

AMERICANS AND THEIR GUNS

The National Rifle Association Story
through nearly a century of service to the Nation

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OCR'ers Note: This book was found in a used bookstore, and while the majority of it deals with the NRA's shooting sports program, a single chapter is devoted to gun control, and it is reprinted here in its entirety as a historical document. I believe "fair use" allows an excerpt of 12 pages out of 316 (3.79%) to show how things were "back then".

25

Firearms Legislation

A Review of Pertinent Facts

NRA Policy

A better understanding of the entire subject of firearms legislation may be had if we review briefly steps already taken or contemplated in this field.

Until 1911 there were few other restrictions on the gunowner than a rather general prohibition against carrying concealed firearms. The right of the citizen to carry firearms openly or to keep them in his home or place of business without restriction was accepted almost universally by state law, and the federal government found no reason to enter the regulatory picture.

This traditional pattern changed on May 25, 1911, when Timothy D. Sullivan rammed through the New York State Legislature "An Act to Amend the Penal Laws in Relation to the Sale and Carrying of Dangerous Weapons." Introduced on January 5, 1911, the Sullivan Act had been passed and signed into law by the governor before those interested in keeping firearms could marshal opposition against it. The law was the parting gesture of a machine politician in the final plunge of his decline from power. Only months after he introduced the bill, and hounded by charges of corruption, Sullivan was committed to an institution for the insane. He was killed by a railroad train on September 1, 1913, after escaping from custody.

The radical feature of the Sullivan Act was its provision for a police or court-issued license to possess a firearm. Under the theory that the way to eliminate crime was to remove the instruments used by criminals, the police of New York City made it almost impossible for anyone to own or to purchase a handgun, regardless of his or her need. As the opponents of the law predicted, crime rates in New York continued to rise as rapidly as before and more rapidly than in many jurisdictions where no restrictions prevailed. The supporters of the Sullivan Act responded by tacking on new amendments, all designed to make the law even more restrictive than before. Those who wanted to acquire a pistol for illegal purposes, of course, paid no attention at all to the Sullivan law and purchased their

weapons through "fences" or brought them in from outside. But those who wished to defend themselves against robbers, rapists, or prowlers were told that they should leave police matters to the police and were denied permits! Any law which, like the Sullivan Act, depends on the cooperation of the criminal has no chance of being effective.

The Sullivan Act led to dozens of injustices by overzealous police and prosecuting attorneys. In several instances men went to jail for holding robbers at bay with unregistered pistols while their would-be attackers were released under technicalities. In one classic case, a young woman who found a handgun on the seat of a street car and thought it her civic duty to carry it to the nearest police station, was promptly clapped into jail for carrying a concealed weapon! It was such injustices and efforts to extend the provisions of the Sullivan Act to other states that hardened opinion in the NRA against unwarranted and unjust firearms restrictions. These injustices continue in New York and the recent cases of two women who defended themselves from attackers with weapons—and were promptly arrested—led a western newspaper to publish a very critical editorial headed "When Self-Defense Is Made a Crime."

Under the conditions that prevailed in the 1920s and early 1930s, however, tighter regulation of the sale and use of firearms soon became inevitable. Before World War I, crime had been largely a state or local matter, except in cases of robberies of the mails or other felonies involving interference with interstate commerce. Prohibition had spawned an entirely new breed of criminal—highly mobile, backed by a staff of well-organized specialists. Such were the empires of Al Capone and "Dutch" Schultz. The automobile had bred another—the free-wheeling desperadoes like John Dillinger, the Barkers, and "Pretty Boy" Floyd—who specialized in hit-and-run bank holdups that were often accompanied by violence. The operations of these

bandits were so flagrant that many states organized vigilante groups to help capture bank robbers. The Iowa Bankers Association and the Illinois Bankers Association both established vigilante groups of armed citizens in 1925. Los Angeles, in a similar effort, placed police-trained citizens under arms with special permits allowing them to carry concealed pistols. This approach, diametrically opposite to that taken in New York City, brought an immediate drop in the rate of violent crimes and robberies.

Although most of the pressure during the 1920s was for stricter control of firearms by the states, there was growing agitation for some form of federal regulation. This led in 1927 to the enactment of the federal law prohibiting the shipment of pistols through the mails except to officers of the law or to military personnel. President Calvin Coolidge actively discouraged the enactment of more rigid firearms restrictions on the grounds that he doubted their value in disarming the criminal.

After three years of study by an eminent committee, under which Karl T. Frederick served as a special consultant, the Commissioners on Uniform State Laws in 1926 adopted the Uniform Firearms Act. The Commissioner of Police of New York City, however, immediately wrote a strong letter of dissent to the Executive Committee of the Conference of Commissioners on Uniform Laws, charging that the proposed law would hamper law enforcement and open the doors to unrestricted traffic in firearms by criminals. The Commissioners sent the proposed law back to the subcommittee for further study. Both the subcommittee and the Commissioners as a body found the charges laid against the model law to be entirely false. In August, 1930, the Conference approved the model act for the second time. The Uniform Firearms Act had a significant influence on the thinking of lawmakers wrestling with firearms legislation during the next decade. Before, the only model had been New

York's Sullivan Act; the Uniform Firearms Act, although some of its features were ill-conceived, provided an alternative. During the 1930s it was adopted in part or in full by some states, and it formed the basis of the law adopted by Congress for the District of Columbia.

In 1927, Karl T. Frederick was elected to the Board of Directors of the National Rifle Association; he became a member of the Executive Committee in 1928. He and Maj. Gen. Milton A. Reckord formed a formidable team in defense of the rights of the lawful gunowner from that time until Frederick's death on February 11, 1963.

