

United States Senate

May 18, 2022

The Honorable Lina M. Khan
Chair
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington DC 20580

Dear Chair Khan:

Thank you for your commitment to protecting our nation’s children from unfair marketing practices. We write today to urge the Federal Trade Commission (FTC) to use its authority under Section 5 of the FTC Act to open an investigation into the marketing of highly lethal firearms, including assault-style rifles, to impressionable young people. These are weapons of war that have no place in the hands of our nation’s children, and can cause them substantial harm and even death.

The United States is in the midst of an epidemic of gun violence. Our young people, who routinely conduct safety drills focused on school shooters, acutely feel this crisis. As the COVID-19 pandemic recedes and children have begun to return to school, gun violence in our schools has skyrocketed. According to data from Everytown for Gun Safety, there were 136 instances of gunfire on school grounds between August and December 2021, the highest rate in that 5-month time period since Everytown began tracking these statistics in 2013.

Despite the unacceptable levels of gun crime and its devastating effect on our youth, some weapons manufacturers are blatantly flaunting their efforts to market firearms to children. At a recent gun industry trade show organized by the National Sports Shooting Foundation, a company named Wee1 Tactical unveiled the “JR-15,” an assault-style rifle modeled after the popular AR-15 assault rifle. Wee1’s website and Facebook page feature pictures and videos of children using this firearm.¹ Further, Wee1’s logo — which is prominently displayed on the JR-15 — includes a skull and crossbones with a pacifier. Eric Schmid, the owner of Wee 1, said: “We worked hard on that logo. It’s pretty exciting. That keeps the ‘wow’ factor with the kids, I think.”² He also said that the JR-15 is a “scaled down version [of the AR-15] that operates just like mom or dad’s gun,” and it is marketed with the slogan: “Get ‘em one like yours.”³ These alarming statements demonstrate that there is one target market for this dangerous firearm: America’s children.

¹ Wee 1 Tactical, Facebook, <https://www.facebook.com/pages/category/Product-service/Wee-1-Tactical-103865174607807/>.

² Shot Show TV, Schmid Tool - SHOT Show Product Spotlight, SHOT Show 2022, You Tube (Jan. 20, 2022), <https://youtu.be/XJdFMfJj7zE>.

³ *Id.*

The FTC has a long record of taking action to protect children from harm caused by dangerous products marketed to them, and has recognized the special nature of the child audience. Under the FTC Act, the Commission is charged with protecting consumers from “unfair or deceptive acts or practices.”⁴ The marketing practices of Wee1 Tactical are “unfair,” as the marketing of highly lethal assault rifles to children can lead to substantial harm or death, even if Wee1’s marketing materials do not make any false or misleading statements about the guns.

Wee1 is just a single actor in a long line of unscrupulous gun manufacturers that have worked for years to market their products to a young audience. For example, Smith & Wesson has targeted young male, civilian consumers, in significant part, by marketing its assault-style rifles as closely associated with or endorsed by the U.S. military and law enforcement, often attracting users of first-person video shooting games. Some of these marketing practices came to light during the litigation between the families of children killed at Sandy Hook Elementary and the Remington Company, which manufactured the assault weapon used in that horrific shooting.

We appreciate your personal attention to this urgent issue to protect children from gun violence. Under your leadership, the Federal Trade Commission must take action to prevent future harm to an impressionable generation of children that may not realize how gun manufacturers are seeking to hook them on their deadly products at an inappropriate age.

Thank you for your attention to this matter. We respectfully request a written response to this letter by June 6, 2022.

Sincerely,



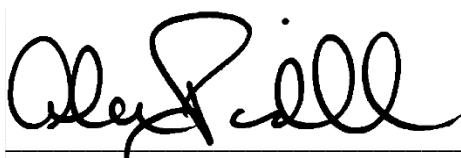
Edward J. Markey
United States Senator



Jack Reed
United States Senator



Dianne Feinstein
United States Senator



Alex Padilla
United States Senator

⁴ 15 U.S.C. § 45.



Cory A. Booker
United States Senator



Richard Blumenthal
United States Senator



Ben Ray Luján
United States Senator



Chris Murphy
United States Senator



Elizabeth Warren
United States Senator



Jeffrey A. Merkley
United States Senator



Tammy Duckworth
United States Senator

cc:

The Honorable Noah Joshua Phillips, Commissioner
The Honorable Rebecca Kelly Slaughter, Commissioner
The Honorable Christine Wilson, Commissioner