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FEDERAL FIREARMS ACT

1720-2

HEARINGS

BEFORE THE

SUBCOMMITTEE TO INVESTIGATE JUVENILE DELINQUENCY

OF THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

EIGHTY-NINTH CONGRESS

FIRST SESSION

PURSUANT TO

S. Res. 52

EIGHTY-NINTH CONGRESS

ON

S. 1592

A BILL TO AMEND THE FEDERAL FIREARMS ACT

S. 14

A BILL TO AMEND THE FEDERAL FIREARMS ACT

S. 1180

A BILL TO AMEND THE FEDERAL FIREARMS ACT TO PROHIBIT
THE IMPORTATION OF A FIREARM INTO THE
UNITED STATES WITHOUT A LICENSE

S. 1965

A BILL TO AMEND THE FEDERAL FIREARMS ACT

(R)

MAY 19, 20, AND 21; JUNE 2, 3, 8, 24, AND 30; JULY 1, 20, 27, 1965

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JUNE 3, 1965

Caples, Richard R., commissioner, Department of Public Safety, Boston, Mass. (accompanied by Lt. John E. Collins and Sgt. Edward Higgins, Massachusetts State Police).....	Page 343
Dingell, John D., U.S. Representative, 16th District, Michigan.....	374
Saylor, John P., U.S. Representative, 22d District, Pennsylvania.....	390
Sills, Arthur J., attorney general, Department of Law and Public Safety, State House, Trenton, N.J. (accompanied by Capt. Frank J. Pasch, New Jersey State Police).....	394
Hadley, Dr. E.C., president, Sporting Arms & Ammunition Manufacturers' Institute (accompanied by Robert C. Barnard, counsel).....	407

JUNE 8, 1965

Tydings, Joseph D., U.S. Senator from Maryland.....	421
Blondes, Leonard S., assemblyman, Annapolis, Md.....	424
Palmisano, Angelo F., assemblyman, Annapolis, Md.....	443
Leary, Howard R., commissioner, Philadelphia Police Department (accompanied by Harry J. Fox, chief inspector).....	449
Comstock, Hilliard, chairman, legislative committee and past president of the National Rifle Association, Washington, D.C.....	459

JUNE 24, 1965

Bennett, James V., consultant, former Director, Bureau of Prisons.....	495
Jenkins, Herbert T., chief of police, Atlanta, Ga.....	503
Nolan, Edward P., sales manager, Sturm, Ruger & Co., Southport, Conn.....	521
Hellstrom, Douglas R., executive vice president, Smith & Wesson, Inc., Springfield, Mass.....	530

JUNE 30, 1965

Foote, Frank, section chief, Nebraska Game, Forestation, and Parks Commission.....	548
Brostron, Curtis, chief of police, St. Louis, Mo.....	580
Jacobsmeier, Maj. Adolph C., St. Louis Police Department.....	586

JULY 1, 1965

Reisman, Leonard E., deputy commissioner, New York City Police Department (accompanied by detectives Joseph Piccinini and Walter Hease, and Lt. Patrick Leary).....	602
Siatos, Thomas J., publisher and editorial director, "Guns & Ammo" magazine.....	615
Rickbeil, Hardy, member of board of directors, National Retail Hardware Association (accompanied by William G. Mashaw, executive vice president, National Retail Hardware Association).....	633
Dennis, Robert T., assistant conservation director of the Izaak Walton League of America.....	639

JULY 20, 1965

Champion, Hale, director of finance, State of California.....	648
McLeod, Daniel R., attorney general, State of South Carolina (accompanied by J. Preston Strom, chief, South Carolina Law Enforcement Division).....	655
Dowdy, John, U.S. Representative, Seventh District, Texas.....	667
Sikes, Robert L. F., U.S. Representative, First District, Florida.....	669
Waldman, William J., vice president, Klein's Sporting Goods.....	671
Maxwell, Samuel L., Washington State Sportsmen's Council.....	682

JULY 27, 1965

Cummings, Samuel, president, International Armament Corp.....	689
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Attorney General Sills, of New Jersey.

You have been very patient. I am grateful to you. I understand you are accompanied by Capt. Frank Pasch, supervisor of the Bureau of Identification of the New Jersey State Police.

Mr. SILLS. Yes, Senator.

Senator DODD. We welcome you and are anxious to hear your testimony.

STATEMENT OF ARTHUR J. SILLS, ATTORNEY GENERAL, DEPARTMENT OF LAW AND PUBLIC SAFETY, STATE HOUSE, TRENTON, N.J.; ACCOMPANIED BY CAPT. FRANK J. PASCH, SUPERVISOR, BUREAU OF IDENTIFICATION, NEW JERSEY STATE POLICE, TRENTON, N.J.

Mr. SILLS. Mr. Chairman, members of the subcommittee, I am pleased to come before you today, in my capacity as attorney general of the State of New Jersey, to offer testimony in support of S. 1592, a bill to amend the Federal Firearms Act.

