



FEDERAL ELECTION COMMISSION

1325 K STREET NW
WASHINGTON, DC 20463

THIS IS THE END OF MUR # 2142

Date Filmed 5-7-84 Camera No. --- 2

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 11, 1986

Mary Louise Westmoreland, Esquire
General Counsel
Handgun Control, Inc.
1400 K Street, N.W.
Suite 500
Washington, D.C. 20005

Re: MUR 2142

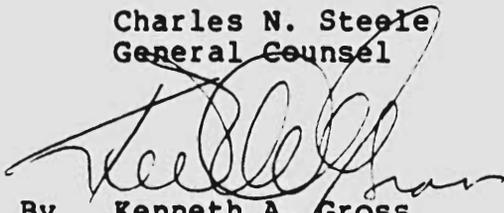
Dear Ms. Westmoreland:

The Federal Election Commission reviewed the allegations of your complaint dated February 14, 1986, and determined that on the basis of the information provided in your complaint and information provided by the Respondent there is no reason to believe that a violation of 2 U.S.C. § 437g(a)(12)(A) the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed. Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel


By Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

35040582375

FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION:

MUR #: 2142
DATE COMPLAINT RECEIVED
BY OGC: February 19, 1986
DATE OF NOTIFICATION TO
RESPONDENT: February 26, 1986.
STAFF MEMBER: Snyder

SENSITIVE

COMPLAINANT'S NAME: Handgun Control, Inc.
RESPONDENT'S NAME: National Rifle Association
RELEVANT STATUTE: 2 U.S.C. § 437g(a)(12)(A);
11 C.F.R. § 111.21(a)
INTERNAL REPORTS
CHECKED: MUR's 1244, 1275, 1607
FEDERAL AGENCIES
CHECKED: None

SUMMARY OF ALLEGATIONS

On February 14, 1986, complainant Handgun Control Inc. ("HCI") alleged that respondent the National Rifle Association ("NRA") violated 2 U.S.C. § 437g(a)(12)(A) and 11 C.F.R. § 111.21(a) by publishing in the MONITOR, the official publication of the NRA's Institute for Legislative Action, the fact that NRA had filed a complaint with the Federal Election Commission against HCI (MUR 2115) and a description of the substance of that complaint.

FACTUAL AND LEGAL ANALYSIS

The pertinent statute states:

(A) Any notification or investigation made under this section shall not be made public by the Commission or by any

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person without the written consent of the person receiving such notification or the person with respect to whom such investigation is made.

2 U.S.C. § 437g(a). The Commission has on several occasions interpreted the foregoing statute to prohibit only the making public of a Commission notification or investigation, but as not barring disclosure of the filing of a complaint or its substance.

Thus, in MUR 1275, the Carter/Mondale Reelection Committee notified broadcasters that it had filed a complaint against the Reagan for President Committee and others. The Commission found no reason to believe Carter/Mondale had violated the Act, since "the letter to the broadcasters did not mention any notification or investigation by the Commission." The Commission reached the same result based on the same analysis in MUR 1607. In accordance with these precedents, this Office recommends that the Commission find no reason to believe that respondent violated the Act by disclosing the fact that it had filed a complaint, along with the substance of that complaint, since it did not disclose any information about a Commission notification or investigation.

RECOMMENDATIONS

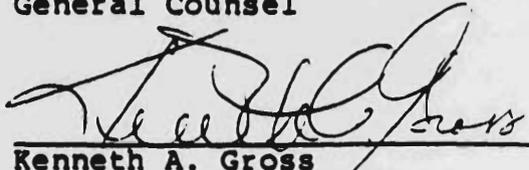
1. Find no reason to believe that the National Rifle Association violated 2 U.S.C. § 437g(a)(12)(A) and 11 C.F.R. § 111.21(a).

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2. Approve and send the attached letters.

Charles N. Steele
General Counsel

March 31, 1986
Date

BY: 
Kenneth A. Gross
Associate General Counsel

Attachments

1. Complaint
2. Response
3. Proposed letters to complainant
4. Proposed letter to respondent

85040582375



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mary Louise Westmoreland, Esquire
General Counsel
Handgun Control, Inc.
1400 K Street, N.W.
Suite 500
Washington, D.C. 20005

Re: MUR 2142

Dear Ms. Westmoreland:

The Federal Election Commission reviewed the allegations of your complaint dated February 14, 1986, and determined that on the basis of the information provided in your complaint and information provided by the Respondent there is no reason to believe that a violation of 2 U.S.C. § 437g(a)(12)(A) the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed. Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

chwj 4/9

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 11, 1986

Richard E. Gardiner, Esquire
Assistant General Counsel
National Rifle Association of America
1600 Rhode Island Avenue, N.W.
Washington, D.C. 20463

RE: MUR 2142
National Rifle Association

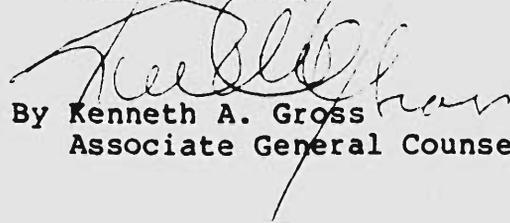
Dear Mr. Gardiner:

On February 26, 1986, the Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended and the Commission's regulations.

The Commission, on April 8, 1986, determined that on the basis of the information in the complaint, and information provided by you, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel


By Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

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FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION:

MUR #: 2142
DATE COMPLAINT RECEIVED
BY OGC: February 19, 1986
DATE OF NOTIFICATION TO
RESPONDENT: February 26, 1986.
STAFF MEMBER: Snyder

SENSITIVE

COMPLAINANT'S NAME: Handgun Control, Inc.
RESPONDENT'S NAME: National Rifle Association
RELEVANT STATUTE: 2 U.S.C. § 437g(a)(12)(A);
11 C.F.R. § 111.21(a)
INTERNAL REPORTS
CHECKED: MUR's 1244, 1275, 1607
FEDERAL AGENCIES
CHECKED: None

SUMMARY OF ALLEGATIONS

On February 14, 1986, complainant Handgun Control Inc. ("HCI") alleged that respondent the National Rifle Association ("NRA") violated 2 U.S.C. § 437g(a)(12)(A) and 11 C.F.R. § 111.21(a) by publishing in the MONITOR, the official publication of the NRA's Institute for Legislative Action, the fact that NRA had filed a complaint with the Federal Election Commission against HCI (MUR 2115) and a description of the substance of that complaint.

FACTUAL AND LEGAL ANALYSIS

The pertinent statute states:

(A) Any notification or investigation made under this section shall not be made public by the Commission or by any

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person without the written consent of the person receiving such notification or the person with respect to whom such investigation is made.

2 U.S.C. § 437g(a). The Commission has on several occasions interpreted the foregoing statute to prohibit only the making public of a Commission notification or investigation, but as not barring disclosure of the filing of a complaint or its substance.

Thus, in MUR 1275, the Carter/Mondale Reelection Committee notified broadcasters that it had filed a complaint against the Reagan for President Committee and others. The Commission found no reason to believe Carter/Mondale had violated the Act, since "the letter to the broadcasters did not mention any notification or investigation by the Commission." The Commission reached the same result based on the same analysis in MUR 1607. In accordance with these precedents, this Office recommends that the Commission find no reason to believe that respondent violated the Act by disclosing the fact that it had filed a complaint, along with the substance of that complaint, since it did not disclose any information about a Commission notification or investigation.

RECOMMENDATIONS

1. Find no reason to believe that the National Rifle Association violated 2 U.S.C. § 437g(a)(12)(A) and 11 C.F.R. § 111.21(a).

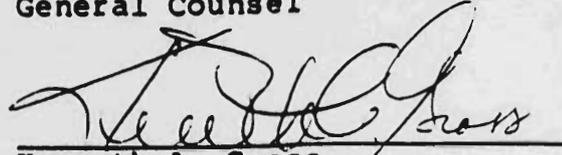
0 5 0 4 0 7 8 2 3 9 0

2. Approve and send the attached letters.

Charles N. Steele
General Counsel

March 31, 1986
Date

BY:


Kenneth A. Gross
Associate General Counsel

Attachments

1. Complaint
2. Response
3. Proposed letters to complainant
4. Proposed letter to respondent

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Richard E. Gardiner, Esquire
Assistant General Counsel
National Rifle Association of America
1600 Rhode Island Avenue, N.W.
Washington, D.C. 20463

RE: MUR 2142
National Rifle Association

Dear Mr. Gardiner:

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The Commission, on , 198 , determined that on the basis of the information in the complaint, and information provided by you, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

CAJ
4/4

Tom
4/10/80

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2142
National Rifle Association)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of April 8, 1986, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 2142:

1. Find no reason to believe that the National Rifle Association violated 2 U.S.C. § 437g(a)(12)(A).
2. Close the file.
3. Direct the Office of General Counsel to send appropriate letters pursuant to the above actions.

Commissioners Aikens, Elliott, Harris, Josefiak, McDonald, and McGarry voted affirmatively for the decision.

Attest:

4-8-86

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

36040382383



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *pd*
DATE: April 7, 1986
SUBJECT: MUR 2142 - Addendum to First General Counsel's Rpt.

The attached is submitted as an Agenda document
for the Commission Meeting of _____
Open Session _____
Closed Session _____

CIRCULATIONS		DISTRIBUTION	
48 Hour Tally Vote	[]	Compliance	<input checked="" type="checkbox"/>
Sensitive	[]	Audit Matters	[]
Non-Sensitive	[]	Litigation	[]
24 Hour No Objection	[]	Closed MUR Letters	[]
Sensitive	[]	Status Sheets	[]
Non-Sensitive	[]	Advisory Opinions	[]
Information	[]	Other (see distribution below)	[]
Sensitive	[]		
Non-Sensitive	[]		
Other	<input checked="" type="checkbox"/>		

CIRCULATE ON GREEN PAPER.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

COMMUNICATIONS SECTION
00 APR 7 9:45

SENSITIVE

April 1, 1986

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel *KAG*

SUBJECT: MUR 2142 - Addendum to First General Counsel's
Report signed March 31, 1986

This Office further recommends that the Commission
close the file.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL
FROM: MARJORIE W. EMMONS/ ARNITA D. HESSION^{ADA}
DATE: APRIL 3, 1986
SUBJECT: MUR 2142 - First General Counsel's Report
Signed March 31, 1986

The above-named document was circulated to the Commission on Tuesday, April 1, 1986.

