

00;00;20;00 - 00;00;45;24

Stephen Gutowski

All right. Welcome, ladies and gentlemen, to another episode of the Weekly Reload Podcast. I'm your host, Stephen Gutowski. I'm also the founder of thereload.com and a CNN contributor. And you can head over to thereload.com today if you want to check out our free weekly newsletter I have. I'm a little bit sick this week, so, I've messed up our intro here a little bit, but The Reload focuses on sober, serious firearms reporting and analysis.

00;00;46;16 - 00;01;15;27

Stephen Gutowski

And that is what we do. You can head over to thereload.com. Check it out today if you're interested in that approach, which I think is unique and different from what most everybody else does. On this topic. Speaking of which, this week we are going to do a deep dive into what's going on with Senate reconciliation and in particular, how they are dealing with the silencers slash suppressor De-listing that made it into the House version.

00;01;15;27 - 00;01;22;23

Stephen Gutowski

And to do that, we have with us and Williams of the American Suppressor Association. Welcome to the show, Dax.

00;01;22;26 - 00;01;24;14

Knox Williams

Thanks for having me on, Steve. It's a pleasure to be on.

00;01;24;14 - 00;01;33;04

Stephen Gutowski

With you, man. Absolutely. Thank you for joining us. Can you tell people a little bit more about yourself and, American Suppressor Association before we get started?

00;01;33;06 - 00;01;51;07

Knox Williams

Yes. So I'm Knox Williams, I'm the executive director of the American Suppressor Association. And we are a 586 nonprofit that I started about 14 years ago with the specific goal of trying to, remove suppressors from the NFA and make them legal for ownership and hunting in all 50 states.

00;01;51;09 - 00;02;26;17

Stephen Gutowski

And I would say that as of right now, you are probably closest to that goal as you've ever been before. It was included in this in the House version of this reconciliation bill. And now the Senate is is going to go through their version, which is, I guess, the key part of the process here, because the Senate has, what's called the Byrd rule for, reconciliation for people don't know, is a special budgetary process in Congress that allows, a budget bill to pass with just 51 votes instead of 60 votes.

00;02;26;19 - 00;02;49;25

Stephen Gutowski

And in order to get to that threshold for that process to be allowed to work, senators give up their right to, to, you know, have a normal filibuster, which would generally require 60 votes. And so there's a lot of fairly complex rules as to how things can make it into this budget. And that's where we're we're going to talk a little bit about that as well.

00;02;50;06 - 00;03;11;25

Stephen Gutowski

You know, we probably the primary focus of, of what we're going to get into today's is the Byrd rule that how whether science there's there's sort of two different parts of this reform in there. One maybe more, people are more confident will get through than the other. But, you know, you've got some updates for us, I think, recent, meeting that you've had on the Hill.

00;03;12;08 - 00;03;26;13

Stephen Gutowski

So let's just start with where things are at right now, like, yeah, we we got the House, passed their bill. It's now the Senate's job to take it up. What's the, where are they at right now? I think we're waiting on text. Is that.

00;03;26;16 - 00;03;45;29

Knox Williams

Yeah, that's exactly right. Yeah. So we're basically kind of at half time, right. If you want to think of this in terms of a football game. So first half was trying to get this through the house. We were successful in getting it included. And when I say it I'm talking about section two of the Hearing Protection Act. That's the provision that removes suppressors from the National Firearms Act tax scheme.

00;03;46;11 - 00;04;11;26

Knox Williams

And that really is kind of the cornerstone of why suppressor reform is germane to this process. Because at the end of the day, the National Firearms Act, the bill, the law that, encompasses regulations on suppressors and rifles and shotguns and a host of other devices, is just a taxing scheme. It was set up in 1934 as a taxing scheme.

00;04;12;12 - 00;04;35;11

Knox Williams

It's been upheld by the Supreme Court in 1937 as a taxing scheme. That case was actually referenced in the Obamacare. You know, whether or not it's a tax mandate, by, I think, Chief Justice Roberts, as recently as like 2009. So this is very much established as a tax. And that's why it is germane, in our opinion, to the reconciliation process.

00;04;35;13 - 00;05;09;22

Stephen Gutowski

Yeah, that that's been the argument that, the for really you guys have been able to to collect pretty much every gun rights group on this point, NRA goer and anger basically everybody is is united on this idea that it, it should be in there and it can get through the Byrd rule. Obviously there's a lot of skepticism, I think, on the Hill over this, you know, the number of sources that I've spoken to is certainly the Republican ways, House and ways, Ways and Means Committee didn't include that section when they passed the this provision.

00;05;09;22 - 00;05;34;08

Stephen Gutowski

They just had to use the other the other part of this is there, is just the elimination of the tax or the zero out of the tax, specifically on suppressors, or silencers, as they're known under the NFA, on transfers and making, making it added later. But that's the other half of this. People are much more confident that it, you know, literally all you're doing is lowering the tax there.

00;05;35;29 - 00;06;01;08

Stephen Gutowski

The, the concern, I guess the question becomes, whether or not delisting the devices is, germane or is going to pass the bird rule because Byrd rule basically says it has to be purely budgetary, can't be regulatory in nature, even if it has some sort of budgetary impact. If the goal is to be regulatory and, then it can't get through.