My support of this legislation is not prompted by a mere whimsical desire to see the responsibility for firearms control thrust upon the shoulders of Federal law enforcement authorities. Rather, I view S. 1592 as a measure which must be adopted if the firearms legislation which I would like to see adopted in New Jersey is to have any meaningful effect. And I am sure that the members of the subcommittee are equally cognizant of the fact that Federal legislation will constitute no more than a token response to the firearms problem if State and local authorities abdicate their responsibility to take effective action in an area where the jurisdiction of the Federal Government is recognized to be limited. President Johnson made this quite clear in his March 8 message on law enforcement and the administration of criminal justice.

I share a common understanding and sympathy with the advocates of this bill, Mr. Chairman, for I, too, have been labeled "fair game" by a vocal and powerful minority group which has declared "open season" on all who admit to the commonsense urgency of firearms control.

I would like to insert here, Mr. Chairman, not so very long ago I was invited by a member of the NRA to appear at their national banquet here in Washington, and my response was, "As a guest or a target."

While we may be maligned, I maintain, however, that the greater danger is that the American people may become the unfortunate victim of the outlandish campaign against this legislation which seems to thrive on misinformation and ignorance.

I believe that most Americans favor measures designed to remedy the misuse of firearms. I also believe that had any of us been able to channel the emotions of the American people shortly after the tragedy of November 22, 1963, we might very well have gun controls today. Yet, here we are some year and a half later, considering this vital proposition in an atmosphere of reason and decorum. This fact notwithstanding, opponents still prefer to accuse proponents of playing on hysteria.

It makes no difference to them that S. 1592 was originally introduced months before that day in Dallas. It makes no difference to them that officials like myself in other jurisdictions had commenced work on this problem at a similarly early date. They have gained the advantage of time, and perhaps it remains for the psychologists to explain why they have gained the advantage of public apathy.

I feel very strongly that if the assassination of the President of the United States is not sufficient cause to incite us to reason, then we deserve to inherit the legacy of Lee Harvey Oswald.

Since I have been called upon to offer testimony primarily with regard to the situation in New Jersey, I will refrain somewhat from any detailed reference to supporting evidence of a national variety which has already been presented as testimony before this subcommittee. Suffice it to mention that in my advocacy of stricter gun controls, I have repeatedly relied upon statistics provided by the FBI, the Federal court's interpretation of the second amendment to the Constitution which has been thoroughly documented in a comprehensive memorandum submitted to the subcommittee, and statistics relevant to those jurisdictions which have or have not effective firearms control.

The State of New Jersey has what is generally known to be a "stringent" law with respect to pistols and revolvers. The term "stringent" can be misleading, however, for most States have little or no firearms controls. Under our law permits to purchase or carry must be obtained for pistols and revolvers; and rifles and shotguns must be registered voluntarily.

I may state we have in the State of New Jersey some 3,000 rifles and shotguns which have voluntarily been registered. So I would assume that not all sportsmen, or at least individual sportsmen, are opposed to registration as such.

Capt. Frank Pasch, of our State police bureau of identification, has estimated there are 2 million firearms owned by New Jersey residents. Currently about 210,000 are registered. This includes the 3,000 I just mentioned. And it is apparent that many people consider the value of registration to outweigh any slight inconvenience involved, for about 36,000 firearms have been registered voluntarily.

Of course, with the statistics I gave you of 3,000 for rifles and shotguns, that means that 33,000 are handguns, voluntarily registered.

Our criminal statutes also provide severe penalties for the illegal use of firearms. Gun people very often insist this is the answer, but they also refuse to recognize these measures where they do exist. By statute in New Jersey anyone convicted of such crimes as breaking and entering, robbery, atrocious assault, larceny, and the like, may receive an additional sentence of 5, 10, 15, or 20 years or life imprisonment for first, second, third, or fourth offenses, respectively, if he is armed during the commission of the crime.

Thus, for armed crimes of robbery, assault, and larceny, for example, the penalty may add up to 12, 24, 36, or 48 years or life imprisonment for successive offenses. In this light, it is clear that we do have legislation which deals severely with the perpetrators of armed crimes.

These measures notwithstanding, we still had 181 homicides in our State in 1963. Due to the failure of our legislature to pass an administration-supported bill to establish a statewide uniform crime reporting system, we are presently unable to avail ourselves of more recent statistics, and the excellent FBI reports which we must rely upon are not broken down in such a manner as to allow an analysis of the situation. Thus, we are unable to determine readily, at the State level, how many murders were committed with a firearm or the type of firearm used in every case.

I could say from the statistics given to me by Captain Pasch, which I may get to a little bit later, about 56 percent of 181 homicides we know to have involved guns.

But there is no doubt that some are committed with rifles and shotguns as well as pistols and revolvers. The FBI has reported that nationally 30 percent of all homicides involving firearms are committed with rifles and shotguns.

Captain Pasch tells me that statistic is generally about true in the State of New Jersey as well.