Objections have been received from the Commissioners as indicated by the name(s) checked:

Commissioner Aikens	_____
Commissioner Elliott	_____ X _____
Commissioner Harris	_____
Commissioner Josefiak	_____
Commissioner McDonald	_____
Commissioner McGarry	_____

This matter will be placed on the Executive Session agenda for April 8, 1986.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel *pd*

DATE: April 1, 1986

SUBJECT: MUR 2142 - First General Counsel's Report

The attached is submitted as an Agenda document
 for the Commission Meeting of _____
 Open Session _____
 Closed Session _____

CIRCULATIONS

DISTRIBUTION

48 Hour Tally Vote	<input checked="" type="checkbox"/>	Compliance	<input checked="" type="checkbox"/>
Sensitive	<input checked="" type="checkbox"/>	Audit Matters	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>	Litigation	<input type="checkbox"/>
24 Hour No Objection	<input type="checkbox"/>	Closed MUR Letters	<input type="checkbox"/>
Sensitive	<input type="checkbox"/>	Status Sheets	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>	Advisory Opinions	<input type="checkbox"/>
Information	<input type="checkbox"/>	Other (see distribution below)	<input type="checkbox"/>
Sensitive	<input type="checkbox"/>		
Non-Sensitive	<input type="checkbox"/>		
Other	<input type="checkbox"/>		

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FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT

APR 1 10:09

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION:

MUR #: 2142
DATE COMPLAINT RECEIVED
BY OGC: February 19, 1986
DATE OF NOTIFICATION TO
RESPONDENT: February 26, 1986
STAFF MEMBER: Snyder

SENSITIVE

COMPLAINANT'S NAME: Handgun Control, Inc.
RESPONDENT'S NAME: National Rifle Association
RELEVANT STATUTE: 2 U.S.C. § 437g(a)(12)(A);
11 C.F.R. § 111.21(a)
INTERNAL REPORTS
CHECKED: MUR's 1244, 1275, 1607
FEDERAL AGENCIES
CHECKED: None

SUMMARY OF ALLEGATIONS

On February 14, 1986, complainant Handgun Control Inc. ("HCI") alleged that respondent the National Rifle Association ("NRA") violated 2 U.S.C. § 437g(a)(12)(A) and 11 C.F.R. § 111.21(a) by publishing in the MONITOR, the official publication of the NRA's Institute for Legislative Action, the fact that NRA had filed a complaint with the Federal Election Commission against HCI (MUR 2115) and a description of the substance of that complaint.

FACTUAL AND LEGAL ANALYSIS

The pertinent statute states:

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person without the written consent of the person receiving such notification or the person with respect to whom such investigation is made.

2 U.S.C. § 437g(a). The Commission has on several occasions interpreted the foregoing statute to prohibit only the making public of a Commission notification or investigation, but as not barring disclosure of the filing of a complaint or its substance.

Thus, in MUR 1275, the Carter/Mondale Reelection Committee notified broadcasters that it had filed a complaint against the Reagan for President Committee and others. The Commission found no reason to believe Carter/Mondale had violated the Act, since "the letter to the broadcasters did not mention any notification or investigation by the Commission." The Commission reached the same result based on the same analysis in MUR 1607. In accordance with these precedents, this Office recommends that the Commission find no reason to believe that respondent violated the Act by disclosing the fact that it had filed a complaint, along with the substance of that complaint, since it did not disclose any information about a Commission notification or investigation.

RECOMMENDATIONS

1. Find no reason to believe that the National Rifle Association violated 2 U.S.C. § 437g(a)(12)(A) and 11 C.F.R. § 111.21(a).

9 5 7 4 0 7 0 2 3 9 9

2. Approve and send the attached letters.

Charles N. Steele
General Counsel

Date

March 31, 1986

BY:

Kenneth A. Gross
Associate General Counsel

Attachments

1. Complaint
2. Response
3. Proposed letters to complainant
4. Proposed letter to respondent

35740382300

Attachment 1

HANDGUN CONTROL

ONE MILLION STRONG . . . working to
keep handguns out of the wrong hands.

SENSITIVE

February 14, 1986

Mr. Charles N. Steele
General Counsel
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

56 FEB 19 1986

GENERAL COUNSEL

Dear Mr. Steele:

Pursuant to 2 U.S.C. §437g(a)(1) and 11 C.F.R. §111.4(a), I request that you investigate the following complaint alleging that the National Rifle Association ("NRA") has violated section 437g(a)(12)(A) of title 2, United States Code, and section 111.21(a) of title 11, Code of Federal Regulation, by making public MUR 2115. This complaint is filed on behalf of Handgun Control, Inc. ("HCI"), 1400 K Street, N.W., Washington, D.C. 20005.

It is averred that:

1. On information and belief, the NRA is a membership corporation chartered in New York in 1871.
2. On information and belief, the "Institute for Legislative Action" is an office within the NRA organized in 1975 for the purpose of engaging in lobbying and other political activities of the NRA.
3. MONITOR is the official publication of the NRA's Institute for Legislative Action. Exhibit 1*, page 3.
4. MONITOR is available to the general public. Exhibit 1, page 3.

*Exhibit 1 is a xerox copy of Volume 13, No. 1 of MONITOR dated January 15, 1986. An original copy of the January 15 MONITOR was attached to HCI's response in MUR 2115 filed January 23, 1986.

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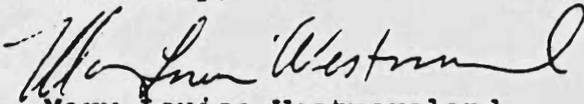
- 96040562392
5. On or about December 17, 1985, the NRA filed a complaint with the Federal Election Commission alleging that HCI and/or its separate segregated fund Handgun Control, Inc. Political Action Committee ("HCI-PAC") violated provisions of the Federal Election Campaign Act. The Commission has docketed this matter as MUR 2115. Exhibit 2.
 6. By letter dated January 2, 1986, and received on January 9, 1986, Charles Steele on behalf of the Commission notified HCI that it had received the NRA complaint commencing MUR 2115. In that letter of notification, Mr. Steele noted "This matter will remain confidential in accordance with 2 U.S.C. §437g (a)(4)(B) and §437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public." Exhibit 2.
 7. HCI has not notified the Commission that it wishes any aspect of MUR 2115 to be made public; nor, has HCI itself taken any steps to make public MUR 2115.
 8. On or about January 15, 1986, the NRA published Volume 13, No. 1 of MONITOR, the cover page of which reported "Handgun Control Inc. has engaged in unlawful solicitations of political contributors and made corporate contributions to its Political Action Committee in violation of federal law, according to a National Rifle Association complaint filed with the Federal Election Commission. [See story, page 1]." Page 1 of this same edition of MONITOR contained a story that discussed MUR 2115 in more detail. Exhibit 1, pages 1 and 2.
 9. By making these disclosures concerning MUR 2115 in the official publication of the NRA's Institute for Legislative Action, the NRA willfully violated HCI's right to confidentiality in derogation of both the Federal Election Campaign Act and the Commission's regulations. 2 USC §437g(a)(12)(A); 11 C.F.R. §111.21. See H.R.Rep. No. 422, 96th Cong., 1st Sess. 22-23 reprinted in 1979 US Code Cong. and Ad. News 2860, 2882-83.

Mr. Charles N. Steele
February 14, 1986
Page 3

CONCLUSION

The NRA should be sanctioned to the fullest extent allowed by U.S.C. §437G(A)(12)(B) for its willful violation of HCI's rights and the Commission's confidentiality procedures.

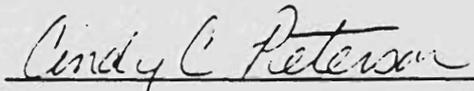
Sincerely,


Mary Louise Westmoreland
General Counsel

MLW:vbf

The foregoing is based on my knowledge except insofar as averments identify the source of information on which they are based or are expressly made on information and belief.

Sworn to and subscribed before me this 14th day of February, 1986.


Notary Public

Feb - 14 1991
My Commission Expires

35040362395

MONITOR

NATIONAL RIFLE ASSOCIATION

Institute for Legislative Action

Volume 11 Number 1 January 15, 1988

At A Glance

The Wilmington, Del., City Council is expected to consider an ordinance to ban the sale and possession of handguns. Already, pressure has been put on council members to reject the ban proposal. [See story, page 1.]

Handgun Control Inc. has engaged in unlawful solicitations of political contributions and made corporate contributions to its political action committee in violation of federal law, according to a National Rifle Association complaint filed with the Federal Election Commission. [See story, page 1.]

New York Gov. Mario Cuomo, once again, has slighted NRA members and hunters. The possible 1988 presidential candidate recently tried to downplay his remark made in March 1985 that NRA members "drink beer, don't vote and lie to their wives about where they were all weekend." Cuomo said the remark was made in jest at a dinner last summer. [See story, page 2.]

Most state legislatures reconvene this month, and a flurry of pro- and anti-gun bills have been pre-filed and await in-

roduction in their respective statehouses. [See state roundup, page 3.]

Richard Munday, editor of the British magazine *Handgunner*, talks about firearms and firearms laws in Great Britain and the United States in a *Monitor* interview. [See interview, pages 4 and 5.]

The 23 field representatives of the National Rifle Association provide an important link between the association's 3 million members and its elected officials who carry out NRA policies. The NRA Field Services Division has updated and revised its list of field representatives. [See list, page 6.]

The Supreme Courts of Florida and Virginia have made or soon will be making decisions in cases of great importance to gun owners in portions of those states. [See story, page 7.]

More than 250,000 people, the majority of them women, have completed the NRA's Voluntary Practical Firearms Program. Started in 1983, the VPPF trains people in the safe and effective use of firearms for self-protection. [See story, page 8.]

NRA INSTITUTE FOR LEGISLATIVE ACTION
1600 RHODE ISLAND AVENUE, NORTHWEST
WASHINGTON, D.C. 20036

First Class
U.S. Postage
PAID
Arlington, VA
Permit No. 154

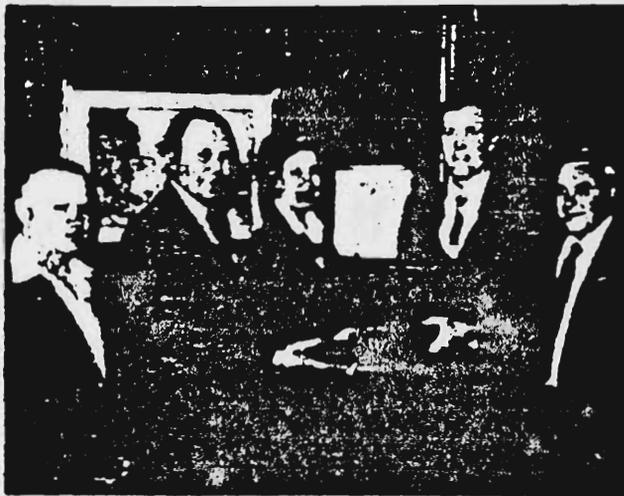
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MONITOR

National Rifle Association of America

Institute for Legislative Action

Volume 13, Number 1



Kentucky Governor Martha Layne Collins, one of the few women to hold such office, recently was presented with a 24K gold .38-caliber Colt Detective Special for her pro-gun political stand by the Kentuckiana Arms Collectors Association. Collins, who favors tougher jail sentences, more prisons and the death penalty as effective crime deterrents rather than restrictive gun laws, was elected to her current post in 1983. Making the presentation to Collins were (left to right) Winfred Sumner, vice president, KACA; Tony Wilson, president; Governor Collins; Jeffrey W. Flannery, gun engraver; and Floyd Poore, Kentucky secretary of transportation.

