16, 2022) (online at <https://apnews.com/article/buffalo-shooting-what-to-know-bcb5e0bd2aedb925d20440c2005ffef8>).

<sup>4</sup> *Massacre Suspect Said He Modified Bushmaster Rifle to Hold More Ammunition*, Washington Post (May 15, 2022) (online at [www.washingtonpost.com/investigations/2022/05/15/buffalo-shooting-gun-bought-bushmaster/](http://www.washingtonpost.com/investigations/2022/05/15/buffalo-shooting-gun-bought-bushmaster/)); *How the 18-Year-Old Suspect Legally Obtained Guns Before the Buffalo Mass Shooting*, CNN (May 17, 2022) (online at [www.cnn.com/2022/05/17/us/buffalo-mass-shooting-guns-suspect/index.html](http://www.cnn.com/2022/05/17/us/buffalo-mass-shooting-guns-suspect/index.html)); *“All These Innocent Lives”: These Were the Victims in the Buffalo Attack*, New York Times (May 15, 2022) (online at [www.nytimes.com/2022/05/14/nyregion/victims-buffalo-shooting.html](http://www.nytimes.com/2022/05/14/nyregion/victims-buffalo-shooting.html)).

<sup>5</sup> *Aurora Gunman's Arsenal: Shotgun, Semiautomatic Rifle and, at the End, a Pistol*, New York Times (July 23, 2012) (online at [www.nytimes.com/2012/07/24/us/aurora-gunmans-lethal-arsenal.html](http://www.nytimes.com/2012/07/24/us/aurora-gunmans-lethal-arsenal.html)).

<sup>6</sup> *Guns Used in San Bernardino Shooting Were Purchased Legally from Dealers*, Washington Post (Dec. 3, 2015) (online at [www.washingtonpost.com/world/national-security/suspects-in-san-bernardino-shooting-had-a-small-arsenal/2015/12/03/9b5d7b52-99db-11e5-94f0-9eeaff906ef3\\_story.html](http://www.washingtonpost.com/world/national-security/suspects-in-san-bernardino-shooting-had-a-small-arsenal/2015/12/03/9b5d7b52-99db-11e5-94f0-9eeaff906ef3_story.html)).

<sup>7</sup> *Florida Gunman Had Extra Ammo at School, Fired for 3 Minutes*, Associated Press (Feb. 15, 2018) (online at <https://apnews.com/article/health-tallahassee-north-america-us-news-ap-top-news-a6fd450470d4464ab423b8b3a911b42d>).

<sup>8</sup> See, e.g., Violence Policy Center, *Large Capacity Ammunition* (May 23, 2022) (online at [https://vpc.org/fact\\_sht/VPCshootinglist.pdf](https://vpc.org/fact_sht/VPCshootinglist.pdf)); Everytown for Gun Safety, *Analysis of Recent Mass Shootings* (Aug. 2015) (online at [www.issuelab.org/resources/22702/22702.pdf](http://www.issuelab.org/resources/22702/22702.pdf)).

<sup>9</sup> *A Brief History of the AR-15*, National Public Radio (Feb. 28, 2018) (online at [www.npr.org/2018/02/28/588861820/a-brief-history-of-the-ar-15](http://www.npr.org/2018/02/28/588861820/a-brief-history-of-the-ar-15)); *Once Banned, Now Loved and Loathed: How the AR-15 Became “America’s Rifle,”* New York Times (Mar. 3, 2018) (online at [www.nytimes.com/2018/03/03/us/politics/ar-15-americas-rifle.html](http://www.nytimes.com/2018/03/03/us/politics/ar-15-americas-rifle.html)).

During Patrol,” advertising it with the slogan: “Bravery on Duty.”<sup>10</sup> Daniel Defense has marketed its products in a manner associating firearms and minors, posting a picture as recently as last week of a small child holding an AR-15-style weapon, with a caption quoting a biblical proverb to “Train up a child in the way he should go, and when he is old, he will not depart from it.” That tweet has since been deleted.