00;06;01;08 - 00;06;30;02

Stephen Gutowski

And that's what the big question is, because de-listing suppressors obviously add to the main benefit of doing that for owners is that or potential buyers, is that you wouldn't have to go through the registration process that's associated with the National Firearms Act with, which is a sort of a registration to prove that you've paid the tax. Right, which I guess for that goes back to your argument here that, well, this is all just to enforcement mechanisms for tax.

00;06;30;29 - 00;06;44;06

Stephen Gutowski

But I guess that's, that's the big question is whether or not these other mechanisms can be included or if you can only zero out the tax. Is that is that like a good summation in your view of the there a fair way of putting the the the argument here.

00:06:44;09 - 00:07:11;22

Knox Williams

Yeah, I think so. I think that's a fair characterization of what folks are saying about this. You know, the thing that we come back to is I don't understand really how one would be germane, but the other wouldn't, you know, again, because these are only dealing with taxes. When you talk about the registration of suppressors or other NFA items, we're talking about their inclusion in the National Firearms Registration transfer record, the Nft's year, which is the federal registry of, NFA items.

00:07:11;24 - 00:07:36;18

Knox Williams

And the only thing that that is, is a receipt of taxes paid. Right? So it's used for other purposes. But at the end of the day, statutorily speaking, that only exists to prove that people have registered their suppressors by paying that particular tax. It's not a license. It's not anything other than a receipt of that tax paid, which in our estimation makes it completely germane to the process.

00:07:36;21 - 00:07:59;14

Knox Williams

And I think two one thing to to kind of, you know, step back and give the 100,000ft overview of this whole situation, when we're talking about removing suppressors from the NFA through section two of the Hearing Protection Act, included in reconciliation, really all that we're talking about is no longer taxing them. And but you would still have to go through the same exact background check process.

00:07:59;21 - 00:08:15;29

Knox Williams

I think there's been a lot of intentional misdirection and misinformation on that point, especially by, Senate Democrats yesterday in their press conference where they're trying to say, oh, you want to sell silencers with no background checks? Absolutely not. That's not what this would do. A they would still only be legal in the 42 states where they're currently legal.

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Knox Williams

It wouldn't change anything in California and New York and Illinois. We're working on that on litigation. But that's a separate issue. And it wouldn't stop having background checks on suppressors. Prohibited persons would still be prohibited from possessing these items. Even in those 42 states, you'd have to be 21 years old or older to be able to purchase one.

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Knox Williams

They would be treated essentially like their own classification of firearms under the Gun Control Act, and you would still have to pass a federal FBI NICs background check in order to purchase one of these items. So it's a huge mischaracterization to say, oh, we're really totally pushing policy on this. No, we're trying to get rid of the tax scheme.

00:08:54;19 - 00:08:58;04

Knox Williams

All the other stuff really materially stays the same.

00:08:58;06 - 00:09:20;17

Stephen Gutowski

Yeah. Well, right. I mean, at the very least, I have seen Senator Chris Murphy, for instance, claim that this would

eliminate background checks on suppressors. And that's that's factually untrue. That's that's just false because silencers and suppressors are included in the definition of firearm under the Gun Control Act, which is a separate federal law. That wouldn't be impacted by this change.

00;09;20;26 - 00;09;44;26

Stephen Gutowski

Now, obviously you would like the fingerprinting and the, the registration application. That stuff would go away if you're if they're delisted from the NFA. But but you're right that, I mean, and again, I guess that goes back to the idea that stuff is there to prove that you've paid the tax. Not as an independent, I guess, from your point of view, not as an independent regulatory mechanism.

00;09;44;26 - 00;09;50;00

Stephen Gutowski

It's just there because it's a way of showing you pay the tax. Right? Yeah.

00;09;50;03 - 00;09;57;12

Knox Williams

Yeah, absolutely. And I think if it's all right with you, I'd love to give kind of some color behind the NFA process and what it takes to purchase these and how it differs.

00;09;57;13 - 00;10;01;05

Stephen Gutowski

Yeah, I think that'd be good because people have an understanding thing. Never been through it before.

00;10;01;07 - 00;10;21;29

Knox Williams

Yeah. So in order to purchase an NFA item again you know, suppressor shop or rifle SR Pro shotguns, things like that. You have to go to a licensed dealer, which has is a federal firearms licensee, which has paid an S.a.t or special occupational tax, again, another tax to be able to sell these items, which are under a taxing scheme.

00;10;22;17 - 00;10;43;01

Knox Williams

I hope that I'm hammering home that theme there. That pretty good. But, so when you go to a dealer to do that, you fill out what's called a form for application, and that's an application that you submit directly to the ATF. It includes a \$200 transfer tax per NFA item. So if you want to buy two suppressors, you're paying two separate \$200 taxes of \$400 on that.

00;10;43;10 - 00;11;01;12

Knox Williams

But each one is \$200. You're also submitting copies of FBI fingerprint cards. You're submitting passport style photos. You're sending it off to your, a local chief law enforcement officer can be a state AG. It can be a sheriff. It can be a chief of police. It's a whole host of folks basically notifying them that you're doing that.

00;11;01;29 - 00;11;29;06

Knox Williams

And the reason behind all of that was because, suppressors were regulated in 1934. That's far before the advent of the next instant background check system. That didn't happen for decades and decades later. So in order to vet people, the, Treasury Department, which initially, the, the whole NFA scheme fell under, wanted to have a way to basically vet people, when they were buying these items.

