



NATIONAL SHOOTING SPORTS FOUNDATION, INC.

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JAKE MCGUIGAN
DIRECTOR, GOVERNMENT
RELATIONS/STATE AFFAIRS

January 28, 2013

Gun Violence Prevention Working Group
Legislative Office Building
Room 2C
Hartford, CT 06106

Dear Chairs Looney and Miner and Members of the Gun Violence Prevention Working Group:

We at the National Shooting Sports Foundation (NSSF) and the Sporting Arms & Ammunition Manufacturers' Institute (SAAMI) have been deeply shaken and saddened by the horrible events that took place in Newtown, Connecticut, our headquarters and home. In a small community there are not many degrees of separation and so, not surprisingly, we had family, friends and acquaintances that were affected. Our hearts and prayers go out to the families and the victims of this terrible tragedy.

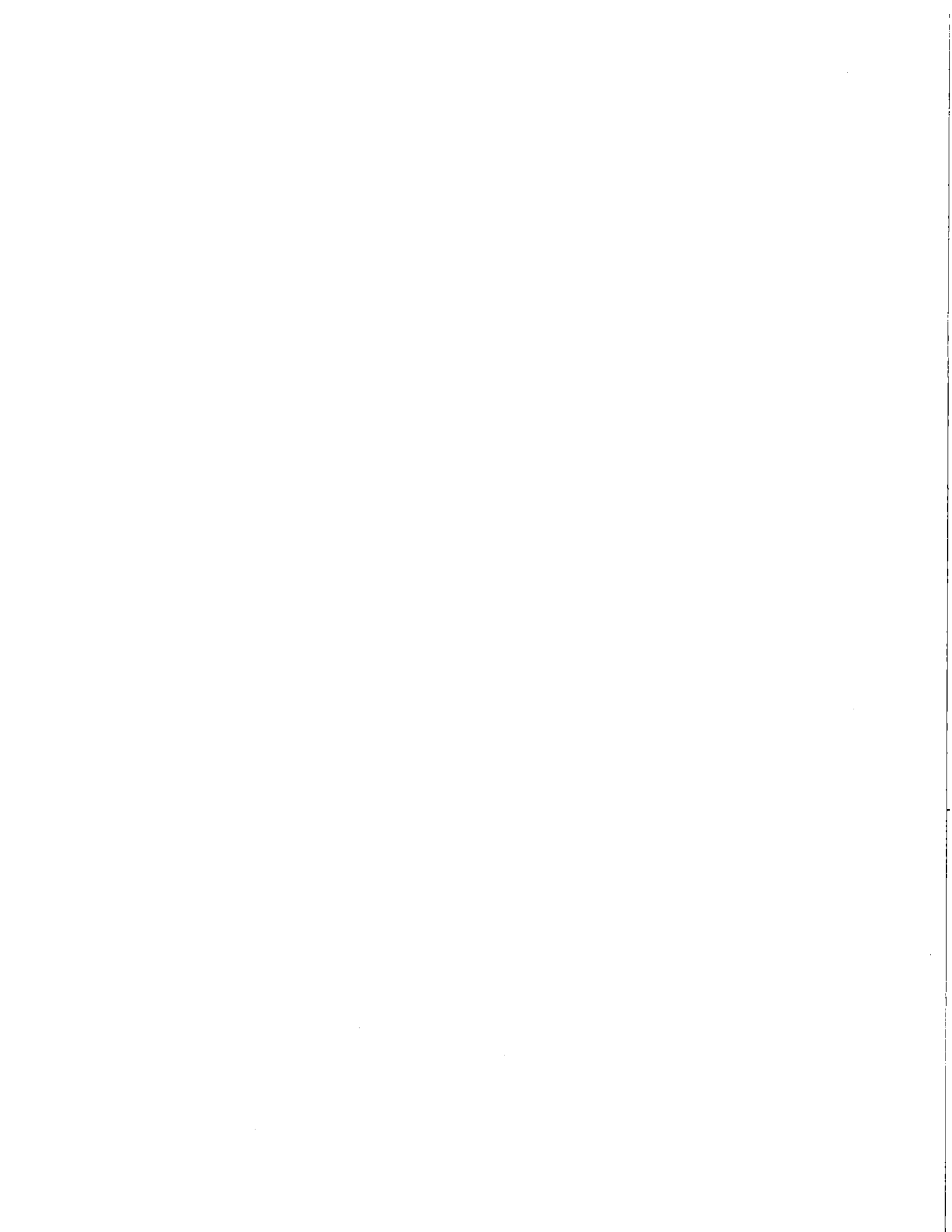
As the 8,325 member trade association for America's firearms, ammunition, hunting and shooting sports industry, NSSF is ready to participate in any federal or other commission on public safety and firearms to address the many issues that are part of this complex situation. In fact, NSSF has already met with Vice President Biden's office as well as the House Democratic Gun Violence Prevention Task Force.