Major businesses and retailers have acted in recognition of the deadly potential of assault weapons. Walmart has not sold the AR-15 and similar firearms in its stores since 2015.<sup>11</sup> In 2019, following a mass shooting in El Paso that killed 23 people, Walmart stopped selling ammunition for assault-style weapons.<sup>12</sup> Similarly, Dick’s Sporting Goods announced in 2018 that it would stop selling assault-style firearms in its stores and locations, going so far as destroying \$5 million worth of assault weapons in its inventory.<sup>13</sup> In 2018, Bank of America announced that it would stop lending money to gun manufacturers that make military-style firearms for civilian use, like the AR-15.<sup>14</sup> Ending the sale, manufacture, and possession of assault rifles is also supported by the vast majority of Americans, and recognized by medical associations as essential to protect public health and welfare.<sup>15</sup>

Despite strong public support for an assault-weapon ban in light of the horrific violence perpetrated with assault-style rifles, your company continues to manufacture large quantities of assault weapons and aggressively market them to the public. Guns have become the leading cause of death for children and teens in the United States.<sup>16</sup> The Committee respects the rights

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<sup>10</sup> Violence Policy Center, *The Militarized Marketing of Bushmaster Assault Rifles* (Apr. 2018) (online at <https://vpc.org/wp-content/uploads/2018/04/Bushmaster2018.pdf>).

<sup>11</sup> Walmart, *Walmart Statement on Firearms Policy* (Feb. 28, 2018) (online at <https://corporate.walmart.com/newsroom/2018/02/28/walmart-statement-on-firearms-policy>).

<sup>12</sup> *Walmart Halts Ammunition Sales for Assault-Style Rifles; Kroger Calls for Gun Safety*, Reuters (Sept. 3, 2019) (online at [www.reuters.com/article/us-walmart-guns/walmart-halts-ammunition-sales-for-assault-style-rifles-kroger-calls-for-gun-safety-idUSKCN1VO26X](http://www.reuters.com/article/us-walmart-guns/walmart-halts-ammunition-sales-for-assault-style-rifles-kroger-calls-for-gun-safety-idUSKCN1VO26X)).

<sup>13</sup> *Dick’s Sporting Goods CEO Says Company Will Stop Selling Assault-style Rifles, Set Under-21 Ban for Other Guns*, Washington Post (Feb. 28, 2018) (online at [www.washingtonpost.com/news/business/wp/2018/02/28/dicks-sporting-goods-ceo-says-company-will-no-longer-sell-a-assault-rifles-guns-to-people-under-21/](http://www.washingtonpost.com/news/business/wp/2018/02/28/dicks-sporting-goods-ceo-says-company-will-no-longer-sell-a-assault-rifles-guns-to-people-under-21/)); *Dick’s Sporting Goods Destroyed \$5 Million Worth of Guns*, New York Times (Oct. 8, 2019) (online at [www.nytimes.com/2019/10/08/business/dicks-sporting-goods-destroying-guns-rifles.html](http://www.nytimes.com/2019/10/08/business/dicks-sporting-goods-destroying-guns-rifles.html)).

<sup>14</sup> *Bank of America to Stop Financing Makers of Military-Style Guns*, New York Times (Apr. 10, 2018) (online at [www.nytimes.com/2018/04/10/business/bank-of-america-guns.html](http://www.nytimes.com/2018/04/10/business/bank-of-america-guns.html)).

<sup>15</sup> Gallup, *In Depth: Topics A To Z, Guns* (online at <https://news.gallup.com/poll/1645/guns.aspx>) (accessed May 25, 2022); American Academy of Pediatrics, *Advocacy: Assault Weapons Bans* (online at [www.aap.org/en/advocacy/state-advocacy/assault-weapons-bans/](http://www.aap.org/en/advocacy/state-advocacy/assault-weapons-bans/)); American Medical Association, *Press Release: AMA Recommends New, Common-Sense Policies to Prevent Gun Violence* (Jun. 12, 2018) (online at [www.ama-assn.org/press-center/press-releases/ama-recommends-new-common-sense-policies-prevent-gun-violence](http://www.ama-assn.org/press-center/press-releases/ama-recommends-new-common-sense-policies-prevent-gun-violence)) (accessed May 25, 2022).