A major assault on the rights of the law-abiding citizen to bear arms for the defense of his home and family began with the 1930s. Much of it stemmed from an organization calling itself the National Council for the Prevention of War. Although its goals were laudable, this organization labored under the delusion that war and the causes of war could be eliminated if weapons of warfare could be elimi-

nated. It had developed in 1922 out of the ashes of World War I and had emerged full-blown in the uneasy climate of the late 1920s. With a budget that in spite of the Depression increased from \$150,000 in 1929 to \$200,000 in 1930, it threw its full resources behind the anti-firearms fight. While most of the existing laws sought to restrict the use of firearms, the bills proposed by the National Council for the Prevention of War sought to abolish firearms along with all other instruments of war. Its monument, and that of counterpart pacifist groups in other countries, was the series of disarmament conferences of the 1920s and early 1930s which permitted the unchecked rise of Fascism, Nazism, and Japanese imperialism, and led directly to World War II. During this period the National Council picked up some important allies in state legislatures and in Congress, and much of the energies of the National Rifle Association were devoted to keeping track of new firearms bills and reporting them through *The American Rifleman* to its membership.

As the number of firearms proposals, good and bad, increased, usual channels of communication became too slow. Lags between the introduction of a bill and its publication in the NRA magazine often prevented the Association from alerting its members in time for them to take effective action. As a result, in 1934, the NRA launched its Legislative Division, under the direction of C. B. Lister. As soon as action was needed, the affected members were notified at once by mail and advised of the provisions of the proposed bills. The NRA did not then, nor has it since, employed anyone to lobby for or against legislation. It merely has provided the facts and an appraisal of the bill in question and left further action up to the discretion of individual members.

In the opening days of the Seventy-third Congress there were seven bills dealing with firearms in the House and five in the Senate.

ONE WAY TO WEAKEN AMERICA



Tom Ellinwood in the *Arizona Daily Star*.

Maj. Gen. Milton A. Reckord, left, winner of many decorations from his government for meritorious service, and eminent New York attorney Karl T. Frederick, former NRA president, discuss some of the reasons they have firmly opposed ill-conceived laws that would encroach on the constitutional right to possess arms for lawful purposes. Both men were elected Honorary Life Members of the NRA.



The House Ways and Means Committee devoted a full executive session to the discussion of firearms control. The result of these efforts was the enactment on June 26, 1934, of the National Firearms Act.

The original version of this act, favored by Attorney General Homer S. Cummings, imposed unduly severe conditions on all firearms, a move that was vigorously opposed by members of the National Rifle Association. General Reckord, Karl Frederick, and others of the NRA were engaged during this period in an almost endless round of hearings before various Congressional committees. They were supported by testimony from Charles V. Imlay of the Conference of Commissioners on Uniform State Laws; by Col. John Thomas Taylor, legislative representative of the American Legion; and by Seth Gordon, secretary of the American Game Association, representing the hunting sportsmen of America.

The drive for a highly restrictive gun law was led by an intemperate special assistant to Attorney General Cummings, who stated flatly that small arms training for civilians was of small importance and that neither the foot soldier nor the battleship would be of any value in the next war. The outcome of the matter was that Congress adopted the recommendations of the National Rifle Association and the other respected organizations who shared similar views.

The National Firearms Act imposed taxes and registration on fully automatic weapons, sawed-off shotguns, short-barreled rifles, mufflers, and silencers, and required all dealers, importers, and pawn brokers handling this type of fire-

arm to pay an occupational tax. As amended and adopted, the National Firearms Act of 1934 was aimed squarely at the criminal and worked practically no hardship or inconvenience to the law-abiding gun-owning sportsman and citizen. In its final form it was supported enthusiastically by the NRA.

The National Firearms Act, however, was not regarded as adequate by Homer S. Cummings, and he began an immediate campaign to pass more restrictive anti-firearms laws. The character of this campaign was revealed in a statement by one of Cummings' assistants who made known that he intended to offer the Alco Crime Prevention Bill of California as an amendment to the National Firearms Act.

The Alco Bill, named for its author, Director of Prisons Julian H. Alco of California, proposed to outlaw the possession of any weapon "of any description and by whatever name known, which is capable of being concealed upon the person," and provided for indeterminate sentences to all violators. As such it went far beyond the Sullivan Act. Alco's proposal brought him publicity and formed the basic pattern for proposals advanced by the office of Attorney General Cummings.

The NRA met the attack head on. It carried several full-page editorials against the Alco Bill and otherwise supported the thousands of

citizens who fought to defeat the bill. It also did some quiet digging into the background of the sponsors. It discovered, among many other damaging factors, that the publicity chairman of Alco's "Crime Prevention Committee" had a police record dating back five years with six arrests on various charges in four years. The NRA then published the record in full in an editorial in the November 1934 issue of *The American Rifleman*. Little was heard from Alco from that time on. His bill received its *coup de grâce* early in 1935 after the convention of the California State Peace Officers Association passed a resolution stating:

Now therefore be it resolved that we emphatically condemn all efforts to place upon the ballot, or to secure the enactment of the so-called Alco Crime Prevention Law or any other similar drastic anti-firearm laws and denounce such legislation as impractical and un-American, and as an encouragement of, rather than as a means of preventing crimes and criminality, as a positive menace to the safety and defense of the lives and property of law-abiding citizens, and as opposed to every tradition of a hardy and red-blooded, self-reliant, and law-abiding race of Californians and Americans.