The Sporting Arms & Ammunition Manufacturers' Institute was founded in 1926 at the behest of the U.S. government to set technical standards for safety and reliability in the design, manufacture, transportation, storage and use of firearms, ammunition and components. SAAMI, too, is committed to a technically accurate discussion on this important topic.

NSSF joins others in calling for a comprehensive approach that addresses many complex social issues, including school safety, preventing unauthorized firearms access, mental health, personal privacy, the popular media, and enforcing our existing laws while safeguarding constitutional rights.

We are the experts on firearms and their commerce. We are engaged in this dialog based on what we believe and what we are doing regarding the prevention of unauthorized access to firearms, including by minors and mentally disturbed individuals. For example:

- NSSF is expanding its nationally recognized Project ChildSafe gun safety program to further emphasize the necessity of proper storage of firearms in homes where young or at-risk persons reside. NSSF includes appropriate materials on securing firearms in its firearm safety kits that include a gun locking device. Working in partnership with law enforcement agencies, Project ChildSafe has distributed more than 35 million firearm safety kits free of charge to firearm owners nationwide. Fortunately, firearms accidents in all age groups have fallen to a century-long low.



- NSSF is committed to its ongoing cooperation with law enforcement to help prevent firearms from being illegally purchased for criminals and other unauthorized individuals best exemplified by our retailer education and public awareness campaign, "Don't Lie for The Other Guy." In a decade-long partnership with U.S. Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF), NSSF has distributed free of charge tens of thousands of educational kits to retailers to help them identify and prevent illegally purchased firearms. Our public service announcements have been seen by tens of millions of Americans in over 30 media markets selected by ATF.
- The NSSF matches rewards offered by ATF for information leading to the arrest and conviction of those responsible for thefts of firearms from federally licensed firearms retailers.
- NSSF has advocated for innovative programs, such as sales tax exemptions for firearms security devices, to promote greater safety measures in keeping children and unauthorized persons from accessing firearms. Today, the vast majority of firearms are shipped from their manufacturers with appropriate locking devices.
- NSSF has long supported the 2008 NICS (National Instant Criminal Background Checks) Improvements Amendments Act that addresses gaps in information available to NICS, such as court decisions related to individuals' mental health status.

NSSF and SAAMI are a resource for much needed technical accuracy in this discussion. It is inaccurate, for example, to state that semiautomatic firearms have no lawful purpose. For well over 100 years, many millions of law-abiding citizens have owned and responsibly used semiautomatic rifles, pistols and shotguns for hunting, target shooting, collecting and personal protection. Semiautomatics are among the most popular hunting rifles, shotguns and target pistols. Currently, millions of law-abiding Americans responsibly own and safely use modern sporting rifles, which may resemble military firearms in appearance but which function no differently from other types of semiautomatic firearms. Modern sporting rifles are commonly used for hunting, target shooting, home defense and collecting.

