



March 29, 2020

Hon. Gregory D. Ford  
Chairman, Wake County Board of Commissioners  
P.O. Box 550  
Raleigh, NC 27602

Re: Need to Update Chairman's Proclamation to Reference Updated CISA List – to Re-Open Shuttered Gun Stores

Dear Chairman Ford:

[Grass Roots North Carolina](#) and [Gun Owners of America](#) are nonprofit organizations representing the interests of many thousands of North Carolinians who value limited government and the right to keep and bear arms. Our members and supporters in Wake County have been extremely concerned about your [Proclamation of Emergency Restrictions of March 26, 2020](#), which you interpreted to require the closing of gun stores and related businesses such as ranges (hereinafter “gun stores”). GRNC and GOA are in the process of preparing litigation to challenge your action on several bases.

Even though your proclamation had language expressing your desire to protect the safety of individuals, families, and residences, and thus would appear by its terms to allow gun stores to operate in order to give individuals the means to provide that safety, at your briefing given on March 26, your spokesman expressly explained that gun stores must be closed under the Proclamation.<sup>1</sup>

However, paragraph 10 of your Proclamation excludes from its closing order many types of businesses, beginning with:

- a. CISA Critical Infrastructure Workers as identified in the **March 19, 2020**, the U.S. Department of Homeland Security, Cybersecurity Infrastructure & Security Agency (CISA), Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response. All workers and professions identified in the CISA Memorandum are exempt.... [Emphasis added.]

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<sup>1</sup> *Question:* “Ann Johnson, with the [Raleigh] News & Observer. Can you define if ABC stores, gun shops, and pawn shops are included as essential businesses.” *Answer:* “The gun shops and pawn shops ... are not listed as essential functions in the order.” *See* video at 24:50, <https://abc11.com/wake-county-nc-stay-home-at/6052617/>

We are writing to bring to your attention that yesterday, Saturday, **March 28, 2020**, the Director of the Cybersecurity & Infrastructure Security Agency in the Office of the Director U.S. Department of Homeland Security made an important [update](#) to that list. In the section on Law Enforcement, Public Safety, and Other First Responders, the Director added the following groups now designated as Critical Infrastructure:

\$ Workers supporting the operation of firearm or ammunition product manufacturers, retailers, importers, distributors, and shooting ranges.

Since your Proclamation specifically references the “March 19, 2020” version of that CISA list, it would appear by its terms NOT to incorporate subsequently issued versions of the CISA list — including the March 28, 2020 version of the list. Therefore, if you choose to have your Proclamation fully protect all essential industries identified by the U.S. Department of Homeland Security, it would be necessary for you to revise your Proclamation so that gun stores, ranges, and other similar businesses could re-opened without delay. This would allow persons in the County to purchase essential means of self-protection.

We are planning on filing suit very soon to enjoin you from continuing to order gun stores to be closed. However, we have directed our lawyers to delay filing that litigation until at least 12:00 noon on Tuesday, March 31, 2020, to give you the opportunity to make the simple change to update your Proclamation to correspond to the current updated CISA list of March 28, 2020, without delay.

Please let us know by close of business tomorrow as to whether you will be making that change to your Proclamation, so we can avoid any unnecessary litigation.

With best regards.

Sincerely,



Erich Pratt  
Senior Vice President  
Gun Owners of America



F. Paul Valone  
President  
Grass Roots North Carolina