The Administration's request for a broader scope in restrictions devoted to unlawful use of firearms led to the adoption in 1938 of the Federal Firearms Act. Its major provisions were to make it a federal offense for anyone who was under indictment or who had been convicted of a felony to transport, ship, receive, or carry firearms or handgun ammunition across interstate or international borders; it made punishable the theft or possession of stolen firearms or ammunition while moving in or part of interstate or foreign commerce; and made it illegal to receive, possess, or dispose of any firearm from which the serial number had been obliterated, removed, or altered.

In keeping with its policy, the NRA supported the enactment of the Federal Firearms Act as vigorously as it had opposed such re-

strictive legislation as the Sullivan Act and the Alco Crime Prevention Bill. The result was sound legislation that worked no hardship on the law-abiding gunowner while providing heavy penalties for the criminal misuse of weapons.

Homer S. Cummings, with apparently little support from President Roosevelt in the White House, still was not satisfied and did all within his power to impose a firearms registration bill; his National Firearms Registration Bill never came to a vote in the Congress.

If President Franklin D. Roosevelt held any ill feelings toward the NRA for its stand against his Attorney General, they did not show in the following letter sent to General Reckord for reading before the annual banquet on February 4, 1938, at the height of the controversy:

On the occasion of the Annual Dinner of the National Rifle Association, I will be very happy if you will convey my greetings and best wishes for a long life of service for your successful organization.

From a small beginning your Association has grown to large proportions. You are doing what I believe to be a meritorious work, contributing your efforts to carrying on the successful promotion, among the citizens of the Nation, of rifle marksmanship—an accomplishment in which our forefathers so effectively excelled. The growth of your Association is thoroughly consistent with the soundness of the purpose for which it was organized.

Both national and international rifle competitions which you encourage, have served to inject the idea of sport into rifle shooting. I sincerely hope that it may always be kept on this basis, which, while encouraging a free spirit of rivalry also makes an essential contribution to the national defense.

Following passage of the National Firearms Act and the Federal Firearms Act, and reflecting somewhat the increasing effectiveness of the Federal Bureau of Investigation, approximately two decades passed without serious



agitation for further firearms controls, but in 1957 there cropped up a serious weakness in the language of the Federal Firearms Act. Here appeared the innocent-looking sentence, "The Secretary of the Treasury may prescribe such rules and regulations as he deems necessary to carry out the provisions of this chapter [Act]."

This implementation was assumed by the Congress and the public to mean that prescribed rules and regulations would be limited to the intent and purposes of the Act. It was therefore a great shock to find sweeping changes in the Federal Firearms Act published in the Federal Register on May 3, 1957. The proposed changes would have amounted virtually to a federal firearms registration system. Moreover, such regulations would have been imposed by administrative action of the Secretary of the Treasury rather than by Congress. The idea apparently had been conceived by the Chief Counsel of the Senate Judiciary Committee in its investigation of juvenile delinquency. It had been advanced publicly by the Alcohol and Tobacco Tax Division of the Internal Revenue Service, the agency charged with the administration of the Federal Firearms Act. The ATTD claimed as its authority for making the changes that section of the Federal Firearms Act which gave it discretionary powers to "rule and regulate."

Members of the National Rifle Association objected to the proposed changes on the grounds that they would be totally ineffective in reducing the criminal use of firearms, and that they went far beyond the intent of Congress when it had enacted the law. In this the National Rifle Association was joined by a large number of congressmen and senators, many of whom had been instrumental in passing the original law.