City to Consider Handgun Ban

WILMINGTON, Del. — An ordinance to ban the sale and possession of handguns in this city of 70,000 was introduced Dec. 19 at a City Council meeting.

Councilwoman Loretta Walsh sponsored the anti-gun measure that would prohibit the sale of handguns and require current handgun owners to deliver their guns to local police within six months from the date of enactment of the ordinance.

The ordinance calls for violators to be fined from \$500 to \$2,500 or sentenced up to six months in jail.

Although Delaware recently passed a firearm pre-emption law that prohibits local municipalities from adopting gun laws more restrictive than the state's, city attorneys who drafted the Wilmington ban proposal claim that they have found a loophole in the law. The state law says that no city may amend its charter to enact firearm laws more restrictive than the state's; lawyers for the city say their proposal is an amendment to an ordinance, not the city charter.

The proposed law, which was sent to the Public Safety Committee and is expected to be debated at a public hearing this month, was modeled after ordinances in Morton Grove, Evanston and

Oak Park, Ill. Indications are that the handgun bans in those Chicago suburbs have done little or nothing to reduce crime, and many of the gun-owning residents have ignored the provisions requiring that they surrender their handguns to police.

Walsh claims that many of her constituents voiced support for gun control, but fellow Delaware resident Nelson T. "Pete" Shields, president of Handgun Control Inc., told the Wilmington News Journal, "My group cannot support this law."

The Delaware State Sportsmen's Association is gathering support to fight the City Council proposal and DSSA President John Thompson is confident the ordinance will be defeated.

"I think we can win in City Council," said Thompson. "Then we're going to close this supposed loophole so that we don't have to fight this thing two years from now."

Thompson said that DSSA plans to amend the state pre-emption law to preclude local municipalities from amending their charters and ordinances with regard to gun control. Amending legislation is expected to be introduced when the Legislature reconvenes Jan. 14.

Complaint Filed Against HCI

WASHINGTON — Handgun Control Inc. unlawfully solicited contributions and made illegal corporate contributions to candidates running for federal office in 1984, the National Rifle Association has charged in a formal complaint recently filed with the Federal Election Commission.

The Dec. 19 complaint, filed by NRA Assistant General Counsels Janet Scherer and Richard Gardiner, stems from a July 1985 disclosure report filed with the FEC by HCI's political action committee, HCI-PAC. The report revealed that HCI-PAC "reimbursed" HCI for more than \$2,100 last January for in-kind contributions made by HCI on behalf of the PAC to 13 federal candidates in 1984.

Under federal law, it is illegal for a corporation to make campaign contributions or lend money to its PAC.

NRA's complaint also alleges that

HCI "knowingly entered false information on several of its 1984 reports to conceal HCI's corporate contribution."

The complaint states that, in at least three earlier disclosure reports to the FEC, HCI maintained that the in-kind contributions were made by HCI-PAC and not HCI.

NRA's complaint also charges HCI with violating federal law by soliciting contributions from individuals who are not members of the organization.

An earlier FEC directive ordered HCI to revamp its membership structure by assigning specific membership rights to individuals in order to make solicitations for political contributions. NRA's complaint charges that while HCI complied with the directive, it is not yet in compliance with federal law because it has not granted sufficient membership rights to supporters and has continued to solicit political contributions.

In this issue:

- Handgun Ban Proposed in Del. City p. 1
- NRA Important to National Security p. 2
- State Roundup p. 3
- Monitor Interview: Richard Munday p. 4-5
- NRA Field Representatives p. 6
- Legal News p. 7
- Voluntary Practical Firearms Program p. 8

Past Presidents, Officials Praise NRA

The concept of an armed citizenry has been endorsed by chiefs of state and the military since America was founded. In looking through the NRA archives recently, we found some interesting correspondence by famous military and political figures that we thought our readers might enjoy:

"Expertness in the use of the rifle cannot be over-emphasized. If the Cleveland Civilian Marksmen's Association is bringing this kind of training and knowledge to the men who will one day become either officers or enlisted men in any of the armed forces, it is doing them, and the country, a service of incalculable value."

— Dwight D. Eisenhower
commander-in-chief of the
Allied Force Headquarters
August 16, 1943

"I hope that the splendid program which the National Rifle Association has followed during the last three-quarters of a century will be continued. It is a program which is good for a free America."

— President Harry Truman
November 14, 1945

"The record of the National Rifle Association during World War II has been one in which its members should take great pride. The nation is fortunate in having such an organization upon which it can rely for the continued development of proficiency in the use of small arms by the citizens of this country."

— George Marshall
chief of staff of the
War Department
October 30, 1945

"I take this opportunity to congratulate the National Rifle Association for its untiring efforts to encourage marksmanship training among the youth of our country. The Association deserves much credit for its contribution to the promotion of competitive shooting which bore much fruit in the training camps and on the battlefields of World War II as well as during the present national emergency."

— President Harry Truman
September 20, 1951

"Through competitive matches and sports in coordination with the National Board for the Promotion of Rifle Practice, the National Rifle Association fills an important role in our national defense effort, and fosters in an active and meaningful fashion the spirit of the Minutemen."

— President John F. Kennedy
March 20, 1961

"The NRA believes America's laws were made to be obeyed and that our constitutional liberties are just as important today as 200 years ago. The Constitution does not say Government shall decree the right to keep and bear arms. The Constitution says 'the right of the people to keep and bear arms shall not be infringed.' No group does more to promote gun safety and respect for the laws of this land than the NRA, and I thank you."

— President Ronald Reagan
May 6, 1983

Cuomo Gives 'New' Description of NRA Members



Governor Mario Cuomo

ALBANY, N.Y. — One of the National Rifle Association's favorite politicians has put his foot in his mouth — again.

New York Gov. Mario Cuomo once again has endeared himself to NRA members and hunters throughout the country.

The governor was quoted in April 1985 by the Los Angeles Times as describing those opposed to New York's mandatory seat belt law as NRA members "who drink beer, don't vote and be to their wives about where they were all weekend."

His latest faux pas occurred Dec. 31 when he described that earlier political

gaffe to reporters for Albany radio station WINS.

When asked to recall his personal worst in 1985, Cuomo recounted remarks made about the NRA. He told the radio station that the remarks were made at a dinner in California last summer. (Summer usually is considered to be the time from June through September. Cuomo made his off-the-cuff comments in March.)

Said Cuomo: "I said in a jocular way, these guys are out pretending they're hunting. They're really having a party and they're lying to their wives about it. They'll buy a deer, strap it to the car and bring it home. The guys (at the dinner) laughed; we all laughed, but they put it on the wire and 6 million NRA people hoisted their pistols and their cannons and pointed them at Albany, as I would if I were an NRA member."

For his remarks in the Times, Cuomo received a letter from NRA-Institute for Legislative Action Executive Director J. Warren Cassidy, who wrote that the governor was "perpetuating an unfair and prejudiced stereotype that is unjustified and intolerable."

"You pride yourself as a champion against ethnic prejudice, yet you continually demonstrate the most unforgivable and callous prejudice against those who choose to own guns and hunt."

"You will see for yourself whether or not NRA members vote," Cassidy's letter concluded.

Cuomo tried to allay NRA's wrath in a letter to then-NRA President Howard Pollock, saying that politicians say things from time to time that may create "baseless concerns."

"My response was inartful," said Cuomo. "It could leave a false impression of disrespect for the National Rifle Association."

NRA officials, who viewed Cuomo's so-called apology as less than sincere, consider the governor's recent radio remarks as an attempt to "brush off" his earlier statements about the organization.

The 3 million-member association has renewed its pledge to oppose Cuomo in his bid for re-election in 1986 — there are 200,000 NRA members in New York — and should he run for the 1988 presidential nomination.

Correction

In the production of the Dec. 31 Monitor (Vol. 12, No. 24), the printing company accidentally transposed the photos on pages 1 and 7 on certain issues. A limited supply of corrected copies is available from NRA Public Education. Our printers apologize for the error.

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State Roundup

Pennsylvania

HARRISBURG—Pistol carry permits may be extended from the current one-year validation period to an indefinite period if bills that were recently introduced in the state Legislature are approved.

S.B. 1265 was introduced in December by Sen. D. Michael Fisher to "correct the deficiencies in the current law, and stop the abuses of power that have been uncovered in many counties and towns in Pennsylvania," according to a press release from the Allegheny County Sportsmen's League.

A House companion bill, H.B. 819, was introduced in April by Rep. Robert W. Godshall.

No action has been taken on the bills to date, but the Senate is expected to consider its bill soon, according to Pennsylvania sources. The bills have been assigned to their respective Judiciary committees.

If the bills are passed and signed into law they would:

- Specify in the law the contents of carry permit applications;
- Mandate that a carry license be valid anywhere in the state;
- Eliminate the necessity of stating a "reason" to obtain a license;
- Require the issuing authority to state a "reason," in writing, why an application should be denied;
- Change the validation period from the present one year to indefinite;
- Require that only the sheriff of a county be responsible for issuing a license;

- Set the fee for a license at \$20.
 - Provide procedures for administrative appeals of suspensions, revocations and denials of a license to be heard within 30 days;
 - Require that the license and application forms be provided by the state police, and that they be uniform throughout the state;
 - Specify who may not be eligible for a license;
 - Provide the sheriff with a grant of immunity from liability for the actions of a licensee.
- Legislation (H.B. 583) also is pending in the Legislature to extend state carry permits from their current one-year life to five years. (See Monitor, Dec. 15.)

Michigan

LANSING—Michiganders now will be allowed to use handguns to hunt deer in the lower third of the state.

Gov. James Blanchard signed into law Dec. 8 a bill that permits the use of "repeating" handguns for deer and other big game hunting in the southern portions of the Wolverine state. (Michigan does not allow hunting with rifles.)

The bill, H.B. 4098 sponsored by NRA member and state Rep. Jerry C. Batroski, was passed by the House May 28 by a vote of 92-0. The Senate approved the measure, with an amendment, 24-10, and the House concurred Oct. 21 by a vote of 99-0.

Michigan law previously allowed handgun hunting in the other two-thirds of the state.

State Senator Proposes Bill to Stop Sale of 'Saturday Night Specials'

ANNAPOLIS, Md.—A bill to define "Saturday Night Specials" and make their sale illegal was introduced in the state Senate Jan. 8 by Sen. Troy Brailey of Baltimore.