00;11;29;06 - 00;11;49;03

Knox Williams

So you'd have to go to your local chief of police or sheriff or chief law enforcement officer to get them to sign off on the application. That has since changed. But nonetheless, the fingerprints, the passport photos, that's really kind of an

antiquated step that doesn't even get used in the process. You know, so there's no real inherent value add to it.

00;11;49;03 - 00;12;09;05

Knox Williams

It's just something that has been kind of a holdover since the 30s, even though it's totally superfluous at this point. So when the ATF receives your application, they cash your check. That money goes directly to the Treasury's general fund. It doesn't even go to ATF. So a lot of people think, oh, ATF has a vested interest in this.

00;12;09;05 - 00;12;32;00

Knox Williams

They don't. That money goes straight to the Treasury again, because the Treasury was the original, home for these, for this statute. ATF hadn't been formed, in 1934. So, when the ATF receives that application, the cash, your check, they actually send your fingerprints over to the FBI. It costs some \$13 to do that.

00;12;32;00 - 00;12;56;02

Knox Williams

The FBI does exactly nothing with them. So it's totally useless. It's a total waste of money. So cleaning that up, it just in and of itself would be a win for the taxpaying community because it's literally just lighting money on fire for no reason. The FBI runs index background check, which is the exact same background check that is run for title one firearms like rifles and shotguns.

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Knox Williams

There is no difference. A lot of people think that it's some super secret squirrel like extensive background check. It is quite literally identical to by any other type of firearm. The only difference is that when you're buying a rifle, pistol or shotgun, there's a three business day mandate, to have that application or excuse me, to have that background check process by the FBI.

00;13;20;05 - 00;13;40;03

Knox Williams

Or the state can proceed at the discretion of the dealer. And with NFA items, that same shot clock does not exist, which is why historically you saw things like, you know, 6 to 18 month wait times. Granted, ATF has done a pretty fantastic job in recent years. The NFA division deserves a lot of credit for cleaning that up with the E4 system.

00;13;40;27 - 00;13;48;28

Knox Williams

Starting back early last year, to where wait times are now down on average, I think to you know, 1 or 2 weeks is kind of the norm, right?

00;13;48;28 - 00;14;09;25

Stephen Gutowski

Yeah. It's pretty remarkable turnaround there. And actually, I think that's been one of the and just, you know, to going on is a bit of an aside here for a moment. That's been one of the under-covered stories around suppressors over the last couple of years is just how popular they become and how much faster the processing has, has become as well.

00;14;09;27 - 00;14;18;21

Stephen Gutowski

What are we looking at today in terms of how many legally registered, suppressors are on, or on the NFA registry?

00;14;18;23 - 00;14;53;13

Knox Williams

So the most recent number that we got directly from the ATF was January of 2025. And at the time, there were 4.4 million over 4.4 million suppressors, registered in the NFR. To put that into context, when we formed the American Suppressors rotation back in 2011, there were 285,000 suppressors in the registry. So that means from 1934 until 2011,

there were 285,000 suppressors that were registered, in the NFA to actually, you know, that's obviously tremendous growth.

00;14;53;13 - 00;15;04;15

Knox Williams

Last year, I believe there were just shy of 750,000 suppressors sold domestically in the US. So almost three acts, how many were sold between 1934 and 2011.

00;15;04;17 - 00;15;08;01

Stephen Gutowski

Was a very substantial demand for these, especially in recent years.

00;15;08;08 - 00;15;32;23

Knox Williams

Absolutely, absolutely. And part of that is, you know, consumer awareness, a large part of that is the decrease of wait times. And, you know, again, hats off to the NFA division guys for doing that. You know, especially under the Biden administration, it's, you know, kind of remarkable to think about the fact that, that wait times were able to go down that far, you know, and yeah, but at the end of that.

00;15;32;25 - 00;15;51;19

Stephen Gutowski

I guess, the argument here would still be that there's probably a lot of pent up demand because you still have the barrier of the registration and the \$200 tax stamp per suppressor, and that keeps them the prices of these devices relatively elevated as well, because it's suppressing demand. Is that the idea?

00;15;51;21 - 00;16;09;25

Knox Williams

More or less. I mean, you know, the \$200 is just added straight on top. So that's certainly a barrier to entry. You know, Americans don't like being on list and rightfully so. You know, I myself don't love being on a federal campus. You know, and I can't fault anybody for for having that thought as well.

00;16;10;14 - 00;16;24;07

Knox Williams

But, you know, at the end of the day, you know, we're all probably on a list on something somewhere, you know, and, and that has not been enough to, stifle demand. Although I definitely agree that it is holding it back.

00;16;24;09 - 00;16;31;22

Stephen Gutowski

So, I mean, you would expect to see an even further increase in demand for, for suppressors if this de-listing happens.

00;16;31;29 - 00;16;33;06

Knox Williams

More than likely. Yeah.

00;16;33;09 - 00;16;36;00

Stephen Gutowski

Or even if just the tax cut gets through.

00;16;36;02 - 00;16;43;26

Knox Williams

Yeah, I think I think anything helps, especially in uncertain economic times like we're in right now. You know, every dollar savings helps.

00;16;43;29 - 00;17;11;13

Stephen Gutowski

Right? That makes sense. So going back to the the political fight over this, and this is look, I think this is, as I said, at the top, the closest you guys have come to accomplishing this goal, which has been a goal for decades now. And, you know, even if you only get the tax cut from this or zeroing out that tax, there's still pretty significant movement of federal wall.