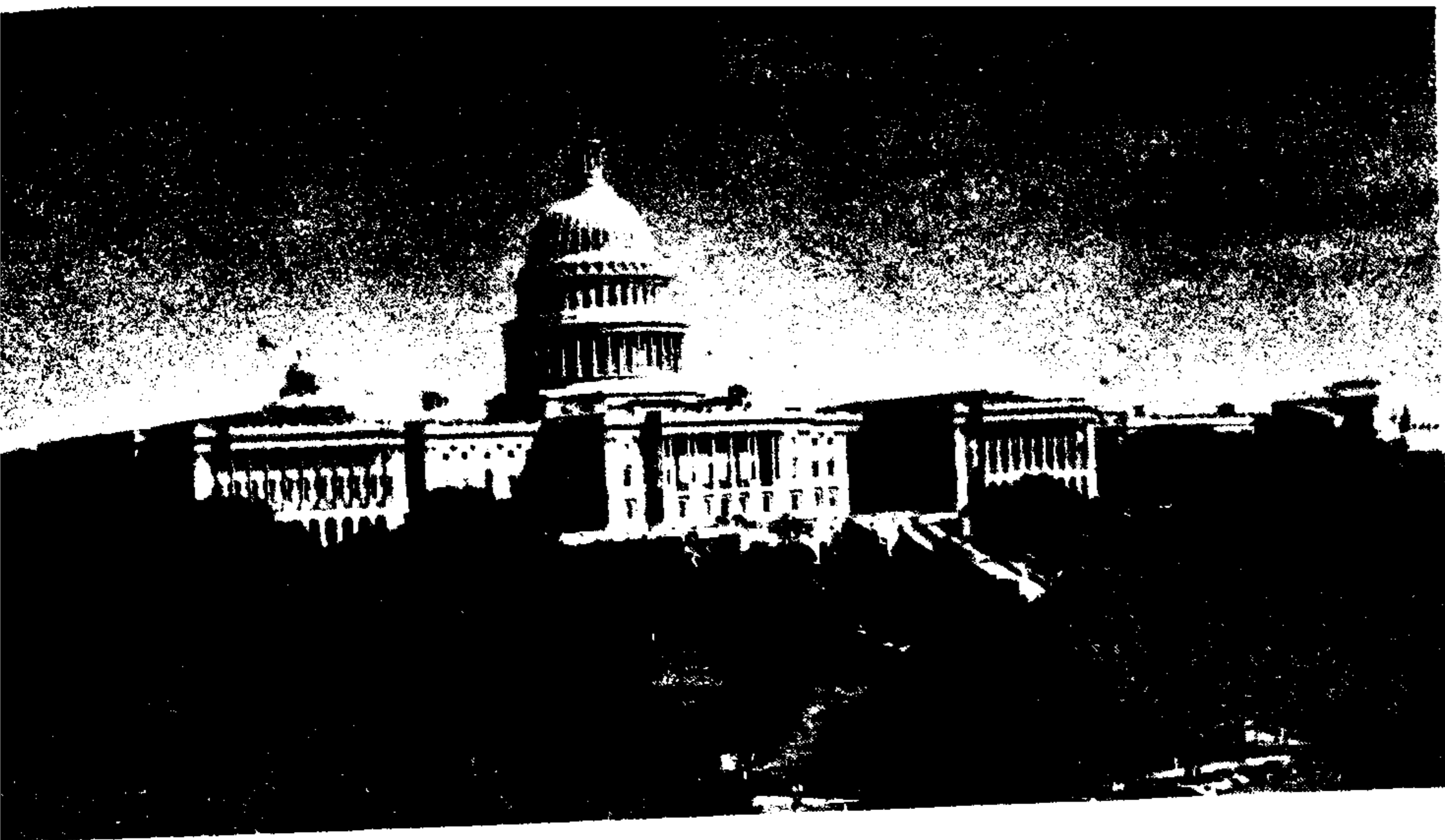
Hearings on the proposed changes were held in Washington on August 27 and 29, 1957. The position of the NRA was stated by President Whittington, Frank C. Daniel, Lt. Gen. Floyd A. Parks, and Maj. Gen. Milton A. Reckord (who had helped to draft the original Act), all of whom appeared as witnesses in opposition. A large delegation of congressmen and senators, led by Congressman John D. Dingell of Michigan, strenuously objected to what they considered as usurpation of the powers of Congress, as well as features of the proposals themselves.

As a result of these objections, new regulations, when they were published by the Department of the Treasury on January 18, 1958, contained none of the provisions opposed by members of Congress and the National Rifle Association.

Just as members of Congress and the public had mistakenly placed faith in undeviating, just administration of the Federal Firearms Act, some fair-minded congressmen and others have not detected very dangerous pitfalls in some features of the so-called "Dodd Bills." It is appropriate that NRA President Harlon B. Carter and his predecessors in office have led the fight to keep this firearms legislation free of false concepts.

Loopholes that grant broad discretionary powers to a bureaucratic agency and permit such an arbitrary issuance of regulations as those the ATTD attempted to impose in 1957 have not been forgotten, and their presence in later efforts to frame new firearms laws has been one of the stumbling blocks to reasonable and effective legislation.

The course of the various proposed federal firearms bills since 1963 is difficult to explain but can be easily told. Of the many proposals, the "Dodd Bills" have received the greatest public fanfare. Beginning in 1961, NRA staff members met with the Senate Subcommittee on Juvenile Delinquency chaired by Senator Dodd to discuss various legislative drafts concerning firearms.



Within the law-making chambers of our National Capitol matters affecting every person in our fifty states are studied. The seriousness of firearms legislation, its far-reaching effects on the nation, and the constitutional guarantees which relate to it have demanded a close scrutiny of all newly proposed laws. The gun has been the whipping boy for much malicious muckraking and statistical distortion. Knowing this, the majority of our lawmakers have refused to impose gun control laws which are unduly harassing to the law-abiding or based on improper motivation.

Following these conferences, a bill to amend the Federal Firearms Act, known as S-1975, was introduced on August 2, 1963. The NRA supported the features of this proposed law, which had as a primary purpose preventing delivery of handguns to unsupervised juveniles, criminals, narcotics addicts, and adjudicated alcoholics, and prohibited interstate shipment in violation of state or local laws.

In the emotion-charged atmosphere following the death of President Kennedy and the shooting of his assassin, many previously fair-minded and clear-thinking persons lashed out in anti-firearms campaigns as unreasoning as they were intemperate. An immediate object of attack was S-1975 which was amended so that, among other objectionable features, it required what was practically police permission for any law-abiding American citizen to buy a gun that would be purchased outside his own state.

More than three months before the shocking tragedy in Dallas, the NRA had stated its concern about mail-order guns. Noting that a few unscrupulous merchants were creating a situation in need of prompt correction, an editorial in *The American Rifleman* flatly stated, "Steps must be taken to stop the traffic of mail-order guns into unauthorized hands."

At the same time, there was a reminder that in moving against the misuse of firearms due caution should be exercised so that law-abiding citizens would not be severely penalized or deprived of their individual rights.

The principal proponents of the harsh amendments to S-1975 in the Eighty-eighth Congress

and subsequent Senate Bills S-14 and S-1592 in the Eighty-ninth Congress chose to ignore such sound advice as that of Senator Magnuson of Washington, who stated, "The solution must not be one conceived in hysteria, born of ignorance, intended to foster complacency and destined to futility. . . . It must to the extent practical prevent the possession and use of arms by the irresponsible but in so doing should not unduly inconvenience or burden the responsible. . . . Any legislation, State or Federal, must consider the constitutional right of our citizens to bear arms. Responsible citizens have the right to possess firearms for purposes of self-protection, security of the nation, hunting, and recognized sporting activities."