The bill, S. 98, would define a "Saturday Night Special" as a handgun that has a frame, barrel, cylinder, slide or breechlock that is a die casting of a metal alloy or any other material that has a melting point of 1,000 degrees or less.

The legislation also would amend existing laws covering penalties for violations of the state's gun laws.

Anyone who sells or offers for sale a "Saturday Night Special" would be guilty of a misdemeanor and fined from \$250 to \$2,500 or jailed not less than 30 days nor more than three years, or both, if the violation was a first offense. Once-convicted persons who violate the "Saturday Night Special" law would be subject to a mandatory one-year sentence—no more than 10 years—and persons convicted of more than one gun law violation would be subject to a three-year mandatory minimum sentence, not to exceed 10 years. (Maryland gun laws do not differentiate between use of a gun during the

commission of a crime and the mere carrying of a gun without a license.)

The bill was introduced to bolster a recent Maryland Court of Appeals ruling that holds the manufacturers of "small, inexpensive handguns, commonly known as "Saturday Night Specials," strictly liable for injuries caused by the criminal misuse of their products.

The Maryland high court characterized "Saturday Night Specials" as having "short barrels, light weight, easy concealability, low costs, use of cheap quality materials, poor manufacture, inaccuracy and unreliability." (See Monitor story, page 7.)

Banning the sale of so-called "Saturday Night Specials" also would be a major step toward Baltimore's goal of ridding the city of all handguns. In City Council meetings in December, several council members supported a ban on the sale and possession of handguns, and a resolution was drafted to request the city's delegation to the General Assembly to support legislation to amend state law to allow municipalities to control guns.

(Maryland has a firearm pre-emption law prohibiting municipalities from adopting gun laws more strict than the state's.)

Richmond Councilmen Expected to Propose Anti-Gun Measure

RICHMOND, Va.—City Councilmen Walter Kenney and Henry Marsh are expected to propose an ordinance to control guns in this capital city of 220,000.

Richmond had a rash of handgun-related deaths in 1985, topping the number of 1984 killings. But most of the deaths were homicides related to drug deals, according to police reports.

Kenney and Marsh also proposed handgun control measures last year. The councilmen introduced in January 1985 an ordinance that would have required city residents to register their handguns by May 31, 1985. The ordinance also would have banned the sale of handguns in the city, and persons failing to register their guns by the May 31 deadline could have been charged with a misdemeanor. A second proposal called for handgun registration only.

Both measures were defeated overwhelmingly by the City Council, which elected instead to adopt a resolution supporting stiffer mandatory penalties for those convicted of using a gun during the commission of a felony.

Two bills to enhance firearm manda-

tory sentences were introduced in the Virginia General Assembly last year, but neither measure was reported out of committee.

The Kenney-Marsh proposal—if, as expected, attempts to control the sale or possession of guns or call for their registration—would be in conflict with the state's pre-emption law.

The Dillon rule—which holds in general that state law supersedes local ordinances, and which has been interpreted by the former state's attorney general as applying to firearm legislation—protects Virginia gun owners from restrictive firearms laws.

Despite the Dillon rule, city attorneys have stated in the past that the city charter contains language that allows actions to be taken to protect citizens.

Once again, the Virginia State Rifle and Revolver Association and the National Rifle Association will be active in stopping the anti-gun proposals in Richmond.

For more information on the anti-gun ordinance, contact Chuck Cunningham, NRA state liaison for Virginia (202) 828-6377.



Colorado state Representative Carol Taylor-Little recently visited NRA headquarters in Washington, D.C., to discuss a bill she is sponsoring that will prevent handgun manufacturers from being held liable for the criminal misuse of their products in Colorado. From left to right: NRA-ILA Executive Director J. Warren Cassidy, Rep. Little and Louis J. Brune, NRA state liaison for Colorado.

An Exclusive Monitor Interview

British Scholar Richard Munday

By Denise Tray Rosen
Monitor Staff Writer



Richard Munday, the assistant editor of *Handgunner* magazine in Britain, was recently in Washington completing a fellowship with the Division of Armed Forces History in the National Museum of American History, Smithsonian Institution. A graduate of Oxford University, Munday's research focused on the development of the American rifle movement and the citizen-soldier concept in America between 1860 and the present. Munday's next project will be a two-year research fellowship in Geneva for the Institute for Human International Studies, where he will examine and compare various European rifle movements and the concept of citizen soldiers.

MONITOR: What exactly are Britain's firearm laws and are they more restrictive than those enforced in the United States?

MUNDAY: That depends. The big shock upon arriving in the U.S. was finding that you have more than 20,000 separate gun laws. The advantage of the English system is that we have just one law applying to the entire country. It is a bad law, but at least it's constant. We don't have this problem of laws changing from town to town, city to city and state to state. Now, whether the English system is better or worse depends on what part of America you're from. If you come from Wyoming, you will be appalled by Britain's gun laws. On the other hand, if you come from the District of Columbia or New York, you're going to think it the other way around.

MONITOR: How are firearms regulated in Britain?

MUNDAY: Basically there are two types of firearm registration in Britain—firearm certificates for pistols and rifles, and shotgun certificates for shotguns. Under the terms of Britain's Firearms Act, for each individual rifle or pistol that you want, you must justify why you want it. In order to justify it, you must show what is known as "good reason." Unfortunately, "good reason" is open to interpretation and that interpretation has differed through the course of time. For example, in 1945, the accepted reason for wanting a pistol was "personal protection." Today, if you apply to your local police force and said you wanted a pistol for personal protection, the application would be rejected out-of-hand. The text of the law hasn't changed, just the interpretation of it.

MONITOR: What is considered "good reason" today?

MUNDAY: For pistols, competition shooting is generally the only accepted reason. For small bore or hunting rifles, then obviously hunting is justifiable. Pest control and rodent control are acceptable reasons for owning a rifle. Basically, it has been a general turn-around in attitudes with regard to the freedom of the individual and the state and the notion of how far you can rely on the police force.

MONITOR: When would you say that this "general turn-around" became most noticeable?

MUNDAY: Well, it has been a gradual change since the first handgun laws were introduced in the 1920's. But I would say 1968, which was a bad year for shooters in general, marked a turning point. In that year we had a new Firearms Act passed that basically consolidated all of the previous ones. Since then, there has been a different approach on the part of police departments and the bureaucracy in enforcing and interpreting firearm laws. They have taken to enforcing several very strict policies including pricing applicants out of the market. For example, the fees for firearm certificates have gone up dramatically since 1968. Back then, if I remember correctly, a firearm certificate was about a half-a-dollar. Now it costs about \$35. People who are keen on shooting don't mind paying that every three years, but for the casual shooter and the shooter who keeps a rifle to shoot rabbits on his farm, the price is a little high. These are the people who tend to give up their licenses rather than spend the money to renew them.

Another policy the police in many forces have adopted is to require applicants to fill out other forms in addition to those required by law. Frequent-

ly, it is just a duplication of information, but basically it means that people have got to go through a lot of paperwork, time and trouble to get access to firearms. And back to the matter of "good reason," if a person says he wants a pistol or rifle for competitive shooting, the first thing the police will ask is what club you belong to. Then they will demand a letter from the secretary of the club confirming that the applicant is a keen shooter. Now there is no basis in law for demanding an applicant to be a member of a club, but in practice, a person has to be in order to get a license for a pistol or anything other than a hunting rifle.

So you see the law hasn't changed, but the practice of enforcement has driven more than 50,000 people out of shooting in the past 10 years. Given the fact there are only 300,000 certificate holders in the entire country, 50,000 is quite significant.

MONITOR: What about shotguns?

MUNDAY: The shotgun legislation was introduced, once again, in everyone's bad year, 1968. Until then, there was no registration on shotguns whatsoever. Now an applicant must have two character references and fill out the basic forms on occupation and personal information. Provided the applicant doesn't have a criminal record or isn't insane, the issue is automatic. There are proposals now pending, however, to toughen up the system and require applicants for shotguns to fulfill the same requirements demanded for the pistol and rifle certificate system. Under that system, the burden is on you to justify each and every weapon. Shotgun certificates are issued on personal character rather than the weapon.

There is an interesting twist to the way the shotgun legislation got passed. In 1967, there was a media issue raised on how terrible it was that shotguns could be purchased from shops and then sawed off and used in crime. At the time, the issue was reviewed by Roy Jenkins, then the home secretary. He looked at the situation in a reasonably intelligent manner and came to the conclusion that there was no statistical case for introducing shotgun legislation. But in the spring of 1968, legislation on shotguns was introduced because between 1967 and 1968 three policemen were killed with handguns even though handguns had been strictly controlled since 1920. So the government, because of the media issue, had to be seen to do something, and regulated shotguns, ignoring the fact that the issue had been declared irrelevant 12 months before.

MONITOR: Have these policies helped to deter crime or is firearm-

related crime increasing in Britain?

MUNDAY: Firearm-related crime has increased in direct proportion to violent crime. Violent crime has increased so therefore, some subtraction of that is the element of gun crime. But there hasn't been a change in the overall balance since any of these laws were enacted. The proportion was there before the legislation was introduced and it's here afterwards, so it just goes to show that firearm laws have been an answer to a non-existent question. One of the things about introducing any legislation on firearms is that it is the easy answer. It's irrelevant, but the politicians or whoever is doing it can be seen by the people and the media to be doing something. And most people, who don't appreciate what the real situation is, are satisfied.

MONITOR: Experts have speculated that Europe may one day adopt a standard firearms code that would even further restrict gun ownership rights—Can you see this happening?

MUNDAY: Absolutely. In Britain and probably eventually the U.S., one of the principal threats we are going to face is going to come from Europe and resolutions made by the Council of Europe. The Council is anxious to put forth resolutions on anything it can agree on to signify unity. It cannot agree on the more contentious issues like agriculture, defense and other powerful interests, but it can agree on standardizing firearm legislation. As far as the European governments are concerned, the shooting community is an expendable one. It is not a big electorate. So uniform firearm laws could be used by the Council in a show of unity without it having to agree on the more problematic issues.

What this would mean would be that everybody would get the worst of everybody's laws. Of course every society has its own variety of craziness and it would be a combination of every country's worst in respect to gun control. For example, the Italian law, which prohibits private ownership of all military-caliber firearms, could be adopted all over Europe.

I believe that if uniform firearm laws are adopted in Europe, it will imperil the U.S. to some degree because the pressure from the world will influence lawmakers and say, "Look this is the way it should be done. The Europeans have adopted a strict uniform gun code and so should the U.S." The Council, which has been working on these types of proposals for many months, also would claim that a uniform gun law across Europe would be an effective counter-terrorist measure. Again, the U.S. could be

Examines Gun Control in a New Light

vulnerable to this sort of dissuasion: the argument that we must legislate against terrorism by limiting the access of firearms. I firmly believe that Britain's problems today are going to be America's problems 10 years hence.

MONITOR: England seems very susceptible to gun control laws. Is it primarily the government who supports them or is it the population in general?