00;17;11;13 - 00;17;22;10

Stephen Gutowski

I mean, we don't you don't really see a lot of loosening of, of, or deregulation of firearms under federal law the past 20, 25 years. Right?

00;17;22;13 - 00;17;26;13

Knox Williams

Yeah. No, I, I can't really think of much at all. We've got plaque.

00;17;27;02 - 00;17;28;12

Stephen Gutowski

Yeah. Those 2005.

00;17;28;18 - 00;17;55;00

Knox Williams

Yeah. And most of like the consumer facing control probably isn't even really aware of Placa. I mean, obviously that's come up pretty big this week, especially in the past couple weeks with the Smith Wesson Mexico, case hitting the Supreme Court. And what a fantastic ruling on on behalf of Scotus on our, but yeah, I mean, it, I, I think that if we are able to get suppressors out of the NFA, that would probably be the biggest amendment win.

00;17;55;00 - 00;17;57;17

Knox Williams

And in our lifetime legislatively.

00;17;57;24 - 00;18;33;03

Stephen Gutowski

Yeah. I think it certainly be the biggest legislative accomplish for the accomplishment of the gun rights movement, I think since placa at least. But, you know, maybe going back further, I don't know, the Protection of Whole Commerce and Arms Act, which I think a lot of people do, or. Sorry, that the, gun was the there was a Reagan, sorry, I, I again, I'm feeling a little bit off today, so, some of this stuff is escaping me at the moment, but regardless is it's been quite a while at the federal level since you've seen, I guess what you what you could call pro-gun legislation like this.

00;18;33;15 - 00;19;01;22

Stephen Gutowski

But getting back to that, to the political side of where the, I think most people that I've spoken to think the taxes is, is pretty unquestionably going to get through. And it does appear that there is a lot of support for this in the Republican caucus for both aspects of this. But obviously there's, staunch, as you mentioned, such, resistance from Democratic caucus, with even Schumer himself going out and having a press conference yesterday.

00;19;02;07 - 00;19;24;03

Stephen Gutowski

You know, Thursday, because we're filming on Friday here, you know, saying that they're going to challenge this in, the bird bath, they call it when you when they go through and do the bird rule, on all these different provisions. And so, you know, there was, I think I had heard some talk of this maybe getting that the, the delisting, getting scrubbed out before the tax comes.

00;19;24;03 - 00;19;47;02

Stephen Gutowski

We don't have the text yet. I think it's very unlikely that's going to happen from everything I've heard. So it seems the Republicans are willing to to fight for this. I think they will defer to whatever the parliamentary rules. But, and I think we have a I actually have a quote from Senator Cornyn, who's a key, I think a key player in this, John Cornyn from Texas.

00;19;47;18 - 00;20;06;13

Stephen Gutowski

And he said, we will reduce the tax to zero at a minimum. Our goal is to basically change the policy. Admittedly, that's going to be a discussion with the parliamentarian, and it remains to be seen. That is kind of the attitude I've heard from most people now. Some there is, like House Ways and Means Republicans.

00;20;06;13 - 00;20;27;20

Stephen Gutowski

Obviously they they argued that they didn't include this because they didn't think it was going to make it through this process. You guys put a lot of pressure. You and the other gun groups put a lot of pressure on House Republicans to include it. And so, yeah, I guess there there's a recent meeting on the The Hill about this that you attended.

00;20;27;20 - 00;20;31;15

Stephen Gutowski

Can you give us some insight into the latest that you're hearing?

00;20;31;17 - 00;20;54;26

Knox Williams

Yeah. So we had a meeting yesterday, the Conservative Partnership Institute or CPI, helped put together. There were probably about 30 or so Senate staffers in the room. They had a panel discussion all focusing on reconciliation. They actually had, a couple of ATF agents out there, showcasing suppressors as well as a difference between rifles and shotguns and, you know, you know, title one, rifles and shotguns.

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Knox Williams

Now, it was a very informative meeting, lasted about an hour, was really fantastic discussion. And really for us, the, the the main point that we're driving home is look they tax, estate tax, state tax and in a tax bill in the reconciliation process, anything that produces a change in outlays or revenues, like a tax, is germane.

00;21;15;27 - 00;21;33;23

Knox Williams

And I think that, you know, for anybody that's out there saying that the policy aspect of this outweighs the actual tax reform, you know, to me, it's akin to trying to snatch defeat from the jaws of victory, right? Like it's it's throwing in the towel when you're up by three touchdowns and the other side hasn't even scored in the first half.

00;21;33;26 - 00;21;53;11

Knox Williams

And you're the coach coming out there at the halftime interview saying, you know, hey guys, we need to be prepared to lose this. Like, absolutely not. That's ridiculous. You know, does it have a policy impact? Sure. Anything has a policy impact. Did Obamacare have a policy impact? Absolutely. But was still tax and it was still germane and the Supreme Court still upheld it.

00;21;53;22 - 00;22;12;03

Knox Williams

And that's exactly the lens through which we see this. I think that we were successful in getting the house to include section two of the Hearing Protection Act because it was the right thing to do. Right? Because in my opinion, the idea that reducing the tax but eliminating it, that reducing the tax is germane, but eliminating is not.

