



September 12, 2017

**The Honorable Tom McClintock
Federal Lands Subcommittee
Committee on Natural Resources
United States House of Representatives**

**Re: Title XV of H.R. 3668 – SHARE Act
Position: Support**

Chairman McClintock and members of the Federal Lands Subcommittee:

My name is Knox Williams. I am the President and Executive Director of the American Suppressor Association (ASA), a non-profit organization which advocates on behalf of the firearm suppressor community. I write you today to express our support of Title XV of H.R. 3668, the Sportsmen's Heritage and Recreational Enhancement Act or SHARE Act. Referred to as the Hearing Protection Act, Title XV of the SHARE Act deals with the removal of suppressors from the National Firearms Act (NFA).

Suppressors are one of the most misunderstood tools in existence. The majority of Americans believe that suppressors fully silence the noise of a gunshot. This notion is unequivocally and empirically false. The primary root of this misconception comes from film, where agents like James Bond are able to use a suppressor to shoot without noise. While sometimes entertaining, Hollywood's depiction of suppressors does not have any basis in reality, giving the public at large an understandably false expectation of what suppressors actually do. Interestingly enough, many countries in Europe, including the United Kingdom, the very country that gives us James Bond, encourage their hunters to utilize suppressors in order to reduce noise pollution and help protect hearing.

The terms "silencer" and "suppressor" refer to the same thing – a muffler for a firearm. It is important to note that nothing can actually silence the noise of a gunshot. Physics will simply not allow it, as there are too many variables that suppressors do not affect. In reality, suppressors work in the same manner as mufflers on cars, which function by trapping hot expanding gasses and allowing them to slowly cool, thereby reducing the noise to safer levels.

On average, suppressors reduce the noise of a gunshot by 20 – 35 decibels (dB), roughly the same sound reduction as earplugs or earmuffs. Even the most effective suppressors on the market, on the smallest and quietest calibers, like .22 LR, reduce the peak sound level of a gunshot to around 110 – 120 decibels. To put that in perspective, according to the National Institute for Occupational Safety and Health (NIOSH), that is as loud as a jackhammer (110 dB) or an ambulance siren (120 dB).

From a hearing conservation perspective, according to Dr. William W. Clark, the current Director of the Washington University School of Medicine's Program in Audiology and Communication Sciences, "the most serious threat to hearing comes from recreational hunting or target shooting".¹ This is in large part due to the fact that many people choose not to use traditional hearing protection devices like earplugs and earmuffs. Multiple studies have found that between 70 to 80% of hunters never wear earplugs or earmuffs, and nearly half of all target shooters don't consistently wear traditional hearing protection.^{2,3} Thus, it should come as no surprise that for every five years of hunting, hunters become seven percent more likely to experience high frequency hearing loss.⁴

In a 2011 study, the Centers for Disease Control and Prevention (CDC) stated, "the only potentially effective noise control method to reduce students' or instructors' noise exposure from gunfire is through the use of noise suppressors that can be attached to the end of the gun barrel. However, some states do not permit civilians to use suppressors on firearms."⁵ California, Delaware, Hawaii, Illinois,



Massachusetts, New Jersey, New York, and Rhode Island currently do not allow civilians to own suppressors.

In a similar study from 2014 on noise exposure at shooting ranges, NIOSH recommended, “if feasible and legally permissible, attach noise suppressors to firearms to reduce peak sound pressure levels.”⁶

In March, 2017, the National Hearing Conservation Association’s Task Force on Prevention of Noise-Induced Hearing Loss from Firearm Noise stated that “using firearms equipped with suppressors” is one of “several strategies [that] can be employed to reduce the risk of acquiring NIHL and associated tinnitus from firearm noise exposure.”⁷

Although legal in 42 states, suppressors have been federally regulated since the passage of the National Firearms Act of 1934. Unlike every other item in the National Firearms Act, suppressors were included in the legislation without any Congressional debate. As the law currently stands, in order to buy a suppressor, prospective buyers must send in an application including fingerprints and passport photos to the ATF, pay a \$200 transfer tax, and wait for an indeterminate amount of time for the ATF to process the application. As of September, 2017, wait times are in excess of 9 to 10 months. It is an overly burdensome process that current ATF leadership has recognized as having little to no positive impact on public safety.