MUNDAY: I would say that the tenor of the entire country in general is anti-gun because of the heavy influence of the media and the perspective on firearms from a nation of people. You must keep in mind that the shooting community numbers about 3 million of a nation of 56 million. For the remaining 53 million, guns are an alien issue. Their opinions are going to be formed by what they see on television, and by really half-witted newspaper reports about guns in the U.S. They are not going to address the real issue or have any familiarity with it.

What we must do, if the shooting sports are to survive, is to give these people a new perspective.

MONITOR: What type of "new perspective"?

MUNDAY: Well, we must stress the importance of the link between our civilian resources and the military. As long as firearms are looked at in terms of "Starbuck and Hunch" and in terms of cops and robbers and the crime problem, then we have a real problem. What we must do is introduce new perspectives on firearms, civilians and the military. If you simply plead "shooters' rights" in Britain, nobody's heart is going to bleed for you. If you can prove your positive benefits to society then your rights will survive. We've learned that rights without duties don't tend to last very long.

One way for the shooting community to do this is to align itself more visibly with the military. If we have the military on our side in this context, it promotes shooting and gun ownership as a social utility. That is the way the NRA in both of our countries grew up and in my mind it is the only way the shooting community can survive.

It's quite practical when one thinks about it. Consider that most countries have fixed defense budgets that only have so much flex. And while the costs of defense materials are escalating very rapidly, the biggest and costliest fixed element in most defense budgets is manpower. Now, between the costs of materials and manpower, it is quite possible for the military to slip into technological obsolescence. Therefore, we must look at the possibility of exploiting civilian resources in a defense context or in

somehow reducing our manpower costs. This gives a whole new context to various concepts of what the citizen soldier might be. In addition, there is a recognized shortage of in-depth reserves in NATO. It is clear we have a manpower shortage. How are we going to afford more people at professional rates? The shooting community and the civilian soldier is our answer.

Another factor that supports this idea is the speed of the modern battlefield. It's the concept that if the soldiers aren't there already, then they are never going to get there in time. On the other hand, if you have an organized civilian military, you can actually move people and get them to an area on time to fight a battle. We're almost back to the tradition of the Anglo Saxons, which was: If you were waiting onshore when the raiders came, then you could possibly save them off. If you weren't there, you wouldn't get there.

So there are all sorts of military reasons why the exploitation of the civilian resources must be important to us. From the point of view of the shooting community, I think it is the key to its survival.

MONITOR: Do you foresee the public accepting the idea of the "citizen soldier"?

MUNDAY: Yes, eventually, if presented properly. You see, right now we have a bit of a public relations problem with it because of the transition of attitudes over the last two decades. For instance, if you look back at the middle of the last century, you have a transition from then to now, in terms of the word "militia" and the words "paramilitary force." The connotations of those two phrases, which mean very much the same thing, are entirely different. A militia man was considered, in the last century, much more respectable than the regular soldier because the regular soldier was a man who lived off the state, while the militia man got on with his job and served as need. Whereas, nowadays, it's the regular soldier who is respectable and the paramilitary who is somehow seen as being unsavory and a risk of subversion or whatever.

MONITOR: Would you say this "risk of subversion" concept has been a big part of the passage of gun control laws in Europe and the United States?

MUNDAY: I don't think there is any question that the underlying factor in virtually every country's decision to promote or limit the use of firearms is paranoia about the security of state. If you actually look at the founding of the American NRA, you'll find one of the fundamental factors in getting it off the ground was the riots in New York City in

1871. The U.S. needed a National Guard to handle that sort of thing. There are different types of parallels in many European countries as well. France still substantially suffers from the emergency firearms legislation introduced in 1939. Germany still has strong elements of the new code introduced by the Nazis because they were concerned about the private ownership of firearms as a potentially anti-Nazi threat. In England, firearm laws were passed primarily in response to the fears of a Bolshevik revolution and later in response to problems caused by the Irish Republican Army. This is why it is very important that we seize the issue of terrorism by the horns and discount firearms control as a way to effectively combat it. Otherwise it is quite possible that the shooting community and the right to bear arms could be sold out on the excuse that the only way to eliminate terrorism is to limit access of firearms by the common man.

MONITOR: Why do you think that the many governments and the non-

shooting populations of the world are willing to believe that restricting firearms will reduce terrorism and other crime?

MUNDAY: Again, it is the change-ground in attitudes. It is clear that we live in a material society. Our fundamental problem is that we give priority to the material elements in society. For example, the gun commits the crime and is the material factor that conditions the actions of the individual. This notion of diminished responsibility, reduced to a theory, is inevitably going to find as one of its corollaries pressure for the control of firearms. That attitude says that it is not the independent thoughts of the individual that cause the crime, rather that his action was conditioned by the presence of the material, the gun in this case. It is up to us to change this mindset, and it simply cannot be done by spouting statistics no matter how true they are. We must pitch the firearms issue in a new perspective and pointing out the value of a competently armed citizenry is a good way to start.



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The NRA Field Representative Areas were renumbered on Jan. 1 to put them in a logical numerical sequence, according to Anthony Madda, field staff coordinator. The new listing appears below.

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Anti-Hunting Actions by NPS Have Many Hunters Concerned

WASHINGTON—Recently, the National Park Service has initiated actions that have left it less than chummy with many hunters.

In October 1985, only weeks before the opening day of waterfowl season in Maryland, NPS filed a blind-site license application with the Maryland Department of Natural Resources to secure park shoreline on the federal Piscataway Park in southern Maryland.

The NPS was licensed for all 13 of the blind-sites around the area, known as Mockley Point, at the confluence of Piscataway Creek and the Potomac River. The marshy point has been used for nearly 15 years by local duck hunters, who use off-shore floating blinds. Shooting over—away from the park—the river, the hunters come to the area to enjoy the quiet and excellent duck hunting.

But all of that was threatened when the NPS filed its blind-site application. Hunters would not have been allowed to use the floating blinds in the area because they would have been too close

to the newly licensed—and unused—park blind-sites.

Hunters who use the area were hopping mad and they let people know it.

Hunter and local resident Jack Weatherbe contacted Washington Times outdoor writer Gene Mueller and gave him a tour of the area. Mueller reported that the hunters believed that a \$100 donation to the park management from a residential area adjoining the park resulted in the buying up of all of the blind-sites. Many of the residents have complained about the noise of the shooting and are concerned about safety.

Superintendent of National Capital Parks/East Burnice Kearney, manager of Piscataway Park, told Mueller that his office did receive such a donation, but denied that it affected the decision to secure the blind-sites.

Kearney said that there were three reasons for buying all the blind-sites. There is a school for environmental education located near Mockley Point, and instructors expressed concerns

about hunters in the area, said Kearney. Also, coves around the area are actually part of the park—even though submerged—and there is no hunting on park land. Finally, Kearney said that there have been sightings of bald eagles in the area. Safety and noise seemed to be secondary reasons for closing the area to hunting.

But Susan Recce, deputy assistant secretary for the U.S. Interior Department's Fish and Wildlife and Parks, said that NPS told her office that their concern for safety and noise—unsubstantiated—shooting incidents prompted their actions.

Recce and William Horn, assistant secretary for Fish and Wildlife and Parks, were asked to intervene in the matter by National Rifle Association lobbyist James Baker, who was contacted by some of the local hunters.

"We looked at it (the situation) and there was some question as to whether or not the safety concern was valid," said Recce.

After intense questioning and pressure

from the Fish and Wildlife and Parks office—and one week after the duck season began—NPS returned seven of the 13 blind-sites to the state of Maryland and the hunters.

"We missed about a week of, presumably, better hunting," said James Gilfillan, one of the duck hunters.

The hunters are not really bitter about their ordeal with NPS, they are glad they got to hunt duck this past season. But they are concerned with what appears to be a dangerous trend starting at NPS.

In 1983, NPS issued new regulations that would prohibit hunting and trapping in certain national park recreation areas where those activities historically have been allowed. The NRA filed suit to reverse the regulations, and the case is pending in U.S. District Court for the District of Columbia.

And, the park service is attempting to buy two islands off the Southern California coast and stop hunters from taking wild sheep and other big game animals that inhabit the islands.



Pro-Gun Groups File Brief in Gun Liability Case

ANNAPOLIS, Md. — The Maryland Court of Appeals recently rejected several pro-gun groups' arguments in denying a motion to reconsider its ruling that manufacturers of "Saturday Night Specials" may be held strictly liable for injuries caused by the criminal misuse of their products.

The Gun Owners of America Inc., the Second Amendment Foundation and the Congress of Racial Equality filed their friends of the court brief on behalf of Roehm Gesellschaft (a West German gun manufacturer) and R.G. Industries (a U.S. subsidiary) in their motion for reconsideration of the case of *Kelley vs. R.G. Industries*. In that case, Olen J. Kelley alleges that he was shot with an R.G.-made .38-caliber revolver, and is seeking damages from the gun manufacturer.

The Maryland Court of Appeals on Oct. 3 ruled that manufacturers of "small, inexpensive handguns, commonly known as 'Saturday Night Specials,'" may be sued for injuries caused by a third party's criminal misuse of the guns.

The court said that the maker of a "Saturday Night Special knows or ought to know that he is making a product principally to be used in criminal activity."

Maryland's highest court described "Saturday Night Specials" as "generally characterized by short barrels, light weight, easy concealability, low costs, use of cheap quality materials, poor manufacture, inaccuracy and unreliability." The court went on to say that those characteristics make the gun "particularly attractive for criminal use and

virtually useless for the legitimate purposes of ... protection of persons, property and businesses."

In their brief, the Gun Owners of America and the Second Amendment Foundation — CORE, a nationwide civil rights group, focused on the discriminatory nature of the court's opinion (see Monitor, Dec. 15) — pointed out the court's definition of a "Saturday Night Special" is overly broad and inaccurate, its ruling will have an adverse effect on the manufacturers of "quality" handguns, and that the court relied on incomplete research on gun use by criminals as the basis for its decision.

The amici attacked the court's description of a "Saturday Night Special" and its statement that the gun's characteristics make it useless for self-defense, noting that "no standard reference work is cited for this view nor are any specific test results referenced."

The brief, prepared by the New York law firm of Benenson and Kates, pointed out that "not even one case has been cited of successful safety defect litigation against a Saturday Night Special manufacturer."

GOA and SAF said that U.S. Treasury Department-sponsored testing showed that cheap and expensive handguns were "functionally equivalent in utility, safety and reliability for ordinary personal defense purposes."

Describing the gun as inaccurate is irrelevant, said the pro-gun groups, because most handgun shootings occur at close quarters. FBI studies show that the majority of shootings take place at a

range of seven yards or less, "and more commonly at about seven feet."

"There is no basis for concluding that cheap handguns are unreliable for the self-defense purpose," stated the brief. "The proof that the more expensive is better in no way implies that the less expensive is worthless."