Insofar as armed crimes are concerned, once again the absence of a uniform crime reporting system in New Jersey precludes an accurate analysis. On the basis of the actual number of guns submitted to our State police ballistics laboratory for examination, however, at least 1,014 armed crimes such as murders, rapes, robberies, atrocious assaults and batteries, suicides, and the like have been committed in the last 10 years. During this period, there were also at least 1,815 arrests for the illegal carrying of concealed weapons, handguns. This figure of 1,815 is likewise based solely on the number of guns submitted to our ballistics laboratory. Of this total, only 15 guns had been purchased legally with a permit to purchase and 6 had been registered voluntarily. As some of my remarks to follow will indicate, we can assume logically that in a large percentage of those cases involving illegally concealed weapons, the guns were purchased legally outside of New Jersey and brought into the State illegally.

It must be stressed, in any event, that many more armed crimes have been committed and many more arrests have been made for carrying concealed weapons where the policy agency in New Jersey which was involved did not submit the gun to the State police for examination.

New Jersey had a homicide rate of 2.8 in 1963, substantially below the national rate of 4.8. In 1964 we were also among the five best States in the Nation in terms of the traffic fatality rate. Yet there were still 1,074 lives lost on our highways in 1964. As much as we desire to cut down on the figure of 1,074 traffic fatalities, so also do we wish to see a decrease in the number of murders in New Jersey.

The comparatively low rates in New Jersey do not mean that no further legislation is necessary either in New Jersey or the Nation. If anything, it indicates that more gun controls, supplemented by Federal legislation, such as this bill, are needed in other States where the rates are higher.

As soon as one speaks of gun legislation, however, we hear the often repeated cry that "guns don't kill people, people kill people." Or "criminals won't register their weapons, only the honest sportsman will be affected."

If I may say so in an aside, Senator, I listened to the first Member of Congress who was here, and I respectfully suggest that if you had sent for the last six editions of the National Rifleman's magazine you could have heard everything he had to say, or you could have read it there.

This also comes from that source.

Of course the criminal won't register his weapon. Of course people kill people. Like the criminal who kills with an unregistered firearm, there are also unlicensed motorists who kill with an automobile. Should the conclusion then be drawn that drivers' licenses should not be required?

The essence of this logic, of course, runs contrary to the desires of a civilized society to maintain an aura of self-regulation. Throughout history people living together, determined that certain things should or should not be done, have developed the mores of their society. They decided in early civilization that certain kinds of behavior clashed so violently with these mores that punishment should be meted out to those who offend the way of life which man had established. This is primarily the way common law crimes were developed. Later on, as society further progressed, statutes were enacted, including common law crimes as well as others, defining modes of behavior which were in opposition to the social mores.

These modes of behavior were made crimes because their perpetration was considered by the dominant element of society to be anti-social. The same reasoning must apply to the antisocial use of firearms. To say that the failure of some to register their weapons should be the reason for not having registration is an absurdity. It is like saying that murder should not be a crime because some people commit murder.

I believe it is the sense of the community today that we should try to prevent the needless taking of human life with lethal weapons by keeping these weapons from those people with the potential to kill. If registration is the answer, and I think it is, then that is what should be done.

Of course there are always those who will put forth a "novel" proposal for accomplishing a particular objective. Early this year, a meeting was held in my office between members of my staff, gun dealers and sportsmen to discuss some of the new proposals for firearms legislation in New Jersey. The gun representatives were asked if they had any suggestions as to how we might cope with this problem; namely, the one of keeping firearms away from unfit persons without registering them.

One gentleman, after arguing that we should not have gun registration because this helped Hitler in his rise to power, suggested, in all seriousness, that in lieu of registration, those people with criminal records or narcotic addicts should be tattooed on the back of their hand so they could be easily identified should they attempt to purchase a firearm. Captain Pasch of the State police, who is here with me today, was present when this remark was made.

As indicated, under the present New Jersey firearms statute, pistols and revolvers must be registered. Also in New Jersey anyone who "knowingly sells" a pistol, revolver, rifle or shotgun to a person not of sound mind, a drug addict, or a convicted criminal, is guilty of a mis-

demeanor (N.J.S.A. 2A:151-9). This provision is of little effect, however, because the dealer is under no obligation to request an investigation and, therefore, does not do so. And there is absolutely no way to detect the purchase of mail-order firearms unless the purchaser voluntarily reports it to the police. Attorney General Katzenbach, in his testimony before this subcommittee, illustrated this point vividly in his reference to the easy purchase of a mail-order .22-caliber revolver by Mayor Francis Graves of Paterson, N.J.

The thrust of the legislation which I would have New Jersey adopt would be to prevent weapons such as pistols, revolvers, rifles, shotguns, and other firearms from getting into the hands of narcotic addicts, habitual alcoholics, convicted criminals, persons who are mentally or physically incapable of handling firearms, members of subversive organizations on the U.S. Attorney General's list, and persons under 18 years of age who have not passed an accredited hunter safety course.

Upon seeking a permit from the local chief of police, the applicant would provide his fingerprints which would be forwarded to the superintendent of the State police for a routine background investigation similar to those conducted on prospective military personnel and law enforcement officials.