According to a white paper titled “*Options to Reduce or Modify Firearms Regulations*”, Ronald Turk, the Associate Deputy Director and Chief Operating Officer of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) said:

“While DOJ and ATF have historically not supported removal of items from the NFA, the change in public acceptance of silencers arguably indicates that the reason for their inclusion in the NFA is archaic and historical reluctance to removing them from the NFA should be reevaluated. ATF’s experience with the criminal use of silencers also supports reassessing their inclusion in the NFA. On average in the past 10 years, ATF has only recommended 44 defendants a year for prosecution on silencer-related violations; of those, only approximately 6 of the defendants had prior felony convictions. Moreover, consistent with this low number of prosecution referrals, silencers are very rarely used in criminal shootings. Given the lack of criminality associated with silencers, it is reasonable to conclude that they should not be viewed as a threat to public safety necessitating NFA classification, and should be considered for reclassification under the GCA.”

Some will claim that suppressors are not used in crime because they are rare, but that is not true. According to the ATF, there were 1,360,023 suppressors in circulation in the United States as of April, 2017. Most criminals are not interested in suppressors because they do not actually silence a gunshot. Suppressors also add length and weight to their host firearm, which make them inherently harder to conceal. Furthermore, criminals know that using a suppressor in the commission of a crime will carry stiff Federal penalties. These Federal penalties will remain law even with the passage of this legislation.

The Hearing Protection Act provision of the SHARE Act will fix this flawed Federal treatment of suppressors, making it easier for hunters and sportsmen to protect their hearing while at the range or in the field. It is a common-sense step that aligns with the 42 states where private suppressor ownership is currently legal, and the 40 states where hunting with a suppressor is legal. This legislation will remove suppressors from the onerous requirements of the NFA, and instead require purchasers to pass an instant NICS check, the same background check that is used during the sale of long guns. In doing so, law-abiding citizens will remain free to purchase suppressors, while prohibited persons will continue to be barred from purchasing or possessing these accessories.

By supporting this legislation, specifically the Hearing Protection Act provision, you are doing your part to give sportsmen and women across the country the option to use suppressors, ensuring that future generations will no longer have to choose between their passion in the field and their hearing. For those



who live near shooting ranges and hunting lands, suppressors will help make law abiding gun owners better stewards of their neighbors by reducing noise pollution and complaints.

Unlike many firearms issues, pro-suppressor reform has received a tremendous amount of bipartisan support across the country. In the past three years, three Democratic Governors have signed standalone pro-suppressor bills into law - Gov. Steve Bullock (MT) in 2015, Gov. Peter Shumlin (VT) in 2015, and Gov. Maggie Hassan (NH) in 2016.

For any interested members, we would be happy to host an educational suppressor demonstration at any time of your choosing. If you have any questions regarding suppressors, please feel free to contact me. Thank you for your time and consideration. On behalf of sportsmen and women across the country, I respectfully ask for your support of this bill.

Sincerely,

Knox Williams
President & Executive Director
American Suppressor Association

¹ Clark WW. (1991) Noise exposure from leisure activities: a review. *J Acoust Soc Am* 90(1):175–181.

²Wagner A, Stewart M, Lehman ME. (2006) Risk patterns and shooting habits of recreational firearm users. In: Abstracts of the National Hearing Conservation Association Annual Conference 2006, Tampa, Florida. *NHCA Spectrum* 23(Suppl. 1):28.

³ Stewart M, Foley L, Lehman ME, Gerlach A. (2011) Risks Faced by Recreational Firearm Users. *Audiology Today*, March-April:38–52.

⁴ Nondahl DM, Cruickshanks KJ, Wiley TL, Klein R, Klein BE, Tweed TS. (2000) Recreational firearm use and hearing loss. *Arch Fam Med* 9(4):352–357.

⁵ Chen L, Brueck SE. (2011) Noise and Lead Exposures at an Outdoor Firing Range – California. Health Hazard Evaluation Report HETA 2011-0069-3140:5.

⁶ Brueck SE, Kardous CA, Oza A, Murphy WJ. (2014) Measurement of Exposure to Impulsive Noise at Indoor and Outdoor Firing Ranges during Tactical Training Exercises. Health Hazard Evaluation Report HETA 2013-0124-3208:14.

⁷ Murphy S, Meinke DK, Flamme GA, Murphy WJ, Finan DS, Lankford, JE, Tasko SM. (2017) NHCA Position Statement: Recreational Firearm Noise. NHCA Task Force on Prevention of Noise-Induced Hearing Loss from Firearm Noise: 1.