<sup>16</sup> *In a First, Firearms Were the Leading Cause of Death for U.S. Children and Teens in 2020*, NBC News (Apr. 22, 2022) (online at [www.nbcnews.com/health/health-news/guns-leading-cause-death-children-teens-rca25443](http://www.nbcnews.com/health/health-news/guns-leading-cause-death-children-teens-rca25443)).

of law-abiding Americans under the Second Amendment, but that does not excuse irresponsible corporate conduct that fuels deadly gun violence and endangers our children.

The Committee is investigating the sale and marketing of your company's AR-15-style semiautomatic rifles and similar firearms to inform legislative efforts to achieve common-sense gun safety reform to save Americans' lives.

To address this urgent public safety issue, the Committee is holding a hearing on June 8, 2022, to examine the root cause of gun violence and evaluate measures to prevent further loss of life from firearms. This is the first of multiple hearings the Committee intends to hold on this important issue. To inform our hearing, as well as legislative efforts to achieve common-sense gun safety reform to save Americans' lives, the Committee needs information and documents related to the manufacture, sale, and marketing of your company's AR-15-style semiautomatic rifles and similar firearms.

For these reasons, please provide written responses to the following questions by June 2, 2022. Your responses should cover your company and any parent company, subsidiary, or other affiliated entity:

1. What is your company's annual gross revenue and profit from sales of semiautomatic rifles based on the AR platform and similar variants? Please provide this information from 2012 to 2022.
2. How many semiautomatic rifles based on the AR platform and similar variants have been sold by your company each year to distributors, retailers, consumers, and government agencies? Please provide this information broken down quarterly from 2012 to 2022.
3. How much does your company spend annually on advertising and marketing semiautomatic rifles based on the AR platform and similar variants? Please provide this information from 2012 to 2022.
4. How much does your company spend annually on lobbying federal and state governments, either directly or indirectly? Please provide this information from 2012 to 2022.
5. How much funding does your company provide to the National Rifle Association? Please provide this information from 2012 to 2022.
6. Does your company monitor or track deaths or injuries caused by semiautomatic rifles based on the AR platform and similar variants that you manufacture? If so, please provide the total number of deaths and injuries that have resulted from the use of such firearms from 2012 to 2022. Please also identify whether these deaths occurred by suicide, accident, or homicide.

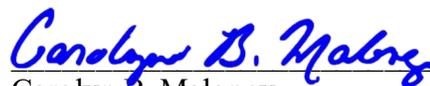
7. Does your company monitor or track crimes attempted or carried out with semiautomatic rifles based on the AR platform and similar variants? If so, please provide the total number of crimes attempted or carried out with semiautomatic rifles based on the AR platform and similar variants from 2012 to 2022. Please also identify the type of crime, the location in which the crime occurred, and any other details tracked by your company.
8. The Bushmaster XM-15 used in the Buffalo attack was easily modified by the shooter to accept high-capacity magazines. Does your company monitor or track crimes attempted or carried out with a modified firearm originally manufactured by your company? If so, please provide the total number of crimes attempted or carried out with a modified firearm manufactured by your company from 2012 to 2022. In addition, what has your company done in this timeframe to prevent your firearms from being illegally modified after purchase?

In addition, by June 6, 2022, please provide the following documents for the period from January 1, 2017, to present:

1. All marketing and public relations materials, whether in print or electronic format, related to semiautomatic rifles based on the AR platform and similar variants manufactured by your company.
2. All internal analyses, assessments, memoranda, presentations, or other documents relating to the use of semiautomatic rifles based on the AR platform and similar variants manufactured by your company in mass shootings or other homicides, the risks posed by your company's marketing or sale of these weapons, or the ability to modify these weapons to increase their lethality.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. An attachment to this letter provides additional instructions for responding to the Committee's request. If you have any questions regarding this request, please contact staff at (202) 225-5051.

Sincerely,



Carolyn B. Maloney  
Chairwoman

Enclosure

cc: The Honorable James Comer, Ranking Member