Suggestions which I have made have aroused the ire of hunters and those who engage in target shooting for the most part. Yet, the legislation I would propose specifically provides that a permit to purchase or carry a firearm, where the purpose is hunting or target shooting, cannot be denied unless the applicant falls into one of the categories of an unfit person as mentioned before, that is, if he is a criminal, a drug addict, an alcoholic, a subversive, or the like. This provision goes beyond the present law in New Jersey and to my mind, at least, is extremely favorable to sportsmen.

The law in New Jersey today requires a permit to purchase and a permit to carry a pistol or revolver, but neither a rifle nor shotgun. Under the proposed law, if a rifle or shotgun is purchased in New Jersey with a permit, this will also give permission to carry the weapon in the State. Otherwise, it may become necessary to obtain a special permit to carry.

In a great number of ways the proposed firearms legislation places both sportsmen and local dealers in a preferred position. Either they do not understand this or simply wish not to understand it. I simply cannot determine why these people, who take great pride in their self-professed law-abiding characters, should want to make it legal to sell firearms to criminals, addicts, alcoholics, subversives, juveniles, and persons mentally or physically incapable of handling firearms.

I have even seen the suggestion that, after the fact, we should execute the perpetrator of an armed crime. Aside from this thirst for revenge, there is no concern, evidently, for the prevention of the crime itself. Time and time again I am told that "criminals will get guns anyhow." To a certain extent this is true. As I have said before, I see this as no reason to legalize the sale of guns to criminals.

In any event, this fails to take into account that 82 percent of all murders in this country usually occur within the family unit or among acquaintances, the vast majority being crimes of passion, or crimes re-

sulting from impulsive rage. Only 12 percent are committed during the commission of another serious crime.

How many crimes of passion would be prevented by legislating severe penalties? Doesn't the passion murderer often run the risk of paying the supreme penalty of execution anyway? Is he deterred by this possibility? Of course not.

Commonsense tells us, however, that if a gun is not handy, in all likelihood, the probability of a murder being committed is greatly reduced.

The legislation I would have in New Jersey does not seek to prohibit the law-abiding citizen, with desire to hunt or target shoot, from enjoying his sport. It would attempt to set forth standards and require persons handling firearms to meet these standards which are designed to serve only as restrictions upon those whom logic dictates should not be trusted with firearms.

I will cite for you, certain tragedies which may have been prevented if we had the law which, I believe, is so necessary to give teeth to S. 1592 at the local level.

In April of this year I received a special delivery letter from a New Jersey mother, excerpts of which read as follows:

My son, age 9, was killed by a neighbor's son who had parental permission, if you please, to kill snakes in a heavily populated neighborhood. Three months to the day before the assassination of our beloved President * * *

Our only beloved son—please, please know that most people feel as you do * * * we will give you any support you require. Our blessings in your purpose.

I wonder if the gun buffs would say this letter was prompted by an emotional response to the heinous crime of Lee Harvey Oswald.

On June 30, 1964, a 22-year-old man purchased a .22 caliber rifle from a local dealer in Orange, N.J., using a fictitious name and address. He hitchhiked to a summer home owned by his parents on Cranbury Lake, N.J., where he fired a shot from a window of the bungalow, striking a fisherman about 200 feet away. When a New Jersey State trooper responded to an emergency call he was shot in the chest as he approached the bungalow. It was later determined that the perpetrator had a prior mental record and been released from the Trenton State Hospital in February of the same year.

On May 21, 1965, an indictment was returned against a woman in one of our county courts alleging that on April 11, 1965, she killed a migrant worker companion with his own shotgun. The deceased, who purchased the shotgun in Florida a year ago for hunting, had a lengthy criminal record in that State and had been convicted of an offense in New Jersey on October 13, 1963. Under the law I would have in New Jersey he would have been denied a permit to carry his weapon in New Jersey.

I would like to comment, if I may, on the testimony presented to this subcommittee by the Honorable Gordon Allott, Senator from Colorado. He pointed out, and a Member of Congress did this morning too, that had Oswald not used a mail-order gun to commit his crime, he could very well have "purchased a rifle of the same quality across the counter and he would not have violated any law in doing so." Further, he pointed out that Jack Ruby had a permit for the weapon he used.

While Senator Allott cited these facts in his opposition to S. 1592, I can think of no better argument in favor of S. 1592 and local legislation similar to that which the President has asked for and which I would have adopted in New Jersey.

This, very frankly, is the best example I can think of to highlight my support for S. 1592. Without S. 1592 Oswald was able to obtain his mail-order murder weapon. Even with S. 1592 he could have made a legitimate over-the-counter purchase. With S. 1592 and local legislation, however, his dubious background would have prevented him from doing either. This being the case, Jack Ruby would have had no cause to use the weapon for which he had a permit. Both the life of John F. Kennedy and that of his assassin might have been spared, and it takes only a simple exercise in logic to come to this conclusion.

Although I will not make specific reference to the series of questions Chairman Dodd enclosed in his invitation to me to appear before this subcommittee, my comments which follow will bear primarily on these considerations.