The court's definition also will have an adverse impact on the manufacturers of "quality" handguns, said GOA and SAF.

"The decision, although intended to exempt the manufacturers of quality handguns, will inevitably involve them in endless litigation as plaintiffs argue that a particular firearm, despite high price, has other characteristics ... which the Court found to be those of Saturday Night Specials," the brief stated. "In every suit involving criminal misuse of a quality detective-type handgun the manufacturer will be put to the expense of proving at trial by expert testimony that the gun falls outside the opinion's loosely defined class of Saturday Night Specials."

Finally, the Court of Appeals' fundamental basis for its ruling, that "Saturday Night Specials" are regularly used in crime, was refuted by the amici.

The brief relied on experts in the field of criminology and their studies of criminals and gun use to counter the court's assertions.

Professor David Bordua: "Since the number of Saturday Night Specials (however defined) that have been sold enormously exceeds the amount of gun

crime even in ghetto areas, the vast majority of these weapons cannot be being used in crime."

Professor James Wright: "Every rigorous American study of gun crime has shown that the majority of crime guns are not Saturday Night Specials."

"There are just not enough criminals in the United States to account for the purchasing of a majority of the Saturday Night Specials produced."

"Our recent survey of felony convicts ... finds them giving reliability, accuracy, firepower, and high quality in general, as their primary criteria for gun desirability."

The amici concluded that there was no basis for the court's statements that most Saturday Night Specials are used for criminal activity or that they are "particularly attractive" to criminals.

The brief closed by posing some questions that had been raised by the ruling, but had not been answered by the Court of Appeals.

Asked the amici: "If cheap handguns were both unreliable and predominant as crime weapons (and the court said they are), would the best social policy response clearly be to make them unavailable so that at least some criminals would resort to more reliable weapons?"

The Court of Appeals apparently ignored that question and others as well as comprehensive studies and statistics in rejecting the motion for reconsideration, and opened the gates for a flood tide of product liability suits against the manufacturers of all handguns.

State Supreme Courts Hear Cases Affecting Gun Owners

TALLAHASSEE, Fla. — The Florida Supreme Court on Dec. 19 reversed a lower court's unanimous decision that Broward County's 1984 handgun referendum violated the state constitution.

The action paves the way for a 10-day waiting period and background check on handgun buyers throughout the South Florida county, while state pro-gun groups and the National Rifle Association will step up their efforts for Florida pre-emption.

The protracted legal case began in March 1984, when Broward County passed a referendum authorizing a county-wide gun control law. Under the referendum's provisions, municipal governments were barred from "opting out" of the measure as they had been allowed in the past.

Immediately after the March vote, Ft. Lauderdale attorneys Eugene Heinrich and Robert Cox challenged the referendum's legality under Florida's home rule doctrine for cities. Their claim, which was initially rejected by Circuit Court Judge Robert Able, was later upheld by a three-judge panel of Florida's Court of

Appeal for the Fourth District in a unanimous Oct. 10, 1984 ruling.

Broward County appealed that decision to the state high court, seeking to bind Ft. Lauderdale, Sunrise, Plantation, Dania, Pompano and other pro-gun cities — which had rejected the anti-gun measure — to the county's waiting period.

In its December ruling, the Florida Supreme Court said that counties could pre-empt city governments in the area of handgun control, which the court said "will best further the ends of government."

The court likened gun control to municipal "services" such as water and pollution control, parks and recreation, zoning and police.

State pro-gun organizations, led by the Unified Sportsmen of Florida, said the state high court's ruling would increase their efforts for passing a pre-emption bill in the Florida Legislature. Such a measure would bring uniformity to Florida's gun laws, prohibiting a myriad of county restrictions such as waiting periods in Broward and Dade counties.

VIRGINIA BEACH, Va. — The Virginia Supreme Court will decide this month whether to hear a legal appeal that attempts to overturn a law requiring city residents to obtain permits to purchase handguns.

The appeal is the result of a May 1985 decision by the Circuit Court for the City of Virginia Beach that upheld the permit law. The City Council passed the permit ordinance in 1982.

The appeal, filed by National Rifle Association Assistant General Counsel Richard E. Gardiner, argues that under state law only certain counties — and no cities — are permitted to enact handgun permit-to-purchase schemes.

Citing Virginia's Dillon rule, which provides that local governing bodies may not enact legislation unless granted permission by the state Legislature, Gardiner maintained that the General Assembly has not granted Virginia Beach permission to enact a gun ordinance.

In the May ruling upholding the gun ordinance, Circuit Court Chief Justice Henry L. Lam stated "... the Dillon rule does not invalidate the ordinance.... In our cities we live in a heavily structured

society. While preserving individual freedom as best we can, the dense population of our urban areas has caused the adoption of many additional laws deemed necessary to adjust to crowded living conditions."

Lam's opinion dissented from a 1983 non-binding opinion issued by then-state Attorney General Gerald L. Babbles that said the permit-to-purchase requirement was illegal.

The petition to appeal the Circuit Court's decision states: "The Circuit Court has plainly concluded that the Dillon rule does not apply to densely populated urban areas. For this novel proposition, no authority has been cited. Rather the Circuit Court apparently has concluded that the Dillon rule is outdated and has no application to modern urban jurisdictions. The Dillon rule ... is not a rule that a Circuit Court may, in some instances, refuse to apply."

Under Virginia law, only counties with a density of population of more than 1,000 per square mile have the power to enact handgun ordinances. Currently only Arlington and Fairfax counties fall into that category.

35040582402



The NRA Voluntary Practical Firearms Program teaches safe gun handling, the basics of marksmanship, firearms and the law and how to avoid criminal attacks.

Practical Firearms Program: Training for Self-Protection

By Katie O'Rourke
NRA Public Education

WASHINGTON—The National Rifle Association announced in January that more than 250,000 people, the majority of whom are women, have completed the organization's Voluntary Practical Firearms Program (VPFP).

The VPFP, created in 1983 by a coalition of experts in law enforcement, personal security and marksmanship, was developed in response to thousands of requests NRA received from women and older people for an effective self-protection program.

According to the program's national coordinator, Katie Maguire, more than 26 million women in America either own or have access to guns. "Women have adopted lifestyles independent of male protectors and are using guns for self-defense instead of relying on passive

resistance. Women are buying guns and learning how to use them," Maguire said.

The nine-hour VPFP course covers a wide range of subjects including shooting and firearm safety; handgun basics; and the care, cleaning and storage of guns. Additionally, local experts in the fields of law enforcement and self-protection teach classes in firearms and the law, and avoiding criminal attacks.

More than 10,000 classes are conducted annually by 5,000 NRA-certified instructors throughout the country. The cost of the course ranges from \$5 to \$10 to cover the cost of the materials and it is not necessary to own a gun to attend the course.

For further information, contact: Kathleen Maguire, NRA Education and Training, 1600 Rhode Island Avenue, N.W., Washington, D.C. 20036 (202) 828-6259



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 2, 1986

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Handgun Control, Inc.
1400 K Street, N.W.
Washington, D.C. 20005

Re: MUR 2115

Dear Gentlemen:

This letter is to notify you that on December 23, 1985, the Federal Election Commission received a complaint which alleges that the Handgun Control, Inc. may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2115. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against the Handgun Control, Inc. in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

85040562403

If you have any questions, please contact Maura Callaway, the staff person assigned to this matter at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

Kenneth A. Gross (KAG)
By Kenneth A. Gross
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

85040362404

attachment 2

UCC# 8



NATIONAL RIFLE ASSOCIATION OF AMERICA
INSTITUTE FOR LEGISLATIVE ACTION
1800 RHODE ISLAND AVENUE, N.W.
WASHINGTON, D. C. 20036

OFFICE OF THE
GENERAL COUNSEL

March 18, 1986

MAR 19 11:38

Charles N. Steele
General Counsel
999 E Street, N.W.
Federal Election Commission
Washington, D.C. 20463

RE: MUR 2142

Dear Mr. Steele:

On March 4, 1986, the National Rifle Association (NRA) received notification from you that a complaint had been filed against the NRA by Handgun Control, Inc. (HCI). The complaint alleged, in pertinent part, that NRA "willfully violated HCI's right to confidentiality in derogation of both the Federal Election Campaign Act and the Commission's regulations." The basis for HCI's allegation is that NRA published, in the MONITOR, a story concerning the filing of a complaint with the Commission against HCI by the NRA.

Your office has previously considered cases with virtually identical facts. For example, in MUR 1251, a complaint was filed alleging that the respondent had published information regarding a complaint it had previously filed against the Massachusetts Federation of Teachers. Holding that 11 C.F.R. §111.21(a) was "limited by its statutory antecedent, 2 U.S.C. §437g(a)(12)," your office recommended that "the Commission find no reason to believe that respondents committed a violation of 2 U.S.C. §437g(a)(12). . . ." First General Counsel's Report on MUR 1251, transmitted by the Office of General Counsel to the Commission on October 3, 1980, at page 3.

As the instant case is on all fours with the Commission's prior decisions, the Commission should find no reason to believe that NRA violated 2 U.S.C. §437g(a)(12).

Sincerely yours,

Richard E. Gardiner

Richard E. Gardiner
Assistant General Counsel

REG:clh

35040562405



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mary Louise Westmoreland, Esquire
General Counsel
Handgun Control, Inc.
1400 K Street, N.W.
Suite 500
Washington, D.C. 20005

Re: MUR 2142

Dear Ms. Westmoreland:

The Federal Election Commission reviewed the allegations of your complaint dated February 14, 1986, and determined that on the basis of the information provided in your complaint and information provided by the Respondent there is no reason to believe that a violation of 2 U.S.C. § 437g(a)(12)(A) the Federal Election Campaign Act of 1971, as amended ("the Act") and 11 C.F.R. § 111.21(a) has been committed. Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

96040782400

Attachment 4



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Richard E. Gardiner, Esquire
Assistant General Counsel
National Rifle Association of America
1600 Rhode Island Avenue, N.W.
Washington, D.C. 20463

RE: MUR 2142
National Rifle Association

Dear Mr. Gardiner:

On _____, 198____, the Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended and the Commission's _____ regulations.

The Commission, on _____, 198____, determined that on the basis of the information in the complaint, and information provided by you, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

35040562407

CCC# 8

Snyder



NATIONAL RIFLE ASSOCIATION OF AMERICA
INSTITUTE FOR LEGISLATIVE ACTION
1600 RHODE ISLAND AVENUE, N.W.
WASHINGTON, D. C. 20036

OFFICE OF THE
GENERAL COUNSEL

March 18, 1986

6 MAR 19 11:38

Charles N. Steele
General Counsel
999 E Street, N.W.
Federal Election Commission
Washington, D.C. 20463

RE: MUR 2142

Dear Mr. Steele:

On March 4, 1986, the National Rifle Association (NRA) received notification from you that a complaint had been filed against the NRA by Handgun Control, Inc. (HCI). The complaint alleged, in pertinent part, that NRA "willfully violated HCI's right to confidentiality in derogation of both the Federal Election Campaign Act and the Commission's regulations." The basis for HCI's allegation is that NRA published, in the MONITOR, a story concerning the filing of a complaint with the Commission against HCI by the NRA.