Those who have been in the forefront in scoffing at the Second Amendment and have devoted their energies to reckless attacks on the citizens' right to possess arms also have chosen to ignore these significant words of the late President Kennedy: "By calling attention to . . . the right of each citizen to keep and bear arms, our founding fathers recognized the essentially civilian nature of our economy. . . . For that reason I believe the Second Amendment will always be important." If the Second Amendment can be cast aside for the feeble reasons given by the proponents of excessive firearms legislation, how long can other constitutional guarantees we presently enjoy endure?

So it has been that, by repeated excessively harsh proposals, the proponents of firearms legislation have aroused widespread opposition to their unpredictable course.

During this period of legislative deliberations

the American public has been fed a steady diet of sensational publicity by anti-firearms proponents whose pursuit of a theme or a theory has been so inflexible and vitriolic as to confirm that their primary objective is to influence rather than inform. For the most part, efforts have been directed to making the gun, not the user, the villain in the act and to picture a dark side to our firearms history. From these sources you will seldom find mention that guns were the tools with which this nation forged her freedom and with which this freedom has been successfully preserved through succeeding wars. Nor will you learn that firearms are a companion to millions of law-abiding citizens in very healthful recreation. And most certainly you will not be given the easily available statistics that firearms have been a far greater force in keeping the law than in breaking it.

The principal argument used for passage of restrictive firearms legislation is that if guns were removed from the hands of our citizens the war on crime would be more easily won. What are the facts? In the year 1964, for instance, 2,500,000 serious crimes were committed in the United States, and less than 4 per cent involved the use of firearms. Of 184,900 aggravated assaults, only 15 per cent involved the use of firearms. There were more murderers per capita in the period just before the fall of Rome than at any other period in the history of the world, and it is interesting to note that no firearms were available for their gory commission.

The NRA firmly rejects the premise that firearms are a major factor in a rise in crime. Is it the inanimate tool that is responsible for crime or is it persons with distorted, twisted minds? Consider the deaths of the fifty-seven police officers killed in a recent year. We can even look back further than that, and we find that three-fourths of the murderers of police officers for the past five years have had prior records of arrest; one half had prior records of grave assault-type crimes; one-third were on parole or probation when they committed the murder! J. Edgar Hoover, Director of the Federal

Bureau of Investigation, recently stated: "Of the fourteen Special Agents killed in gun battles, twelve were slain by criminals who had been previously selected for parole or other types of leniency."

The police strength throughout our country is less than two police employees per 1000 people. Such a figure is possible only because 99 per cent of our people are law-abiding. After a recent Supreme Court decision favoring criminals, the police chief of one of our large cities commented: "If our hands are tied further, citizens will have greater need than ever for armed self-protection."

Certainly law-abiding, God-fearing men and women have a right to protect their loved ones, their homes, and their places of business against the criminal element of our society. And it is this criminal element at which our legislative guns should be aimed, not a scatter-gun shot at every citizen. Self-protection is one of the basic laws of nature. A law-abiding man with a gun is not to be feared by society or by the government. If the government fears the people, then it follows that the people will begin to fear their government.

For a number of years the National Rifle Association has had a deep concern with crime, and has supported many measures to prevent and punish the criminal misuse of firearms. Law and order is one of the major objectives of the NRA, clearly stated in its Bylaws.

In 1965 a major contribution was made toward the common goal of reducing crime by sponsoring an independent Law and Order Committee. While this twenty-man committee has as its chairman a former NRA president, Superior Court Judge Hilliard Comstock of California, and includes several other NRA members, it is composed primarily of unaffiliated, eminent leaders in the fields of law, penology, sociology, the communications media, the military, and other vital segments of our society. This brings to the committee unbiased perspective and great experience in the area of our number one social problem—the maintenance of law and order.

These women are not afraid of guns; they are among the more than a million law-abiding members of their sex who enjoy recreational shooting and for whom a gun in the home provides an extra sense of security.

The mission of the committee is broad in scope. Its studies will contemplate the use of firearms in crime; the laws designed to cope with violence; and the history, present character, and varying conditions of violence. In all of this there will be properly fitted the concept of private ownership of firearms. Of special importance will be the committee's recommendations as to how the NRA may make further contributions in support of law and order.

These forward steps demonstrate to the people of the nation that the NRA is proceeding toward proper objectives in a serious and dedicated fashion befitting citizens of good repute.

Guns are not just a part of the man's world. There are approximately a million women who hold hunting licenses; many more enjoy target shooting. There are the interested mothers, wives, and sisters of over twenty million hunters, target shooters, and collectors of antique weapons. Women in the lives of our service men are deeply concerned. A gun in one's home to repel an intruder often gives a sense of security nothing else can provide. We all have a right—even a duty—to look closely at all sides of a matter so vital to us personally and as a nation.

The subject of firearms ownership and control involves too many serious factors to sweep it lightly under the rug of ignorance or bias. Everyone is certainly entitled to his own opinions, but nobody has a right to be wrong in his facts and to employ a careless pen or a slanted program in promoting them.