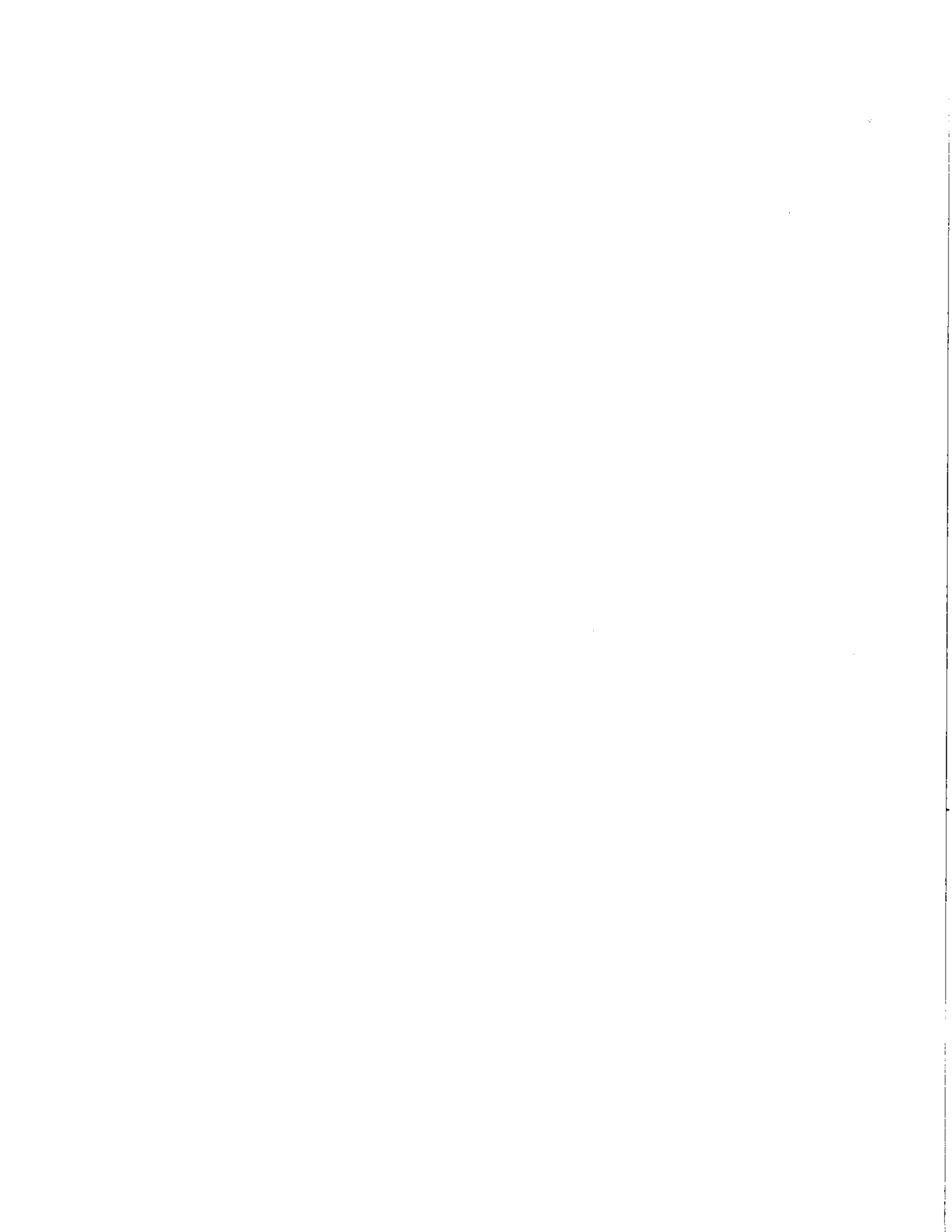
The firearms industry has contributed over to \$1.7 billion in economic activity to Connecticut in 2012, employs close to 2,900 people in the state and generates an additional 4,400 jobs in supplier industries. In these difficult economic times, the firearms industry is still one of the few industries that has grown its profits while also contributing increased tax revenues to the state (to the tune of \$119 million).

We must all work together to help prevent those who exhibit reckless disregard for human life and values access to firearms for criminal purposes. But we must also preserve the constitutional rights of tens of millions of law-abiding Americans to safely and responsibly own, store and use firearms for personal protection, hunting and recreation. America's firearms industry welcomes the opportunity to be a part of a respectful and constructive dialogue on this important topic.