Your office has previously considered cases with virtually identical facts. For example, in MUR 1251, a complaint was filed alleging that the respondent had published information regarding a complaint it had previously filed against the Massachusetts Federation of Teachers. Holding that 11 C.F.R. §111.21(a) was "limited by its statutory antecedent, 2 U.S.C. §437g(a)(12)," your office recommended that "the Commission find no reason to believe that respondents committed a violation of 2 U.S.C. §437g(a)(12). . . ." First General Counsel's Report on MUR 1251, transmitted by the Office of General Counsel to the Commission on October 3, 1980, at page 3.

As the instant case is on all fours with the Commission's prior decisions, the Commission should find no reason to believe that NRA violated 2 U.S.C. §437g(a)(12).

Sincerely yours,

Richard E. Gardiner

Richard E. Gardiner
Assistant General Counsel

REG:clh

05040762408



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 26, 1986

Mary Louise Westmoreland
General Counsel
Handgun Control, Inc.
1400 K Street, N.W.
Suite 500
Washington, D.C. 20005

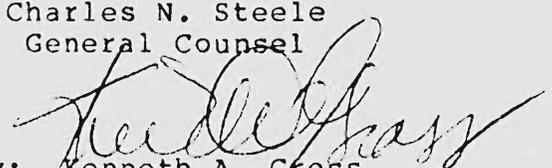
Dear Ms. Westmoreland:

This letter will acknowledge receipt of a complaint filed by you which we received on February 19, 1986, which alleges a possible violation of the Federal Election Campaign Act of 1971, as amended, the ("Act"), by the National Rifle Association. The respondent will be notified as soon as the Commission takes action on your submission.

You will be notified as soon as the Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to this office. We suggest that this information be sworn to in the same manner as your original complaint. For your information, we have attached a brief description of the Commission's procedures for handling complaints. We have numbered this matter under review MUR 2142. Please refer to this number in all future correspondence. If you have any questions, please contact Lorraine F. Ramos at (202) 376-3110.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosure

25740762409



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 26, 1986

National Rifle Association
1600 Rhode Island Avenue, N.W.
Washington, D.C. 20036

Re: MUR 2142

Dear Sir:

This letter is to notify you that the Federal Election Commission received a complaint which alleges that the National Rifle Association may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2142. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the National Rifle Association in this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a) (4) (B) and §437g(a) (12) (A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

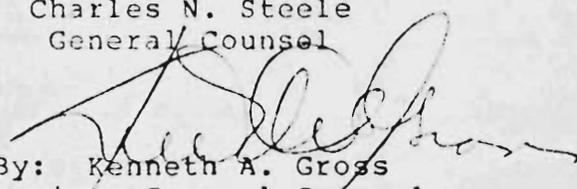
85040502410

-2-

If you have any questions, please contact Charles Snyder the staff member assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosures
Complaint
Procedures
Designation of Counsel Statement

96040362411



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

MEMORANDUM TO: THE COMMISSION
FROM: MARJORIE W. EMMONS/ CHERYL A. FLEMING *CAF*
DATE: FEBRUARY 21, 1986
SUBJECT: MUR 2142 - COMPLAINT

The attached has been circulated for your information.

35040582412

Attachment

HANDGUN CONTROL

ONE MILLION STRONG . . . working to
keep handguns out of the wrong hands.

M 2142

02 FEB 20 02:07

SENSITIVE

February 14, 1986

Mr. Charles N. Steele
General Counsel
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

RECEIVED
FEBRUARY 14 1986
GENERAL COUNSEL
36 FEB 19 11:29

Dear Mr. Steele:

Pursuant to 2 U.S.C. §437g(a)(1) and 11 C.F.R. §111.4(a), I request that you investigate the following complaint alleging that the National Rifle Association ("NRA") has violated section 437g(a)(12)(A) of title 2, United States Code, and section 111.21(a) of title 11, Code of Federal Regulation, by making public MUR 2115. This complaint is filed on behalf of Handgun Control, Inc. ("HCI"), 1400 K Street, N.W., Washington, D.C. 20005.

It is averred that:

1. On information and belief, the NRA is a membership corporation chartered in New York in 1871.
2. On information and belief, the "Institute for Legislative Action" is an office within the NRA organized in 1975 for the purpose of engaging in lobbying and other political activities of the NRA.
3. MONITOR is the official publication of the NRA's Institute for Legislative Action. Exhibit 1*, page 3.
4. MONITOR is available to the general public. Exhibit 1, page 3.

*Exhibit 1 is a xerox copy of Volume 13, No. 1 of MONITOR dated January 15, 1986. An original copy of the January 15 MONITOR was attached to HCI's response in MUR 2115 filed January 23, 1986.

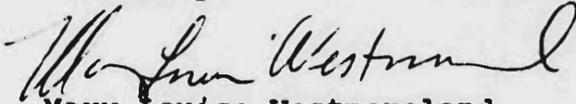
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- 3 6 0 4 0 3 0 2 4 1 4
5. On or about December 17, 1985, the NRA filed a complaint with the Federal Election Commission alleging that HCI and/or its separate segregated fund Handgun Control, Inc. Political Action Committee ("HCI-PAC") violated provisions of the Federal Election Campaign Act. The Commission has docketed this matter as MUR 2115. Exhibit 2.
 6. By letter dated January 2, 1986, and received on January 9, 1986, Charles Steele on behalf of the Commission notified HCI that it had received the NRA complaint commencing MUR 2115. In that letter of notification, Mr. Steele noted "This matter will remain confidential in accordance with 2 U.S.C. §437g (a)(4)(B) and §437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public." Exhibit 2.
 7. HCI has not notified the Commission that it wishes any aspect of MUR 2115 to be made public; nor, has HCI itself taken any steps to make public MUR 2115.
 8. On or about January 15, 1986, the NRA published Volume 13, No. 1 of MONITOR, the cover page of which reported "Handgun Control Inc. has engaged in unlawful solicitations of political contributors and made corporate contributions to its Political Action Committee in violation of federal law, according to a National Rifle Association complaint filed with the Federal Election Commission. [See story, page 1]." Page 1 of this same edition of MONITOR contained a story that discussed MUR 2115 in more detail. Exhibit 1, pages 1 and 2.
 9. By making these disclosures concerning MUR 2115 in the official publication of the NRA's Institute for Legislative Action, the NRA willfully violated HCI's right to confidentiality in derogation of both the Federal Election Campaign Act and the Commission's regulations. 2 USC §437g(a)(12)(A); 11 C.F.R. §111.21. See H.R.Rep. No. 422, 96th Cong., 1st Sess. 22-23 reprinted in 1979 US Code Cong. and Ad. News 2860, 2882-83.

CONCLUSION

The NRA should be sanctioned to the fullest extent allowed by U.S.C. §437G(A)(12)(B) for its willful violation of HCI's rights and the Commission's confidentiality procedures.

Sincerely,



Mary Louise Westmoreland
General Counsel

MLW:vbf

35740762415

The foregoing is based on my knowledge except insofar as averments identify the source of information on which they are based or are expressly made on information and belief.

Sworn to and subscribed before me this 14th day of February, 1986.

Cindy C Peterson
Notary Public

Feb. 14, 1991
My Commission Expires

MONITOR

NATIONAL RIFLE ASSOCIATION

Institute for Legislative Action

Volume 11 Number 1 January 15, 1986

At A Glance

The Wilmington, Del., City Council is expected to consider an ordinance to ban the sale and possession of handguns. Already, pressure has been put on council members to reject the ban proposal. [See story, page 1.]

Handgun Control Inc. has engaged in unlawful solicitations of political contributions and made corporate contributions to its political action committee in violation of federal law, according to a National Rifle Association complaint filed with the Federal Election Commission. [See story, page 1.]

New York Gov. Mario Cuomo, once again, has slighted NRA members and hunters. The possible 1988 presidential candidate recently tried to downplay his remark made in March 1985 that NRA members "drink beer, don't vote and lie to their wives about where they were all weekend." Cuomo said the remark was made in jest at a dinner last summer. [See story, page 2.]

Most state legislatures reconvene this month, and a flurry of pro- and anti-gun bills have been pre-filed and await in-

troduction in their respective statehouses. [See state roundup, page 3.]

Richard Munday, editor of the British magazine *Handgunner*, talks about firearms and firearms laws in Great Britain and the United States in a Monitor interview. [See interview, pages 4 and 5.]

The 21 field representatives of the National Rifle Association provide an important link between the association's 3 million members and its elected officials who carry out NRA policies. The NRA Field Services Division has updated and revised its list of field representatives. [See list, page 6.]

The Supreme Courts of Florida and Virginia have made or soon will be making decisions in cases of great importance to gun owners in portions of those states. [See story, page 7.]

More than 250,000 people, the majority of them women, have completed the NRA's Voluntary Practical Firearms Program. Started in 1983, the VPPF trains people in the safe and effective use of firearms for self-protection. [See story, page 8.]

NRA INSTITUTE FOR LEGISLATIVE ACTION
1600 RHODE ISLAND AVENUE, NORTHWEST
WASHINGTON, D.C. 20036

First Class
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Arlington, VA
Permit No. 134

26040362415

MONITOR

National Rifle Association of America

Institute for Legislative Action

Volume 13, Number 1



Kentucky Governor Martha Layne Collins, one of the few women to hold such office, recently was presented with a 24K gold .38-caliber Colt Detective Special for her pro-gun political stand by the Kentuckiana Arms Collectors Association. Collins, who favors tougher jail sentences, more prisons and the death penalty as effective crime deterrents rather than restrictive gun laws, was elected to her current post in 1983. Making the presentation to Collins were (left to right) Winfred Sumner, vice president, KACA; Tony Wilson, president; Governor Collins; Jeffrey W. Flannery, gun engraver; and Floyd Poore, Kentucky secretary of transportation.

City to Consider Handgun Ban

WILMINGTON, Del. — An ordinance to ban the sale and possession of handguns in this city of 70,000 was introduced Dec. 19 at a City Council meeting.

Councilwoman Loretta Walsh sponsored the anti-gun measure that would prohibit the sale of handguns and require current handgun owners to deliver their guns to local police within six months from the date of enactment of the ordinance.

The ordinance calls for violators to be fined from \$300 to \$2,500 or sentenced up to six months in jail.

Although Delaware recently passed a firearm pre-emption law that prohibits local municipalities from adopting gun laws more restrictive than the state's, city attorneys who drafted the Wilmington ban proposal claim that they have found a loophole in the law. The state law says that no city may amend its charter to enact firearm laws more restrictive than the state's; lawyers for the city say their proposal is an amendment to an ordinance, not the city charter.