00;22;12;05 - 00;22;36;04

Knox Williams

I find that to be incredibly hollow. Right. And I think it's shortsighted. And I think it's trying to basically open with a compromise position when it's entirely unnecessary. You know, at the end of the day, the parliamentarian is the one who's going to make this decision for us. And there are mechanisms to override the parliamentarian, which obviously we would we would pull every lever available to us if she does not rule in our favor.

00;22;36;06 - 00;22;50;12

Knox Williams

But I just don't see how anyone with a straight face could make the argument that removing a tax is not germane because it does not produce a change in outlay to revenues.

00;22;51;25 - 00;23;14;25

Stephen Gutowski

I mean, I think the example that I've heard, and you know, I'm not an expert on reconciliation, you don't get a lot of gun, related measures through reconciliation. Right. Most of the time. Although this is something that I did bring up to like Rep Hudson and, and Senator Crapo when I, when we when I had them on my show earlier this year because as you mentioned, NFA is a tax.

00;23;15;22 - 00;23;43;19

Stephen Gutowski

I the logic makes sense to me. Certainly I do. I have heard examples of, for instance, Obamacare in particular, 2017 Republicans wanted to eliminate the individual mandate. And just for people who maybe don't know or don't remember the details of Obamacare and the fights back then, but Obamacare had an individual mandate in it that said, if you don't sign up for health insurance, you have to pay a tax penalty of, you know, certain amounts.

00;23;43;19 - 00;24;07;09

Stephen Gutowski

And Republicans wanted to remove that in reconciliation, and they were able to zero out the tax penalty but weren't able to remove the mandate itself. And so I've heard people, bring that up as an example of why this could go a similar way where you could get the tax year it out, but you can't, you know, removes sentences from the NFA.

00;24;07;13 - 00;24;19;29

Stephen Gutowski

Have you heard that example at all or do you find any I mean, does that sounds like you're pretty convinced of obviously, that you should be able to do this, but, have you heard this example before?

00;24;20;05 - 00;24;24;09

Knox Williams

I've not heard that example direct. But I'm not surprised that people are making that.

00;24;24;11 - 00;24;35;26

Stephen Gutowski

Do you have other examples maybe of, that would, from reconciliations in the past where you see a similar, moment to what your, what you're hoping to get.

00;24;35;28 - 00;24;57;24

Knox Williams

Not on the gun issues. And I think that the reason for that is because there's not a lot of gun statute in tax code. Right. You know, I think that there's a reason why we're seeing the Hearing Protection Act and not concealed carry reciprocity in this process. You know, and I think that another big part of that is, you know, suppressors just, were a relative unknown until very recently.

00;24;58;01 - 00;25;21;00

Knox Williams

That increase in demand is increasing people's political interest and their political will on this particular issue, which is, I think, kind of coming to a head right now. Also, the reconciliation process is admittedly not something that many people are that familiar with. You know, it's very complex. Yeah. It's complex, it's nuanced. And, you know, us in kind of the gun community, this is sort of our first fire drill here.

00;25;21;00 - 00;25;27;27

Knox Williams

So we're very much learning as we go on, on this process, which has made it a very fun experience also, a very stressful one.

00;25;28;17 - 00;25;49;16

Stephen Gutowski

But I guess, you know, the, the other attitude I've heard is basically, well, you might as well try. I mean, this is your best shot at getting it. It's the idea here. Like you're unlikely with the Congress as it sits today to pass the Hearing Protection Act or many of these other gun related reforms through normal order and get past the 60 vote limit.

00;25;49;21 - 00;26;07;21

Stephen Gutowski

You know, there may be some Democratic support for the HPA in the Senate, or even in the House, but it's very limited. It's certainly I think, Senator Crapo said himself on my show, who is one of the co-sponsors of the Hearing Protection Act in the Senate, that he didn't think you could get to 60 this year.

00;26;08;06 - 00;26;28;29

Stephen Gutowski

And that is, you know, the goal was to build support over time. So this is like attaching it to a larger must pass bill with a lower threshold for how many votes it needs to get through. The Senate is sure seems like the best play you could have. And, you know, it's kind of just worth the risk if it gets washed out in the bird roll.

00;26;28;29 - 00;26;36;20

Stephen Gutowski

That's, you know, not what you think will happen, but it's certainly worth trying. Is that, like, does that sum up the attitude fairly well.

00;26;36;22 - 00;26;59;27

Knox Williams

Yeah, I mean, absolutely. We're playing for keeps right now. But it's just the best shot that we've had. You know it's a great post. Done a fantastic job. He's carried the Care and Protection Act since 2017 and set aside, right now he's got 33 co-sponsors plus himself. So 34 Senator signed on to that legislation. Getting to 60 is a tall order, even in the best of circumstances, and not just for our particular issue for any firearms related issue.

00;26;59;27 - 00;27;18;17

Knox Williams

Heck, for any issue, period, there's just not a lot of legislation that actually moves through both chambers and gets to the president's desk. That's the nature of our political system. Good, bad or indifferent, that's just how it is. I will say on the House side, we actually do have our first Democratic co-sponsor in a number of congresses, Bree Goosen, Camp Perez.

00;27;19;04 - 00;27;39;11

Knox Williams

I think she's, you know, kind of dogged them from, I believe, Washington State, possibly Oregon. But, you know, it's it's bipartisan. And at the state level, suppressors is an issue that we've seen that has had a tremendous amount of bipartisan support. We've got 4 or 5 Democratic governors who have signed standalone suppressor legislation into law.