Mindful of the fact that there is room for honest differences of opinion in most problems (as evidenced by 5-to-4 split decisions on important principles in our Supreme Court), the sincerity of opposing views must be accepted if we are to be objective. Everyone knows that the millions of fine citizens who own guns are not a lunatic fringe or trigger-happy morons as suggested by a few writers inclined to muckraking and sensational journalism. And likewise everyone knows that, although disarming the American



Barbara Hile



Gertrude Schlernitzauer



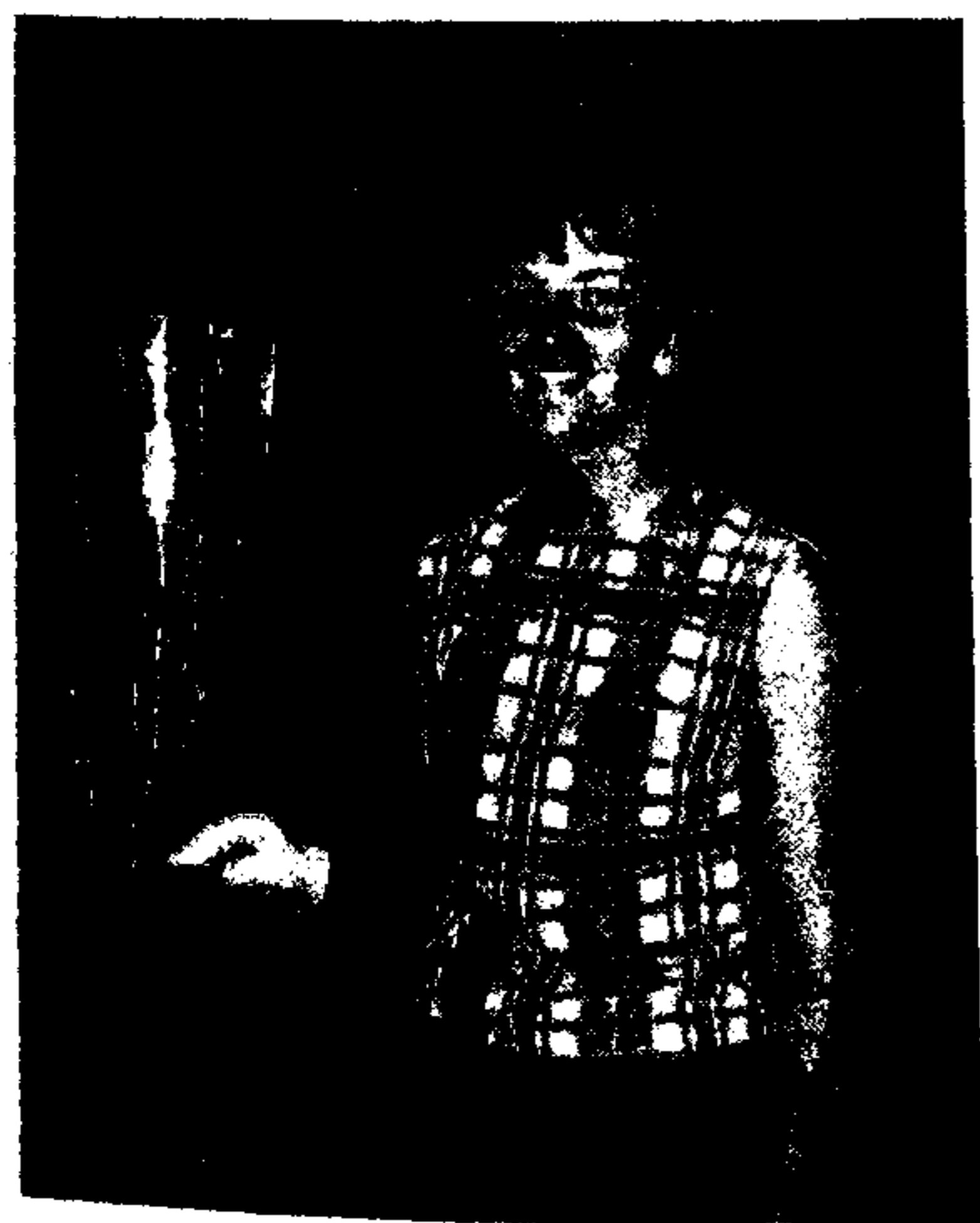
Inez Sargent



Pauline Tubb



Gail Liberty



Marianne Jensen

citizen is a primary goal spelled out in the captured Communist document "Rules for Bringing About a Revolution," proponents of restrictive firearms policies are not necessarily communists, pacifists, professional do-gooders, or publicity-seekers.

To get at the truth of some reckless indictments of guns, take a searching look at the statement, "We impose virtually no controls whatever on firearms," which opened a lead story by a former New York Congressman in one of our prominent magazines. For a more informed view, Congressman Cecil R. King of California has observed, "Certainly, the average person on the street has little or no knowledge of the laws that are now in existence with respect to firearms, either at the State or Federal level." This was apparently true of the former New York Congressman who authored the ridiculous statement that there are virtually no firearms controls. In New York State, and especially in New York City where he resides, there are so many restrictive laws regarding the purchase, ownership, and transportation of firearms that it takes a Philadelphia lawyer to figure them out.

In addition to the many state and local laws, the National Firearms Act of 1934, the Federal Firearms Act of 1938, postal laws and regulations, and the Federal Aviation Act of 1958 impose strict controls on fully automatic weapons, sawed-off guns, the movement in interstate or foreign commerce of firearms of all types and handgun ammunition, regulate the transportation of weapons on certain carriers, and provide other far-reaching controls as well as severe penalties for violations.

Actually, we have a very imposing and effective array of firearms laws, a demonstrable fact that must be recognized in any fair appraisal. But this does not mean that our laws are perfect, and new proposals which are sensibly designed to cope with crime should be accorded open-minded consideration. The negative position we are sometimes obliged to take is forced on us by unwarranted, unwise, or discriminatory proposals.