Sincerely,



Jake McGuigan



FAST FACTS...

Background Information On So-Called "Assault Weapons"

What has erroneously been termed an "assault weapon" is a semi-automatic firearm that fires just one bullet with each pull of the trigger (versus a fully automatic firearm -- machine gun -- which continues to shoot until the trigger is released). Specifically, legislation has incorrectly defined an "assault weapon" as a semi-automatic firearm that can accept a detachable magazine and has two or more of the following cosmetic features (it is these cosmetic features that distinguish the firearm from other "non-assault weapons."):

- A folding or telescoping stock
- A pistol grip
- A bayonet mount
- A flash suppressor, or threads to attach one
- A grenade launcher

None of these features figure into the criminal misuse of firearms, regardless of their appearance.

SEPARATING FACT FROM FICTION

There is a tremendous amount of misinformation surrounding the issue of so-called "assault weapons."

Below are several of the more misleading allegations related to these firearms followed by corresponding statements of fact:

Claim: A commercially-sold "assault weapon" is a machine gun and has no place in civilian hands.

FACT: A so-called "assault weapon" is NOT a machine gun or automatic firearm. Automatic firearms were severely restricted from civilian ownership under the 1934 National Firearms Act. A so-called "assault weapon" is functionally no different than any other "legal" firearm. These guns



"The public's confusion over fully-automatic machine guns versus semi-automatic assault weapons -- anything that looks like a machine gun is presumed to be a machine gun -- can only increase the chance of public support for restrictions on these weapons."

fire in the same manner as any other semi-automatic firearm (one shot per trigger pull - no spray firing), they shoot the same ammunition as other guns of the same caliber and are no more powerful. What differentiates a so-called "assault weapon" from other guns is cosmetic; for example, the type of stock on the gun, which makes the conventionally operating firearm look more like a military firearm.

The gun-ban lobby understands that the confusion over what is and what is not an "assault weapon" only benefits them. Consider this statement from Josh Sugarmann of the Violence Policy Center:

"The public's confusion over fully-automatic machine guns versus semi-automatic assault weapons -- anything that looks like a machine gun is presumed to be a machine gun -- can only increase the chance of public support for restrictions on these weapons."

Claim: Semi-automatic "assault weapons" are high-powered guns that are meant for war.

FACT: So-called "assault weapons" are more often than not less powerful than other hunting rifles. The term "assault weapon" was conjured up by anti-gun legislators to scare voters into thinking these firearms are something out of a horror movie. These guns are used for many activities. In fact, the Colt AR-15 and Springfield M1A, both labeled "assault weapons," are the rifles most often used for marksmanship competitions in the United States. And their cartridges are standard hunting calibers, useful for game up to and including deer.

Claim: The 1994 "assault weapons ban" helped to reduce violent crime.

FACT: A recent comprehensive study by the Centers for Disease

Control -- hardly a pro-gun entity -- looked at the full panoply of gun control measures -- including the "assault weapons ban" -- and concluded that none could be proven to reduce crime. Homicide statistics demonstrate that the miniscule use of so-called "assault weapons" in crime (less than 1 percent) continued to decrease after the ten-year ban expired in 2004 and their manufacturing and sales resumed.

Another study, commissioned by Congress, found "the banned weapons and magazines were never used in more than a modest fraction of all gun murders."