First and foremost, S. 1592 will assist us in our efforts in New Jersey, provided we pass an effective law of our own, by enabling law enforcement officials to concentrate their attention on the outflow of firearms from legitimate licensed firearms dealers. Section 2 of the bill will accomplish this by prohibiting the shipment of firearms to other than firearms dealers licensed by the State. Presently, there are approximately 1,900 federally licensed dealers in New Jersey, as compared to 450 State retail licensees. This means that about 1,450 Federal licensees will have to apply for State licenses. A great many of them will not be issued these State licenses, however, because of the fly-by-night nature of their operations.

Although S. 1592 will not put local dealers under an obligation to refrain from selling to narcotics, alcoholics, criminals, subversives, and the like, it will make it relatively simple to accomplish this effectively through implementation by local legislation.

Not only will this be important with respect to the controlled registration of rifles, shotguns, pistols, and revolvers as covered in the law I would have in New Jersey, but it will also cut off the wanton and unregulated importation of "destructive devices" as defined by section 1(4) of S. 1592, including bombs, rockets, grenades, bazookas, and the like, by bringing under strict Federal control their shipment in interstate and foreign commerce.

There are also numerous examples where this bill, combined with supplementary local legislation, may have resulted in the saving of lives.

On October 13, 1964, in Delanco, N.J., a woman, under the care of a psychiatrist, shot and killed her 4-year-old daughter and committed suicide with a 12-gauge shotgun. The weapon was purchased from an out-of-State department store and was delivered to her home by United Parcel shortly before the shooting occurred.

If the Member of Congress who testified just previous to me were not so disturbed about going down to sign for his weapon—and he probably would have received it so very readily when he did—rather than be disturbed at that—if he would hear this example, he would know why local police would prefer to have the owner of that weapon come down and sign, so that they could determine who the person was.

In February 1962, in Secaucus, N.J., several high school youths were caught shooting high powered war surplus rifles in the New Jersey meadows. The bullets traveled over 2 miles in distance, penetrating a house trailer and smashing the window of a private residence. Fortunately, no one was injured by the use of these Italian, Russian, British, and German rifles which were purchased as military antiques, not guaranteed for firing.

On November 17, 1964, two Trenton, N.J., policemen were detailed to investigate a complaint of a tavern owner who stated that he had just evicted a person from his establishment who was threatening to explode a hand grenade. When the police arrived at the tavern, the evicted person exploded the grenade, killing himself, one of the policemen, and a bystander.

On December 26, 1962, two young adults and a juvenile were found conducting a private war game on the Cherry Ridge Rifle Range in Sussex County, N.J. The weapons used were a 20-millimeter antitank gun, such as you have in the rear here, six rifles and two .38 caliber revolvers.

(Photographs of the antitank gun and ammunition seized in this case were marked "Exhibits Nos. 92 and 93" and appear on pp. 402-403.

Extensive damage was done to buildings on the range, as well as the destruction of a bulldozer by a missile fired from the antitank gun.

Without S. 1592 and local legislation consideration must also be given to the possibility of extremist groups availing themselves of firearms or heavy weapons in New Jersey or any other State. As Attorney General Lynch so vividly pointed out in his testimony with regard to the situation in California, these "self-styled saviors of our Nation" pose a very real threat to the security of freemen.

A bill has been introduced in the California Legislature which will make it illegal for any two or more persons to—

associate or assemble as a paramilitary organization for the purpose of practicing with weapons.

Perhaps this approach is worth consideration by other jurisdictions wishing to clamp restrictions on the activities of these private armies which thrive on hate, intolerance, fear, and prejudice.

Presently, there are no laws in New Jersey, to control the sale of firearms to extremist groups. Any such group could legally arm itself with semiautomatic weapons, antitank guns, bazookas, mortars, and the like.

Fortunately, there is no indication that the magnitude of the problem posed by these groups is anywhere near as great in New Jersey as it is in California. I am sure you recall, however, the case which occurred on December 11, 1964, when three Cubans were arrested for plotting to assassinate the United Nations representative from Cuba, Che Guevara, as he addressed the General Assembly in New York City. These three Cubans were found to have a stockpile of illegally possessed machine guns, pistols, revolvers, and hand grenades to be used by their organization to overthrow the Government of Cuba.

Notwithstanding the relative paucity of armed extremist groups in New Jersey, I believe now is the time to take preventative measures that will protect against the possibility of such occurrences in the future. Without S. 1592, of course, the pursuance of effective measures at the State and local level will remain remote.