00;27;39;28 - 00;28;01;24

Knox Williams

You know, of the, you know, almost two dozen laws that we've passed in the state level pro suppressor laws, be it suppressor ownership, suppressor hunting or cleaning up statutes. You know, a large amount of those have had democratic, primary sponsors on that legislation. You know, so it's it's something where this is not just a red versus a blue issue.

00;28;01;24 - 00;28;25;06

Knox Williams

This is something where really when people understand what suppressors truly can and cannot do, it becomes a much more, palatable issue for a lot of people. But when you've got the likes of, you know, Schumer and Murphy, and Jill Brand going out there, and really just peddling propaganda and lies to try and support their position, you know, it becomes a very divisive issue, if that makes sense.

00;28;25;08 - 00;28;49;27

Stephen Gutowski

Yeah. No, sir. I mean, I think at the national level, guns generally becomes much more polarized than what you see, perhaps at some of the state levels, especially on issues like, hearing protection, I because a lot of there is like a, as the name implies, a safety aspect to this, especially for people like hunters who, may use suppressors in, in lieu of, other forms of hearing protection.

00;28;49;27 - 00;29;17;18

Stephen Gutowski

Right. And that may I think that plays, better with, you know, in certain states where maybe there's more Democratic support for that, those sorts of reforms. But yeah, speaking of which, you know, obviously we had a high profile, killing this late last year, I guess, the United Healthcare CEO assassination. And I've been surprised to see that you guys have been able to hold together.

00;29;17;28 - 00;29;36;15

Stephen Gutowski

Certainly Republicans support, at the very least for this, because usually those kinds of things are what drive, people away from, from bills like this, even if the circumstances don't 100% line up. Right. The guy 3D printed his, suppressor. He didn't register in the like. The NFA didn't stop him from doing any of that stuff.

00;29;36;27 - 00;29;53;11

Stephen Gutowski

But it was still a high profile incident with, you know, a suppressor being used. And, you know, you guys have managed to keep together support for this. As far as I can tell. We reached out to every, every Senate office to try and gauge where they are, at least, what they would say publicly.

00;29;53;24 - 00;30;12;23

Stephen Gutowski

And every Republican that we heard back from does support, the, the concept of this, and every Democrat we've heard back from which were far fewer of them, opposes it. But, it does seem like there's a strong consensus, at least among the Republican caucus, that they do want to see this happen. Is that the feeling you've gotten?

00;30;12;23 - 00;30;17;06

Stephen Gutowski

Have you seen any internal dissension from Republicans on this at all?

00;30;17;08 - 00;30;43;23

Knox Williams

No. I mean, I think that's spot on. I mean, again, I think that really kind of the internal debate that we're having is whether or not this is, you know, more tax related or more policy. And that's where for from our perspective, you know, making sure that, people understand that this is a tax reform, first and foremost, that any policy is just, you know, a direct result of, amending those taxes or eliminating those taxes.

00:30:44;11 - 00:30:49;21

Knox Williams

But really, at the end of the day, it all comes back to the tax note.

00:30:50;24 - 00:31:29;21

Stephen Gutowski

So there was one issue that was raised with us by one Senate office. Cynthia Lummis, out of Wyoming, raised this concern, which, which I've talked to a little bit about on The Reload before here. There is there are a lot of states that have, what you might call NFA mirror laws where they require and hopefully you can give us some insight into how many states have these sort of laws, but they require essentially that if you're going to possess anything that's an NFA item, science or machine gun, short barrel rifle, what have you, that you have to first obtain the federal, license or tax stamp, essentially

00:31:29;21 - 00:31:50;18

Stephen Gutowski

in this case, to do that. And so one of the issues that it seems this the listing would cause is some states it would become illegal to own silencers, even if you previously legally own them. Colorado has been one of the top examples of this, but I think Arizona is another state that does this. I think there's quite a lot of states, that do it.

00:31:50;18 - 00:32:03;24

Stephen Gutowski

I do you one have you, heard this concern raised, from other senators and to like, what is the solution that you see for this? Are you guys working on something related to that?

00:32:03;27 - 00:32:26;02

Knox Williams

Yeah. So, we've got several different lanes where we're working on this particular issue. First and foremost, there's not a lot of states that are actually impacted by this. And every state has its own statute that pertains to suppressors or really any gun related issues. And really, the devil's in the details of how that verbiage is drafted and stated in their statute.

00:32:26;16 - 00:32:47;04

Knox Williams

So again, you know, a lot of places will just say as long as you're in compliance with federal law, then, you know, you can possess the suppressor. Those states obviously are all good to go. Some states will say as long as it's registered in compliance with the National Firearms Act. We believe that even if these are removed from the National Firearms Act, that they would still be registered in compliance with National Firearms Act, therefore making it a non-issue.

00:32:47;14 - 00:33:09;16

Knox Williams

There are some states, like Colorado that reference, the licensed and having a permit. Well, under the current scheme, you are neither licensed nor have a permit. You have a receipt of a taxpayer. So we don't see that as an actual issue. You know, if section two of the protection Act does pass, there are some states where we will go and we will clean up the language in the next legislative session, or at least work to do that.

00:33:10;01 - 00:33:33;12

Knox Williams

To just clarify things, to make it, more straightforward and streamlined. But there's not really many states where we actually see a true legitimate barrier. It's not to say that some Democrat attorneys generals won't try and make attempts without obviously we will fight that. But I think first and foremost, what we would love to see is the inclusion of section three of the Hearing Protection Act into the reconciliation package.