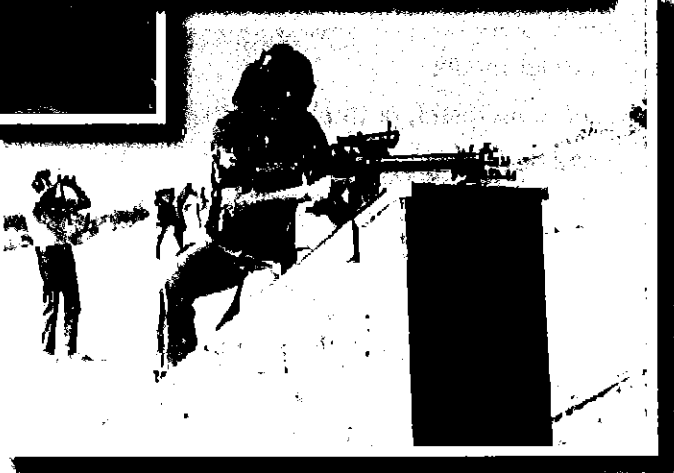
The report also noted that so-called "assault weapons" were "rarely used in gun crimes even before the ban."

Conclusion:

Crime control legislation should be based upon solid facts, not emotions or appearance.

Semi-automatic firearms are now the most popular type of firearm in America and are used for a wide variety of legitimate purposes, including hunting, small game control, target shooting and personal defense.

They should not be banned.



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FAST FACTS...

Another Ban on "High-Capacity" Magazines?

The evidence shows it would not reduce crime rates

Magazines for firearms in common use on America's shooting ranges, kept at home, or lawfully carried by millions of citizens today vary in their ammunition-carrying capacity. Depending on the make and model of firearm, magazines provided by manufacturers as standard equipment for handguns and rifles often accommodate 15 to 30 rounds of ammunition.

These magazines offer recreational and competitive shooters, as well as those citizens exercising their right to carry a firearm or keep one at home for self-defense, the choice of magazine that should be theirs to make.

The average number of rounds fired in the course of a criminal shooting involving a semiautomatic pistol is between 3.2 and 3.7 rounds.ⁱ This falls well below the arbitrary 10 round limit imposed during the AWB and is even less than the capacity of an ordinary revolver. In fact, this average number of rounds fired is only about one shot higher than in the case

of criminal misuse of revolvers.ⁱⁱ A separate study, conducted for the National Institute of Justice, found that data suggest "relatively few attacks involve more than 10 shots fired" and that studies on the number of shots fired "show that assailants fire less than four shots on average."ⁱⁱⁱ Further, research has shown that criminal misuse with pistols is not significantly more likely to result in injuries or fatalities than in cases involving revolvers.^{iv}

While so-called "assault rifles" are rarely used in crime, those criminals using them were actually less likely to have fired the gun than those carrying a single-shot firearm.^v

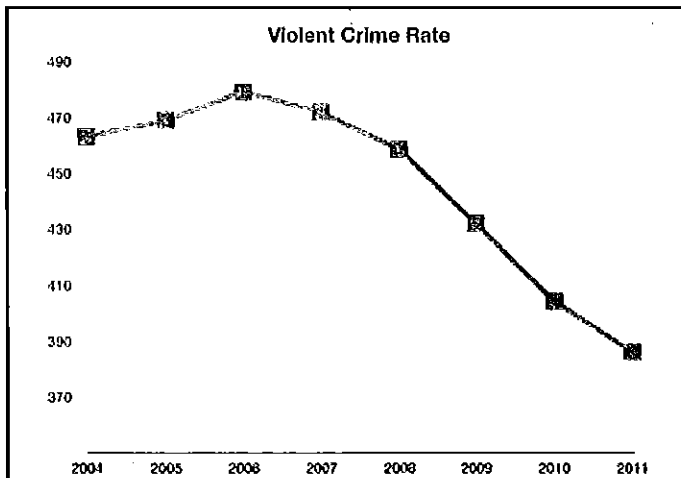
Banning magazines for firearms based on an arbitrary limit on capacity has often been proffered as a "common sense" measure to reduce crime rates, especially following deplorable and highly publicized tragedies. But a dispassionate look at the facts demonstrates that limiting magazine capacity by some arbitrary number of rounds of ammunition it can hold will not reduce the crime rate.