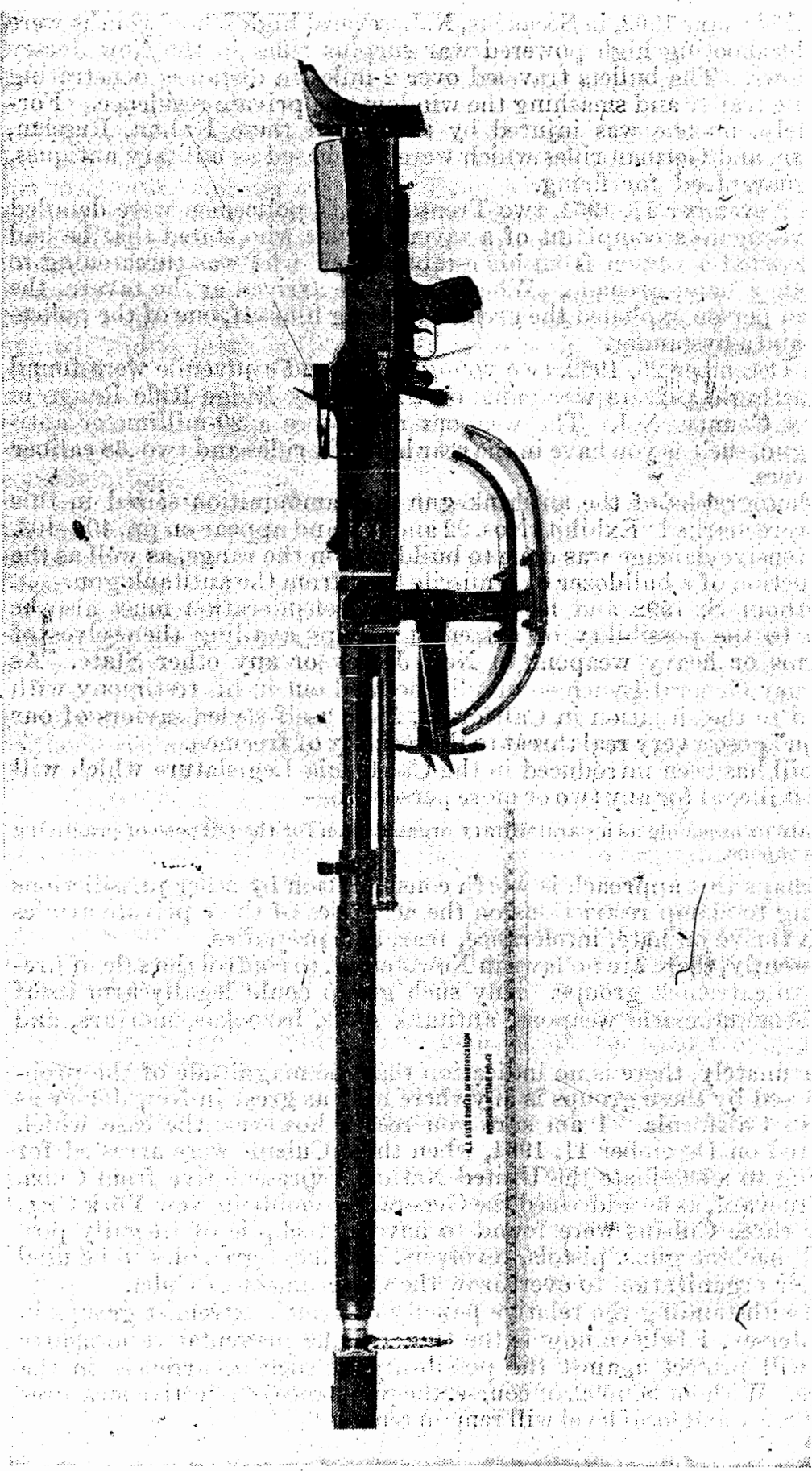
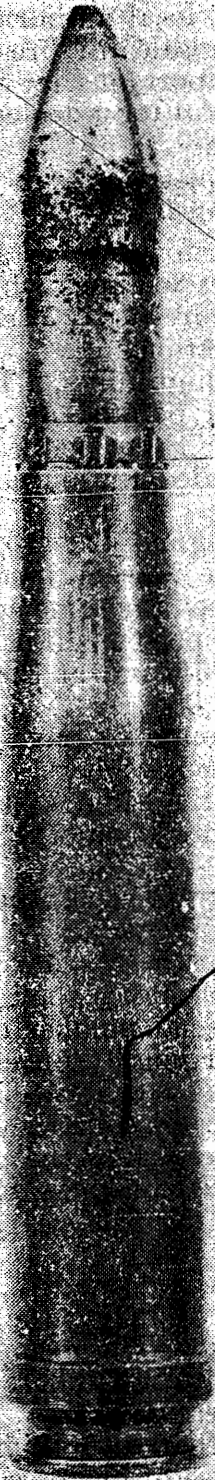


EXHIBIT No. 92
 20 mm. Lahti Anti-Tank Rifle confiscated by State Police from 3 youths in Sussex County, N.J.

U.S. GOVERNMENT PRINTING OFFICE: 1934



20 mm.



30.06 Cal.



38 Cal.

N. J. STATE BUREAU
OF IDENTIFICATION
DIV. OF STATE POLICE

EXHIBIT No. 93

Photograph: Sample of ammunition confiscated by State Police from 3 youths in Sussex County, N.J.

I have indicated that S. 1592 is necessary if local authorities are going to cope effectively with over-the-counter sales of firearms to potentially dangerous persons. It is equally important that S. 1592, pursuant to section 2(b)(3), will make it unlawful for a dealer to sell firearms, other than rifles and shotguns, to anyone—

who he knows or has reasonable cause to believe is not a resident of * * * [the] State in which the * * * dealer's place of business is located.

