

November 1, 2024

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

Dear Chair Khan,

I write with serious concerns about the seemingly deceptive advertising practices of numerous companies regarding their allegedly bulletproof school supplies. In recent months, millions of children across America went back to school. School districts prepared their classrooms and parents took their children shopping for supplies. Sadly, this increasingly means purchasing products that promise to keep children safe from gun violence.¹

While it is tragic that school supplies that purport to protect our children from gun violence in the classroom are necessary, at least 139 instances of gunfire have occurred on K-12 school grounds so far in 2024 alone.² Eager to protect their children, parents are paying high prices, such as \$185 for a pencil case and \$149 for a “bulletproof backpack insert.”³ And costs are even higher for school districts: desks marketed as bulletproof can cost up to ten times the price of a standard desk.⁴

Yet the manufacturers of these products frequently claim certifications that their products have not actually received.⁵ Particularly worrying are false claims of certification by the National Institute of Justice, an agency of the U.S. Department of Justice, which neither tests nor certifies

¹ Emily Baumgaertner & Alex Kalman, “Bulletproofing America’s Classrooms,” *New York Times*, Sept. 18, 2024, <https://www.nytimes.com/interactive/2024/09/18/science/bulletproofing-schools.html>.

² “Gunfire on School Grounds in the United States,” Everytown Research & Policy, last modified Sept. 4, 2024, <https://everytownresearch.org/maps/gunfire-on-school-grounds/>.

³ “TuffyPacks 12” x 18” Level IIIA Bulletproof Backpack Insert,” TuffyPacks, available at <https://www.tuffypacks.com/products/tuffypacks-12-x-18-ballistic-shield-level-iiia-bulletproof-backpack-insert>; Baumgaertner & Kalman, *supra* note 1.

⁴ Dave Flessner, “First Line Furniture Creates Bullet-Proof Desks to Act as Shield Against Active Shooters,” *Chattanooga Times Free Press*, Dec. 1, 2019, <https://www.timesfreepress.com/news/2019/nov/30/first-line-furniture-creates-bullet-proof-desks/>.

⁵ Baumgaertner & Kalman, *supra* note 1.

school products of any kind.⁶ These phony certifications help justify the steep prices for “bulletproof” products while giving parents a fraudulent and unearned sense of security.

Myriad firms claim their backpack inserts, binders, pencil cases, and other school supplies provide NIJ-rated protection. For example, Premier Body Armor claims its “Premier Body Armor Level IIIA Ballistic 3-Ring Binder Cover” is “[t]ested to meet the NIJ ballistic standards for Level IIIA.”⁷ The Premier Body Armor “Universal Fit Level III+ Rifle-Rated Backpack Insert” is described as “[t]ested to meet the NIJ 0101.06 ballistic standard.”⁸ Bullet Blocker’s “NIJ IIIA Bulletproof Tactical Organizer” is allegedly “[t]ested to the NIJ IIIA standards stopping a 357 Magnum, 44 Magnum, 9mm, .45 caliber hollow point ammunition and more.”⁹ And Hardwire claims its “Bulletproof Clipboard Level 3A” features “NIJ Level 3A protection.”¹⁰

Similar claims are made by Safe Life Defense, RTS Tactical, Atomic Defense, White Horse Defense, Level-4 Armor, Leatherback Gear, Armored Republic, UARM, Bulletproof Zone, Citizen Armor, BulletSafe, and more.¹¹

These unsupported claims of U.S. government approval suggest that these companies are interested in profit, not children’s safety. And false promises with expensive price tags risk diverting resources and attention of school districts and parents away from solutions that are proven to help keep kids safe. I ask that the Commission investigate these companies to determine whether any unlawful, unfair, or deceptive advertising practices are taking place. Parents deserve better than false promises of security for their children.

Thank you for your attention to this important matter, and I look forward to your response.

Sincerely,



Richard Blumenthal
United States Senate

⁶ *Id.*

⁷ “Premier Body Armor Level IIIA Ballistic 3-Ring Binder Cover,” Premier Body Armor, <https://premierbodyarmor.com/products/ballistic-binder#features> (accessed Oct. 18, 2024).

⁸ “Universal Fit Level III+ Rifle-Rated Backpack Insert,” Premier Body Armor, <https://premierbodyarmor.com/collections/bulletproof-backpack-inserts-all/products/10x15-stratis-level-iii-backpack-insert> (accessed Oct. 18, 2024).

⁹ “Tactical Organizer,” Bullet Blocker, <https://www.bulletblocker.com/bulletblocker-nij-iiia-bulletproof-tactical-organizer.html> (accessed Oct. 18, 2024).

¹⁰ “Bulletproof Clipboard Level 3A,” Hardwire, <https://hardwirellc.com/products/bulletproof-clipboard-level-3a-1> (accessed Oct. 18, 2024).

¹¹ Claims from product description web pages, accessed Oct. 18, 2024.