What are the goals? Presumably the proponents of more restrictive firearms legislation seek to reduce our national rates of criminal activity, accidental death, and suicide. It is a little like being against sin; everyone favors the

objectives. The big rub comes in the opposing and sometimes irreconcilable views on how the desired goals can be attained. The major debate centers not so much on whether law-abiding citizens may be arbitrarily deprived of their arms, but how far ambitious lawmakers may go in control. The imposition of laws which are excessively restrictive is considered a back-door approach to depriving a citizen of his constitutional rights.

It was George Bernard Shaw who said that our conduct often is influenced not by our experience but by our expectations. Before entering on any adventures in reform it is useful to learn as much as possible about the problem and previous experiences with it. England's experience with excessively restrictive firearms laws may illustrate a point—crimes of violence are up 500 per cent since World War II. Another voice of experience is that of Police Chief Robert V. Murray, of Washington, D. C., who has stated, "It may be argued that any legislation that would reduce the number of pistols in circulation would substantially reduce the number of aggravated assaults. This argument rests on two mistaken premises. First, it assumes that restrictive legislation will prevent criminals from obtaining guns. The fact is that experience has shown that legislation such as the New York Sullivan Law does not reduce the number of pistols in the hands of criminals. Second, the argument assumes that handguns are used in most aggravated assaults, whereas the fact is that pistols are used in only a small percentage of such assaults."

Contrary to statements that the murder rate has gone up alarmingly, the record as provided by the FBI shows that the rate has dropped nearly 40 per cent during the past thirty years. In a recent year, more people were killed by a chance blow from a falling object than by felonious assault involving firearms.

Suicide accounts for the highest number of deaths by firearms, and it is reasonable to as-

sume that a person bent on this course would use other methods if no firearm were available—methods perhaps more gruesome.

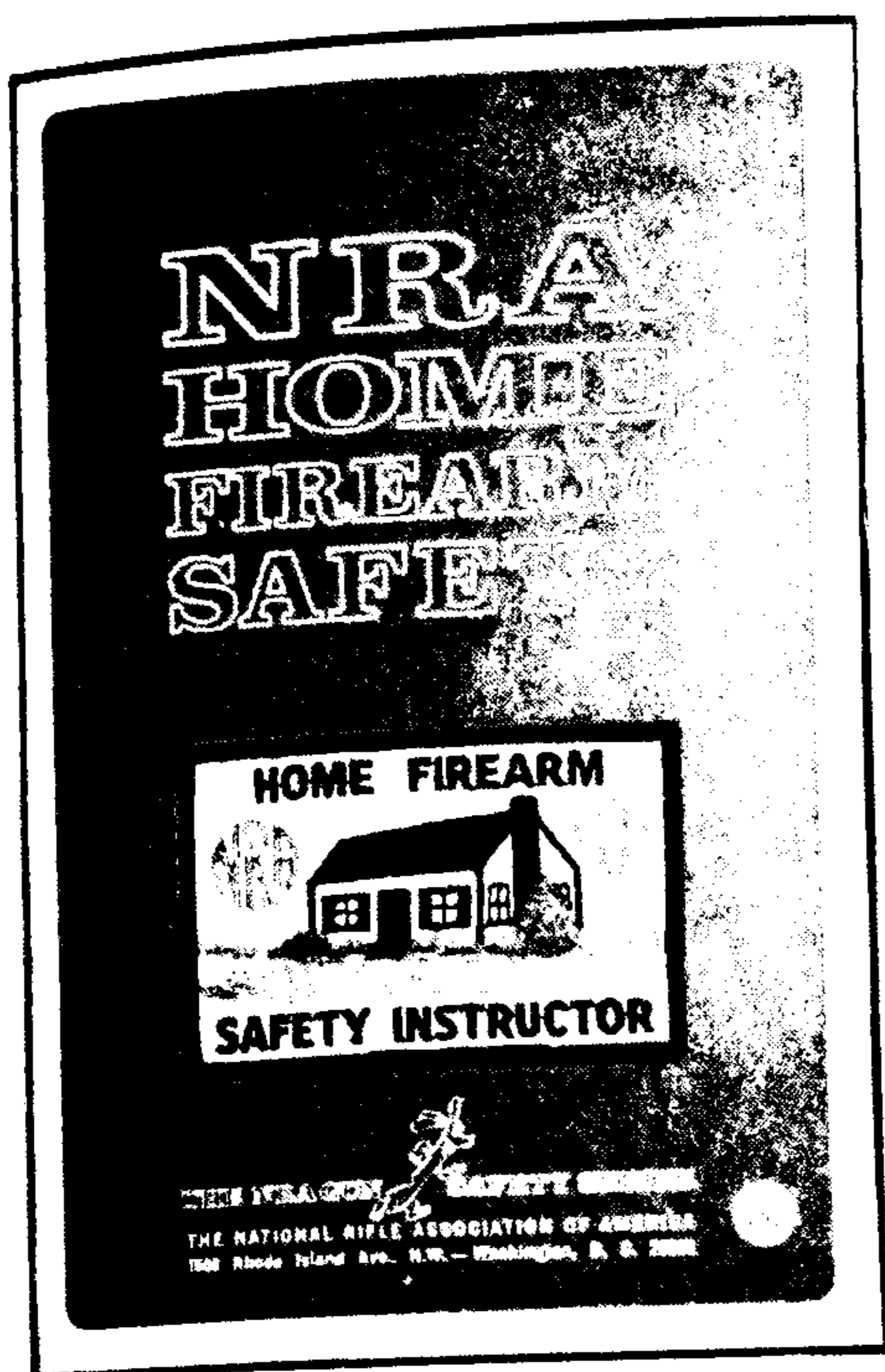
Accidents involving firearms are also on the downswing on the record chart. The NRA Hunter Safety and Home Safety programs as well as other NRA training courses share importantly in credit for this improved situation. To keep things in perspective it may be noted that as many people meet accidental death by choking over their food at the dinner table, die by accidental poisoning, or meet their death through involvement with machinery as die in firearms accidents. Over twice as many die from drowning; three times as many die from burns, nine times as many die from falls; and twenty times as many meet accidental death through the most lethal of all, the automobile.