Although under present New Jersey law a permit to carry a pistol or revolver is required, there is no way to detect weapons which are smuggled into New Jersey without a permit to purchase or carry. S. 1592 would go a long way to ameliorate this situation.

Our experience with the State of Maryland highlights, I believe, the urgency of this measure. Chairman Dodd pointed out in his opening statement to this subcommittee that our State police, in cooperation with Maryland authorities, had revealed the purchase of handguns by 27 New Jersey residents in that State.

These 27 people were able to buy 65 handguns from 3 retail stores located in Aberdeen, Md. Eight of these persons used fictitious names or addresses, and five of the eight used the same address. The purchases of the firearms by four of the five persons all occurred during the dates of September 9, 15 and 21, 1964, and at the same location, the Aberdeen Hobby and Sport Shop.

The fifth person, one Hector Gomez, later found to have had a lengthy police record for such offenses as extortion, robbery, assault, and attempted rape, purchased 12 handguns in the same store on 3 occasions within a period of 12 days and 3 more in another store during the same period.

It is apparent that the five persons were known to each other and that the purchases by Gomez were made for illegal resale.

I may say, Senator, I have here a teletype from the Newark police indicating an Amelda Cruz was arrested on a narcotics charge and she had in her possession a .32 caliber gun, a serial number of one of the guns which this Mr. Hector Gomez had originally purchased.

When State police personnel from Maryland and New Jersey investigated the establishments where these guns were sold, they were told by one proprietor that if he did not sell firearms to the people who wanted them, some other dealer would. His business records indicated that he had sold 500 handguns during the past year, with 29 having been purchased by New Jersey residents.

The sales ledger of the second proprietor in Aberdeen, Md., indicated that 252 firearms had been sold by his shop during the year, 18 having been purchased by New Jersey residents. This proprietor stated, in his opinion, Hector Gomez had bought an estimated 200 handguns, over a period of time in the Aberdeen area.

Records of the third establishment showed that approximately 500 handguns were sold per year during the course of business, with 18 having been sold to New Jerseyites. These 3 stores in Aberdeen alone accounted for the sale of approximately 1,250 handguns during 1 year's time.

Our experience in Maryland, of course, involved the purchase of handguns for illegal importation into New Jersey. We have had similar problems with dealers in California who, on the other hand,

have been accomplices to the mail-order sale of guns illegally purchased and shipped into our State.

In 1964 a survey was conducted by the State police to determine if purchase permits had been obtained by residents in New Jersey who had received mail-order guns from Seaport Traders, Inc., and Weapons, Inc., both California-based corporations.

It was discovered that of the 126 guns sold and shipped by mail by Seaport Traders, Inc., of Los Angeles, Calif., permits were issued for the legal purchase of 63, no permits were issued for 56. Of the 28 handguns sold and shipped by Weapons, Inc., permits were issued for 22, no permits were issued for 5.

Of the 154 guns sold and mailed by these two outfits, 61 were sold and mailed without permits being issued. It was also ascertained that 26 persons with criminal records were among those who had purchased the 61 weapons from these 2 mail-order houses.

I trust that the testimony I have offered to the subcommittee has given some indication of the problem we face in New Jersey. This problem derives not only from the wanton and indiscriminate importation and resale of lethal weapons of all varieties which we cannot legally control with the legislation we now have, but also from the violation of the existing laws which cannot be prevented without Federal assistance. In this respect, I believe the subcommittee might consider making it illegal to sell all firearms, including rifles and shotguns, to out of staters, except as providing in the bill. I am sure any law-abiding honest sportsman will be able to purchase any rifle or shotgun he desires from a reputable firearms dealer.

Once again I must reiterate my inability to comprehend the totally unrealistic opposition to firearms legislation put forth by what we recognize to be honest and law-abiding firearms users. I believe, for the most part, the individual gun buff is sincere, albeit misinformed, in his opposition. On the other hand, I believe some of the spokesmen for the powerful firearms organizations are not so sincere.

These people would be opposed to any legislation no matter what the legislation said. I am convinced, in fact, that were I to prepare a bill proposing the abolition of all firearms controls, but just announce publicly I was going to introduce "gun legislation," I would find a few hundred letters on my desk the next morning opposing it as a violation of the U.S. Constitution amongst various other sundry reasons.

Is it not insane to continue to allow dangerous weapons to fall into the hands of criminals, drug addicts, alcoholics, subversives, juveniles, and those mentally or physically unequipped to use them? If something is to be done, is it not madness to expect the Federal Government to do it alone, or State and local governments to do it alone? Why shouldn't gun buffs join with us in our efforts to wipe out one of the most important contributing factors to the rising tide of crime and violence?

The N.R.A. says, in fact, they have no addicts, alcoholics, or criminals among their 600,000 members. If this is true, then they have absolutely no fear of legislation which will have them register their guns or legislation like S. 1592 which will make registration feasible and effective.