As part of the misleadingly named "Assault Weapons Ban" (AWB), between 1994 and 2004, the production of newly manufactured magazines for both rifles and handguns was limited to a

capacity of ten cartridges.^{vi} A comprehensive study by the Centers for Disease Control (CDC) in 2003 looked at 51 studies covering the full panoply of gun-control measures, including the AWB, and was unable to show that

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- According to studies by the Centers for Disease Control (CDC) and the Urban Institute the "Assault Weapons Ban" (AWB), which restricted magazine capacity, did not reduce crime rates.
- Since the AWB and its magazine capacity restriction expired in 2004 the U.S. violent crime rate has fallen by 17%.
- Since 2004, magazines with a capacity of more than ten rounds are again common and standard with most semiautomatic rifles and pistols sold. Millions of these magazines are safely and responsibly owned and used by law-abiding Americans. There are already roughly 130 million detachable magazines. More than 30 million of these can accommodate more than 30 rounds.
- Criminals misusing pistols discharge on average fewer rounds than are held in an ordinary revolver and only about one more shot than those misusing revolvers.



the AWB and its magazine capacity limitation had reduced crime.^{vii}

Another study, commissioned by Congress, found that these bans were not effective in reducing crime because "the banned weapons and magazines were never used in more than a modest fraction of all gun murders."^{viii} Since the AWB expired in 2004, the nation's violent crime rate has continued to drop by 17 percent and is now at the lowest levels since the early 1970s.^{ix}

Instead of appropriately focusing on the actions of mentally-disturbed individuals, the focus is again being shifted to legislation affecting law-abiding citizens. Like all Americans, we abhor the criminal misuse of firearms. Recent tragedies, however, were not caused by the characteristics of firearms, ammunition or magazines. Sadly, they were caused by the insane actions of the perpetrators.

Any capacity-based ban on the manufacture and sale of magazines

would be utterly arbitrary. Experience and independent studies have shown that it is not an effective means for reducing crime and keeping our communities safer. A ban would, however, limit the ability of millions of Americans who participate in the shooting sports to choose for themselves the firearm and magazine that meets their needs. It would infringe upon the Second Amendment rights of Americans by having the government limit their ability to defend themselves, their loved ones and their property.

Some have even called for the government to confiscate all lawfully owned magazines above a certain capacity. Aside from the serious constitutional questions confiscation raise, how could a magazine round-up ever be practically achieved? The answer is simple: it couldn't.

What the media and gun control proponents label "high" or "large capacity" magazines are, in fact, common across America today. There

are already roughly 130 million detachable magazines. More than 30 million of these can accommodate more than 30 rounds.^x Magazines manufactured before the 1994 ban remained widely available while the ban was in effect. We estimate that since 2004 several million more magazines of varying sizes of capacity have been manufactured and sold to law abiding Americans and used lawfully. These magazines are standard equipment for handguns and other firearms owned by tens of millions of Americans. Should law-abiding Americans be able to choose magazines for their rifles or self-defense pistols, as they feel appropriate, or have that right infringed by arbitrary capacity limitations that contribute nothing to improving public safety?

America tried this gun control experiment for ten years. We already know it does not work. Why limit our freedoms again when we know it will not make our communities safer?

- i Christopher S. Koper, "Impact of Handgun Types on Gun Assault Outcomes: a Comparison of Gun Assaults Involving Semiautomatic Pistols and Revolvers," *Injury Prevention*, 2003;9, p.151.
- ii Christopher S. Koper, "Impact of Handgun Types on Gun Assault Outcomes: a Comparison of Gun Assaults Involving Semiautomatic Pistols and Revolvers," *Injury Prevention*, 2003;9, p.152.
- iii Christopher S. Koper, "An Updated Assessment of the Federal Assault Weapons Ban: Impacts on Gun Markets and Gun Violence, 1994-2003," Report to the National Institute of Justice, United States Department of Justice, June 2004. p.90.
- iv Christopher S. Koper, "Impact of Handgun Types