00:33:33;23 - 00:33:54;21

Knox Williams

That's something that we've been working on, for months now, trying to get that included as well. And basically what that does is it says, as part of the tax code that's conforming language for this, which is why we think it would be germane to the reconciliation process, because you're allowed to have language that basically conforms to the tax policy change.

00:33:55:00 - 00:34:16:12

Knox Williams

So you don't create other issues by reforming that tax code. But it basically states that, if a state references, you know, federal law or the National Firearms Act that, you know, you were satisfying those requirements, that would be the simplest, the cleanest thing for us to do is to have section three included. And that would basically nullify any of these potential issues.

00:34:16:22 - 00:34:35:07

Knox Williams

The other stuff is working with the or, excuse me, working with those states in the next legislative session. But perhaps the most exciting for us is litigation. And obviously that moves in a much slower pace, but we're almost two and a half years into litigation challenging the constitutionality of suppressor bans in the state of Illinois.

00:34:35:21 - 00:34:55:09

Knox Williams

As a foundation and sound shop, filed a joint lawsuit, with a lot of industry support. In Illinois, it's called Anderson v owl. We've got Cooper and Kirk representing us there. We've got a very great judge. You know, it's a little frustrating that it's been taking this long, but, you know, we can't control the courts on that front.

00:34:55:21 - 00:35:24:17

Knox Williams

But, the whole premise of that is basically, you know, in a pro sprint environment, you know, suppressors, should be protected by the Second Amendment period. Hard stop. And, you know, DOJ even recently in that Peterson, memo that they put out a few weeks ago, even for the first time, acknowledged that suppressors from the federal government's perspective are protected by the Second Amendment, which is a fantastic step forward for us on that front.

00:35:25:00 - 00:35:25:08

Knox Williams

But they.

00:35:25:08 - 00:35:33:24

Stephen Gutowski

Also argued that they that the NFA is, falls within the tradition. And and so the regulations are constitutional, right?

00:35:33:28 - 00:35:44:05

Knox Williams

Yeah. They did not get that one completely. Right. Right. It was it was a bit of A12 punch, on that one where half of it was great, half of it was, a little bit subpar from our perspective.

00:35:44:11 - 00:36:05:08

Stephen Gutowski

Too, it is interesting too, because most of the judges that have ruled in these suppressor cases so far, the second, challenges, they've they've come down on the other end that suppressors aren't protected arms at all. That they're like accouterments or what have you, you know, under the, the founding that, some of these definitions that, exist from the founding era, right.

00:36:05:26 - 00:36:34:16

Stephen Gutowski

So, so, yeah. Can you give us a little bit of a, overview of what you guys are seeing right now in the legal fight? Because

obviously, we spent most of the time here talking about the legislative front. And to me, that seems like the most promising area for, you know, suppressor reform. But they're obviously has been a long, you know, Bruin does open up this avenue of, of, giving you guys a better chance of, of securing, you know, Second Amendment protections for suppressors, what have you.

00:36:34;16 - 00:36:38;20

Stephen Gutowski

What's the latest there beyond, this DOJ filing? And the old case?

00:36:38;22 - 00:36:58;21

Knox Williams

Yeah. I mean, it's exciting times. They're right. And it's, again, frustrating to move so slow, but we've got Anderson variable, in Illinois, Cooper and Kirk picked up, the plaintiff in Sanchez v Bonta in California, which has already made its way up to, the appeals, which is fantastic. I mean, it's very similar case. They basically use our arguments.

00:36:59;06 - 00:37:17;03

Knox Williams

In that particular case over there, they picked him up. He was a pro se litigant. Who, the Ninth Circuit said, hey, we're going to look at appointing you counsel. Cooper and Kirk reached out and, that got the case. So it's pretty fantastic to have arguments going in both, Illinois as well as the Ninth Circuit.

00:37:17;22 - 00:37:28;01

Stephen Gutowski

And these are against total bans. The state just totally bans you from owning suppressors altogether. NFA doesn't come into play. It's just the state just says you can't even possess these.

00:37:28;05 - 00:37:45;06

Knox Williams

That is absolutely correct. And right now there are eight states where suppressors are banned. And that's really what we're going after. We're not going to file lawsuits in all eight states. But our ultimate goal is to work this up to the Supreme Court and hopefully get them to recognize that suppressors are protected by the Second Amendment and therefore cannot be banned at either the state or the federal level.

00:37:45;08 - 00:38:08;19

Stephen Gutowski

Right. But, certainly a heavy lift, to get to the Supreme Court, as we've seen for any second case these days. But but, important to understand that that's still alive. Fight in the lower courts right now. And, and so, you know, from there, I think, do you know, next steps that we're looking for in terms of this reconciliation package?

00:38:08;21 - 00:38:30;01

Stephen Gutowski

You know, obviously, it's I think we're maybe expecting text to come out soon, maybe even today as we're filming, Friday. Maybe Monday is some is what I've heard, you know, what are you expecting to see the first text and then what happens after that? Do we do you have a good timeline, understanding of this?

00:38:30;04 - 00:38:45;19

Knox Williams

Yeah. So, I mean, I don't have a crystal ball, right? I wish I knew an exact answer on that, but we're here. The same thing could come out today. Friday. Could come out Monday. But that the Senate finance, language will come out, and then it's going to take some time, for the parliamentarian to work the way through that.