Incidentally, I am aware that the mail the subcommittee has received from gun buffs is heavy. Comparatively, my own mail has also

been heavy. After being called to appear here today, I thought it might be worthwhile to have a check made to see if any of these people had criminal records. I believe you will find the results interesting.

A check was made on approximately 335 letters received by me. Evidence disclosed records of arrests for approximately 25 of these letterwriters for such offenses as: Shoplifting, possession of lottery slips, highway robbery, assault and battery, hijacking deer, passing bad checks, manslaughter, carrying a concealed weapon, breaking and entering, larceny, abandonment, lewdness, child neglect, impairing the morals of minors, possession of stolen property, and the like.

In addition to these 25 positive identifications, there were 64 other names indicating possible arrest records which we cannot identify positively without further investigation because of variations in the letterwriter's identity with that of the arrestee, with respect to discrepancies in spelling and addresses.

By way of conclusion, may I ask how many more children will be murdered by deranged parents using a mail-order or illegally possessed weapon? How many more policemen will be murdered by ex-convicts who are legally able to purchase a firearm with no questions asked? How many more private armies will spring up and arm themselves in preparation for their self-proclaimed "days of liberation"?

How many more people will be killed in their homes, their cars, or a crowded place by a sniper's bullet from a high-powered foreign-made rifle?

In fact, how many more Presidents must we lose before we come to our senses?

No one knows the answer to these questions. And, like the lighthouse off a rocky shore, we will never know how many lives will be saved by S. 1592 or stricter local legislation. My guess is that many will be saved. For that matter, if only one son or daughter or mother or father or President is saved, all our efforts will be worth it.

As I cannot forget that tragic day in Dallas, so also can I not forget that sorrowful plea from the mother who lost her 9-year-old son. Using her own words once again, I say to you:

Please, please know that most people feel as you do * * * we will give you any support you require.

Thank you, sir.

Senator DODD. Well, I thank you, Mr. Attorney General. That is a very interesting statement, and very well documented. Factually, you certainly have a lot of first-class information that you put in the record in the form of a statement, which I am sure will help us a great deal.

Do you have some questions, Mr. Perian?

Mr. PERIAN. No, Mr. Chairman.

Senator DODD. One question I do want to ask you. Have you tried—I assume you have—have you tried to work out any cooperative arrangement with the police of Maryland and other neighboring States?

Mr. SILLS. I am informed by Captain Pasch that there is a working alliance with the Maryland authorities now. We are now informed by Maryland whenever an address is given of a person in New Jersey.

Senator DODD. Of course that won't really cure the situation.

Mr. SILLS. No. It is helpful, and it may assist in certain instances where people are frankly not aware of what they can or cannot do, and figure this is an easy way to purchase a gun, and so they do it.

Senator DODD. Yes.

Well, I thank you for your time and trouble, your patience, as well.

Mr. SILLS. I would like to say one thing.

I have heard the Congressman here this morning talk about the misinformed editorials, and calling this legislation antiweapon legislation. And I have heard many of the people in the gun clubs refer to legislation as antigun. I think I would like to point out that it is not antigun. It is anti the type of people who should not have guns. I don't know why it is always said that sportsmen will be unable to secure guns, rifles or shotguns. If they do not fall into one of the unfit categories, there is nothing to stop them from buying a gun from a legitimate source. And there is merely a slight inconvenience involved on the question of having it shipped from a dealer to a dealer. But that at least gives you the control which is so necessary at the local level. Without that, local legislation would not mean much at all.

Senator DODD. That is a very good point. I am glad you made it. It needs to be restated all the time, I guess.

A lot of people apparently are of the opinion that if this bill is passed, they will not be allowed to hunt, belong to gun clubs, or go from one State to another for sport and hunting purposes.

There is no such restriction in the bill.

But, nevertheless, it has been an effective propaganda instrument against the legislation.

Thank you very much.

Mr. SILLS. Thank you, Senator.

Senator DODD. Dr. E. C. Hadley?

Dr. Hadley, you are the President of SAAMI.

Mr. HADLEY. That is correct.

Senator DODD. You have been active in the firearms industry for many years. You were technical director for Remington Arms—I guess you retired from that position. You were the technical director for Remington Arms.

We are glad you are here, and look forward to hearing your testimony.

STATEMENT OF E. C. HADLEY, PRESIDENT, SPORTING ARMS & AMMUNITION MANUFACTURERS' INSTITUTE; ACCOMPANIED BY ROBERT C. BARNARD, COUNSEL

Mr. HADLEY. Mr. Chairman, I have with me Mr. Robert C. Barnard, who is counsel for the Sporting Arms & Ammunition Manufacturers' Institute.

Senator DODD. I am glad to have you.

Mr. BARNARD. Thank you, Senator.

Mr. HADLEY. Reading from my memorandum, my name is E. C. Hadley, and I am president of the Sporting Arms & Ammunition Manufacturers' Institute (SAAMI). I appreciate the opportunity to testify this morning on behalf of SAAMI with respect to the firearms legislation presently pending before this subcommittee.