The statistics do not justify the loud outcry for more firearms laws that anti-gun forces have made. History deals with facts, not presumptions. Favorable statistics, however, have not blinded the National Rifle Association to its responsibilities in seeking even better records, nor has the NRA failed to give careful and open-minded study to any reasonable firearms laws projected for the common good. Passing a law does not always bring assurance of improved conditions. The law must be just and it must be so framed as to put its weight on the specific area where improvement is needed. In the case of firearms, this area is *criminal misuse*.

The National Rifle Association has a forthright and uncomplicated policy concerning firearms control legislation. Plainly stated in 1958 and equally applicable today, this policy is as follows:

1. The NRA is opposed to control measures which levy discriminatory or punitive taxes or fees on the purchase, ownership, or use of rifles, shotguns, pistols, and revolvers.

2. The NRA is opposed to proposals to license the possession or purchase of a rifle, shotgun,



pistol, or revolver. The inevitable result of such licensing regulation is to vest the arbitrary power to say who may and who may not own a gun in the hands of an appointed or elected official. It is the *illegal use* and not the ownership of a firearm which should be the subject of legislative control.

3. The NRA is opposed to the theory that a target shooter, hunter, or collector, in order to transport a handgun for lawful purposes, should be required to meet the conditions for a permit to carry a weapon concealed on his person.

4. The NRA is opposed to the registration on any level of government of the ownership of rifles, shotguns, pistols, or revolvers for any purpose whatever. Regardless of professed intent, there can be only one outcome of registration, and that is to make possible the seizure of such weapons by political authorities, or by persons seeking to overthrow the government by force. Registration will not keep guns out of the hands of undesirable persons, and few people seriously claim that it will.

5. The NRA is opposed to legislation which denies, or interferes with, individual rights of our citizens or is designed purely for the convenience of law enforcement officers or for the purpose of circumventing due process of law in order to obtain convictions more easily. The desire to see our laws adequately enforced is not justification for any law which can make a prudent, law-abiding citizen an unwitting violator, or which denies the right of self-defense.

When firearms legislation is enacted, it should never exceed any of the following provisions:

1. Legislation designed to prohibit the possession of firearms by persons who have been finally convicted of a crime of violence, fugitives from justice, mental incompetents, drug addicts, and persons while adjudicated an habitual drunkard.

2. Legislation providing severe additional penalties for the use of a dangerous weapon in the commission of a crime.

3. Legislation making the sale of firearms to juveniles subject to parental consent and the use of firearms in public by juveniles subject to adequate supervision.

4. Legislation regulating the carrying of concealed handguns should be reasonable and the requirements for such carrying should be clearly set forth in the law. The conditions having been met, the issuance of a "license to carry" should be mandatory and should license the act of carrying, not the handgun itself.

John M. Schooley, for many years in the U. S. Treasury Department, Manager of Safety and Excise in Denver, Colorado (by law also ex officio sheriff), and a past president of the National Rifle Association, made this public comment on the NRA policy: "There have been and perhaps always will be efforts on the part of uninformed, misguided but sincere people to

disarm our citizens in the vain hope criminals will thus be denied the use of firearms in crime. It has been my experience that when these people are presented our point of view in an intelligent and factual manner, most of them quickly realize the wisdom of our firearms legislative policy."

In 1966 the National Rifle Association reaffirmed its general policy and gave positive support to the following: a legislative program that would impose mandatory prison terms for those who commit specified criminal acts while armed with a firearm; an amendment to the Federal Firearms Act making it a federal offense for a federally licensed dealer or manufacturer to ship a firearm in interstate or foreign commerce in contravention of a state law; an amendment to the National Firearms Act to make subject to that Act the sale or transfer of certain items of military ordnance (such as bazookas, etc.).

Bills to accomplish these desirable steps have been introduced in the United States Senate and in the House of Representatives, and are wholly apart from the changing face of the controversial firearms bill S-1592, long bogged down in committee. They are believed to offer the best chance for quick enactment and effectiveness in curbing the *criminal misuse* of firearms.

It is the curbing of *criminal misuse* of firearms which should be the primary legislative

goal. On the side of *lawful use*, our lawmakers should not overlook the national need for extensive marksmanship training. It may be recalled that Chinese children are training with wooden guns, and that Chinese silhouette training targets are made to resemble an American soldier. On the side of *lawful use* it should be recalled that the shooting sports contribute four billion dollars to the national economy, support manufacturing capacities of vital importance to this country in time of war, and provide healthful recreation for millions of our citizens. On the side of *lawful use* it is well to consider these words of the National Police Officers Association: "For every criminal who uses a gun to rob and kill, we have ten times that number of armed citizens who are able to assist the police in capturing these potential killers, because they are armed." And finally on the side of *lawful use* thought should be given to the "silent guns"—those guns currently owned by 40,000,000 of our people which by their very presence constitute a strong deterrent to lawless adventures.

There are many sound reasons based on experience, not on theoretical expectations, why we should look to *people*, not to inanimate wood and metal, for the solution of our crime problems. The way is not through permitting the tentacles of legislative red tape to weaken our defenses, national and personal, or to strangle a precious American heritage.