00:38:46;08 - 00:39:02;23

Knox Williams

You know, I would imagine that there's going to be a lot of provisions, that are challenged by the Democrats. It's not

unique to suppressors at all. So it's really just kind of a hurry up and wait game. And, you know, we're right at the end of halftime, and as soon as that language drops, that's when the second half kicks off.

00:39:02;23 - 00:39:04;13

Knox Williams

In our opinion.

00:39:04;15 - 00:39:14;26

Stephen Gutowski

Okay. And what are you going to be watching for. What are the key things to see I guess just what's in the text and what happens with the birdbath, as they call it, the parliamentary rules.

00:39:15;02 - 00:39:39;08

Knox Williams

Yeah. And we're going to be working that, you know, with Senate staff to make sure that they're armed with the best possible arguments, on bird compliance. Again, you know, I think that, you know, we've got an incredibly strong case to make. And I think that any reasonable person, judging this, would understand that, you know, tax codes are germane to, the reconciliation process because they produce a change in outlays or revenues.

00:39:39;19 - 00:39:49;05

Knox Williams

And as president has established in years past, you know, regardless of the actual policy ramifications, you've satisfied those requirements.

00:39:49;08 - 00:40:12;16

Stephen Gutowski

And do you know what that looks like in person? Like, does it? I don't really understand, I guess, yet, how the parliamentary process works to the Senate or go themselves to the parliamentary and have like a back and forth with them. I mean, I, I understand my understanding is like the parliamentary gives out some advice, you know, over the, on some of these issues before she makes an actual ruling on them.

00:40:12;18 - 00:40:18;05

Stephen Gutowski

But I think it can also be kind of a back and forth thing where the senator goes up and makes the argument. Right.

00:40:18;07 - 00:40:29;08

Knox Williams

That's my understanding. And again, you know, this is this is our first time through. It's I've actually seen this process play out before. But my understanding, as an admitted non-expert in reconciliation.

00:40:29;13 - 00:40:29;21

Stephen Gutowski

To.

00:40:29;28 - 00:40:54;24

Knox Williams

Now is is basically that on these contested issues, that you'll have delegates, for both for and against, they can make their arguments and almost litigate it to the parliamentary directly. And the parliamentary takes that into consideration and issues of judgment now. So that's I think, what we can expect to see on this, and it could be as simple as one staffer in a senator or it could be an army of people.

00:40:55;08 - 00:41:13;16

Knox Williams

You know, we heard that in our meeting yesterday that, you know, hey, we need to make sure that on any provisions

that people care about, that you come prepared and you roll deep, because the other side will on issues that they care about. So, you know, that's my understanding. I could be mistaken on that, but I believe that's how it'll play out.

00:41;13;19 - 00:41;30;08

Stephen Gutowski

Okay. All right. Well, we'll look forward to that. To. And perhaps we'll have to have you back on, a little further down the line. We we get some results from from this whole thing. I think it's going to be a while before we have the final bill to. Right. Like it's not. We might get the initial text.

00:41;31;07 - 00:41;36;01

Stephen Gutowski

Soon, but this process I think takes several weeks at least, right?

00:41;36;03 - 00:41;53;10

Knox Williams

Yeah. And that's, that's been one of the points of discussion. Right. The president obviously wants to have this bill on his desk, by July 4th. So, you know, that's a very aggressive timeline. You know, but so was getting it out of the house before Memorial Day. You know, everybody said there's no way that's going to happen.

00:41;53;11 - 00:42;11;07

Knox Williams

That was the conventional wisdom. And it happened. Right. And that's a testament to the administration. That's a testament to Speaker Johnson and his leadership. You know, and we've got a lot of, confidence that, Majority Leader Thune and his leadership team in the Senate. You know, hopefully we'll be able to pull that rabbit out hat as well.

00:42;11;09 - 00:42;31;25

Stephen Gutowski

All right. Well, we will be watching and reporting on that along the way. And and like I said, maybe we can have you back on, a little further down the line here. But we appreciate you coming on and discussing all this and giving us, you know, the latest update from your, your end, and, you know, if people want to follow or what you guys are doing, where can they do that?

00:42;31;28 - 00:42;54;06

Knox Williams

Yeah, man. AmericanSuppressorAssociation.com. If you want to join, we are a membership organization. That's ASAmember.com. You know, we've also got a, a fundraising, campaign going on right now. Just go to ASAraffle.com. I've got some really cool prizes that are helping to raise some funds for us. Follow us on Twitter, Instagram, all the socials.

00:42;54;21 - 00:43;02;25

Knox Williams

You know, we're we're out there, we're aggressive and we're engaged on this issue. And, Steven, thank you again so much for having me on, man. It's truly been a blast here. Yeah.

00:43;02;26 - 00:43;10;07

Stephen Gutowski

No, I appreciate you doing it and answering, questions here. It's, I think it'll be a lightning to the audience, so appreciate it.

00:43;10;09 - 00:43;11;04

Knox Williams

Well, heck yeah.

00:43;11;07 - 00:43;24;07

Stephen Gutowski

Thanks, man. That's all we've got for you guys this week. You can head over thereload.com to sign up for our free weekly newsletter. If you want to keep up to date with what's going on with guns in America. And of course, you can buy a membership if you want to support the kind of reporting that we do.

00;43;24;07 - 00;43;32;02

Stephen Gutowski

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