- on Gun Assault Outcomes: a Comparison of Gun Assaults Involving Semiautomatic Pistols and Revolvers," *Injury Prevention*, 2003;9, p.153.
- v Caroline Wolf Harlow, Department of Justice, Bureau of Justice Statistics Special Report, "Firearm Use by Offenders: Survey of Inmates in State and Federal Correctional Facilities," NCJ 189369, November 2001.p.11.
- vi The Public Safety and Recreational Firearms Use Protection Act, Title XI, Subtitle A, of the Violent Crime Control and Law Enforcement Act of 1994, P.L. 103-322, 108 Stat. 1996-2010.
- vii Centers for Disease Control and Prevention "First Reports Evaluating the Effectiveness of Strategies

- for Preventing Violence: Firearms Laws. Findings from the Task Force on Community Preventative Services", *Morbidity and Mortality Weekly Reports (MMWR)*; 52(RR14), October 3, 2003.
- viii Christopher S. Koper, "Impact Evaluation of the Public Safety and Recreational Firearms Use Protection Act of 1994," The Urban Institute, March 13, 1997. p. 2.
- ix NSSF analysis of Federal Bureau of Investigation, Uniform Crime Reporting Statistics, "Estimated Crime in the United States," <http://www.ucrdatalool.gov/>. Last accessed December 20, 2012.
- x NSSF estimates



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FAST FACTS...

Restrictions on the Purchase and Sale of Ammunition

Restricting ammunition sales to in-person transactions requiring a photo ID coupled with requiring the federally-licensed dealer to maintain detailed records and report any purchase of more than 1,000 rounds is a trip to the past -- an unworkable past at that.

In 1986, Congress repealed the 1960s-era ban on mail order sales that also called for the keeping of detailed purchase logs. The Bureau of Alcohol, Tobacco and Firearms (ATF) testified in Congress that ammunition sales logs were not an effective law enforcement tool and accordingly they did not oppose removing this onerous record-keeping requirement. There is simply no reason to believe that recording ammunition sales will somehow now be an effective law enforcement tool when it has already been tried and shown not to be effective.

Fast forward to 2012, and the same would be true today for federal and state legislation championed. This legislation would only result in additional costs and would be a time-consuming burden to both retailers and their customers. These bills would affect only lawful businesses

and individuals. It would not affect criminals or their ability to obtain ammunition.

- **Ammunition registration "experiments" have already proven ineffective in the past and their repeal was supported by ATF who testified that they were not helpful.**
- Since 1986, it has been legal in 48 states to purchase ammunition by mail order without any risk to public safety; only anti-gun CA and MA prohibit these transactions, but there is no evidence that is reduces crime in either state.
- In this difficult budget environment, the ATF and other law enforcement agencies do not have the time or resources to devote to compiling useless ammunition reports.
- The cost of compliance (obtaining a license to sell ammunition not currently required) will have a negative economic impact, force independent businesses that depend on internet sales to survive to close their doors, thereby destroying jobs.
- Over 70% of all ammunition

purchased is used for target and sport shooting, where the consumption of 1,000 rounds or more is often routine for a weekend trip to the range.

- There are many sportsmen's groups, ranges, and sport shooting organizations that will make bulk ammunition purchases in order to receive various discounts.
- On the state level, One-Gun-A-Month purchase limits have proven to be an abject failure. This year, the Commonwealth of Virginia repealed its One-Gun-A-Month law because it had no effect on public safety. An October 2003 study by the Centers for Disease Control, One-Gun-A-Month, has never been proven to reduce crime.
- People with ill-intentions will find ways to acquire ammunition, and more importantly they are not purchasing it over the internet anyway.
- Current federal law already makes it illegal for felons to possess ammunition.

The National Shooting Sports Foundation opposes restrictions on ammunition because it will add to the regulatory burden on law-abiding licensed firearms retailers and owners, will cost jobs and increase ammunition costs. This legislation represents a curtailment of our Second Amendment rights with absolutely no benefits to enhancing public safety.

As recently as July, at the United Nations Conference on the Arms Trade Treaty, the United States Department of State made remarks concerning the inclusion of ammunition in the treaty. "Our own experience in regulating domestic transfers has shown that there is little utility for law enforcement in imposing the same controls on ammunition transfers as we do on arms. Accordingly, the United States largely eliminated most controls on domestic transfers of ammunition."