The proposed law, which was sent to the Public Safety Committee and is expected to be debated at a public hearing this month, was modeled after ordinances in Morton Grove, Evanston and

Oak Park, Ill. Indications are that the handgun bans in those Chicago suburbs have done little or nothing to reduce crime, and many of the gun-owning residents have ignored the provisions requiring that they surrender their handguns to police.

Walsh claims that many of her constituents voiced support for gun control, but fellow Delaware resident Nelson T. "Pete" Shields, president of Handgun Control Inc., told the Wilmington News Journal, "My group cannot support this law."

The Delaware State Sportsmen's Association is gathering support to fight the City Council proposal and DSSA President John Thompson is confident the ordinance will be defeated.

"I think we can win in City Council," said Thompson. "Then we're going to close this supposed loophole so that we don't have to fight this thing two years from now."

Thompson said that DSSA plans to amend the state pre-emption law to preclude local municipalities from amending their charters and ordinances with regard to gun control. Amending legislation is expected to be introduced when the Legislature reconvenes Jan. 14.

Complaint Filed Against HCI

WASHINGTON — Handgun Control Inc. unlawfully solicited contributions and made illegal corporate contributions to candidates running for federal office in 1984, the National Rifle Association has charged in a formal complaint recently filed with the Federal Election Commission.

The Dec. 19 complaint, filed by NRA Assistant General Counsels Janet Scherer and Richard Gardiner, stems from a July 1985 disclosure report filed with the FEC by HCI's political action committee, HCI-PAC. The report revealed that HCI-PAC "reimbursed" HCI for more than \$2,100 last January for in-kind contributions made by HCI on behalf of the PAC to 13 federal candidates in 1984.

Under federal law, it is illegal for a corporation to make campaign contributions or lend money to its PAC.

NRA's complaint also alleges that

HCI "knowingly" entered false information on several of its 1984 reports to conceal HCI's corporate contribution."

The complaint states that, in at least three earlier disclosure reports to the FEC, HCI maintained that the in-kind contributions were made by HCI-PAC and not HCI.

NRA's complaint also charges HCI with violating federal law by soliciting contributions from individuals who are not members of the organization.

An earlier FEC directive ordered HCI to revamp its membership structure by assigning specific membership rights to individuals in order to make solicitations for political contributions. NRA's complaint charges that while HCI complied with the directive, it is not yet in compliance with federal law because it has not granted sufficient membership rights to supporters and has continued to solicit political contributions.

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Past Presidents, Officials Praise NRA

The concept of an armed citizenry has been endorsed by chiefs of state and the military since America was founded. In looking through the NRA archives recently, we found some interesting correspondence by famous military and political figures that we thought our readers might enjoy:

"Expertness in the use of the rifle cannot be over-emphasized. If the Cleveland Civilian Marksman's Association is bringing this kind of training and knowledge to the men who will one day become either officers or enlisted men in any of the armed forces, it is doing them, and the country, a service of incalculable value."

— Dwight D. Eisenhower
commander-in-chief of the
Allied Force Headquarters
August 16, 1943

"I hope that the splendid program which the National Rifle Association has followed during the last three-quarters of a century will be continued. It is a program which is good for a free America."

— President Harry Truman
November 14, 1945

"The record of the National Rifle Association during World War II has been one in which its members should take great pride. The nation is fortunate in having such an organization upon which it can rely for the continued development of proficiency in the use of small arms by the citizens of this country."

— George Marshall
chief of staff of the
War Department
October 30, 1945

"I take this opportunity to congratulate the National Rifle Association for its untiring efforts to encourage marksmanship training among the youth of our country. The Association deserves much credit for its contribution to the promotion of competitive shooting which bore much fruit in the training camps and on the battlefields of World War II as well as during the present national emergency."

— President Harry Truman
September 20, 1951

"Through competitive matches and sports in coordination with the National Board for the Promotion of Rifle Practice, the National Rifle Association fills an important role in our national defense effort, and fosters in an active and meaningful fashion the spirit of the Minute-men."

— President John F. Kennedy
March 20, 1961

"The NRA believes America's laws were made to be obeyed and that our constitutional liberties are just as important today as 200 years ago. The Constitution does not say Government shall decree the right to keep and bear arms. The Constitution says 'the right of the people to keep and bear arms shall not be infringed.' No group does more to promote gun safety and respect for the laws of this land than the NRA, and I thank you."

— President Ronald Reagan
May 6, 1983

Monitor Reprint Policy

From 1984 onwards, the Monitor is available in a full reprint form for those who wish to reproduce the material for their own use. This is available for a fee of \$1.00 per copy. The fee covers the cost of the paper and the printing of the material. The fee does not cover the cost of the postage and handling charges. The fee is payable to the National Rifle Association, 1600 Rhode Island Avenue, N.W., Washington, D.C. 20031.

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Cuomo Gives 'New' Description of NRA Members



Governor Mario Cuomo

ALBANY, N.Y.—One of the National Rifle Association's favorite politicians has put his foot in his mouth—again.

New York Gov. Mario Cuomo once again has endeared himself to NRA members and hunters throughout the country.

The governor was quoted in April 1985 by the Los Angeles Times as describing those opposed to New York's mandatory seat belt law as NRA members "who drink beer, don't vote and be to their wives about where they were all weekend."

His latest faux pas occurred Dec. 31 when he described that earlier political

gaffe to reporters for Albany radio station WINS.

When asked to recall his personal worst in 1985, Cuomo recounted remarks made about the NRA. He told the radio station that the remarks were made at a dinner in California last summer. (Summer usually is considered to be the time from June through September. Cuomo made his off-the-cuff comments in March.)

Said Cuomo: "I said in a jocular way, these guys are out pretending they're hunting. They're really having a party and they're lying to their wives about it. They'll buy a deer, strap it to the car and bring it home. The guys (at the dinner) laughed; we all laughed, but they put it on the wire and 6 million NRA people hoisted their pistols and their cannons and pointed them at Albany, as I would if I were an NRA member."

For his remarks in the Times, Cuomo received a letter from NRA-Institute for Legislative Action Executive Director J. Warren Cassidy, who wrote that the governor was "perpetuating an unfair and prejudiced stereotype that is unjustified and intolerable."

"You pride yourself as a champion against ethnic prejudice, yet you continually demonstrate the most unforgivable and callous prejudice against those who choose to own guns and hunt."

"You will see for yourself whether or not NRA members vote," Cassidy's letter concluded.

Cuomo tried to allay NRA's wrath in a letter to then-NRA President Howard Pollock, saying that politicians say things from time to time that may create "baseless concerns."

"My response was inartful," said Cuomo. "It could leave a false impression of disrespect for the National Rifle Association."

NRA officials, who viewed Cuomo's so-called apology as less than sincere, consider the governor's recent radio remarks as an attempt to "brush off" his earlier statements about the organization.

The 3 million-member association has renewed its pledge to oppose Cuomo in his bid for re-election in 1986—there are 200,000 NRA members in New York—and should he run for the 1988 presidential nomination.

Correction

In the production of the Dec. 31 Monitor (Vol. 12, No. 24), the printing company accidentally transposed the photos on pages 1 and 7 on certain issues. A limited supply of corrected copies is available from NRA Public Education. Our printers apologize for the error.

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state roundup

STATE ROUNDUP

Pennsylvania

HARRISBURG—Pistol carry permits may be extended from the current one-year validation period to an indefinite period if bills that were recently introduced in the state Legislature are approved.

S.B. 1265 was introduced in December by Sen. D. Michael Fisher to "correct the deficiencies in the current law, and stop the abuses of power that have been uncovered in many counties and towns in Pennsylvania," according to a press release from the Allegheny County Sportsmen's League.

A House companion bill, H.B. 819, was introduced in April by Rep. Robert W. Godshall.

No action has been taken on the bills to date, but the Senate is expected to consider its bill soon, according to Pennsylvania sources. The bills have been assigned to their respective Judiciary committees.

If the bills are passed and signed into law they would

- Specify in the law the contents of carry permit applications;
- Mandate that a carry license be valid anywhere in the state;
- Eliminate the necessity of stating a "reason" to obtain a license;
- Require the issuing authority to state a "reason," in writing, why an application should be denied;
- Change the validation period from the present one year to indefinite;
- Require that only the sheriff of a county be responsible for issuing a license;

- Set the fee for a license at \$20;
- Provide procedures for administrative appeals of suspensions, revocations and denials of a license to be heard within 20 days;
- Require that the license and application forms be provided by the state police, and that they be uniform throughout the state;
- Specify who may not be eligible for a license;
- Provide the sheriff with a grant of immunity from liability for the actions of a licensee.

Legislation (H.B. 583) also is pending in the Legislature to extend state carry permits from their current one-year life to five years. [See Monitor, Dec. 15.]

Michigan

LANSING—Michiganders now will be allowed to use handguns to hunt deer in the lower third of the state.

Gov. James Blanchard signed into law Dec. 8 a bill that permits the use of "repeating" handguns for deer and other big game hunting in the southern portions of the Wolverine state. (Michigan does not allow hunting with rifles.)

The bill, H.B. 4098 sponsored by NRA member and state Rep. Jerry C. Barcik, was passed by the House May 28 by a vote of 92-0. The Senate approved the measure, with an amendment, 24-10, and the House concurred Oct. 21 by a vote of 99-0.

Michigan law previously allowed handgun hunting in the other two-thirds of the state.

Richmond Councilmen Expected to Propose Anti-Gun Measure

RICHMOND, Va.—City Councilmen Walter Kenney and Henry Marsh are expected to propose an ordinance to control guns in this capital city of 220,000.

Richmond had a rash of handgun-related deaths in 1985, topping the number of 1984 killings. But most of the deaths were homicides related to drug deals, according to police reports.

Kenney and Marsh also proposed handgun control measures last year. The councilmen introduced in January 1985 an ordinance that would have required city residents to register their handguns by May 31, 1985. The ordinance also would have banned the sale of handguns in the city, and persons failing to register their guns by the May 31 deadline could have been charged with a misdemeanor. A second proposal called for handgun registration only.

Both measures were defeated overwhelmingly by the City Council, which elected instead to adopt a resolution supporting stiffer mandatory penalties for those convicted of using a gun during the commission of a felony.

Two bills to enhance firearm manda-

tory sentences were introduced in the Virginia General Assembly last year, but neither measure was reported out of committee.

The Kenney-Marsh proposal—if, as expected, attempts to control the sale or possession of guns or call for their registration—would be in conflict with the state's pre-emption law.

The Dillon rule—which holds in general that state law supersedes local ordinances, and which has been interpreted by the former state's attorney general as applying to firearm legislation—protects Virginia gun owners from restrictive firearm laws.

Despite the Dillon rule, city attorneys have stated in the past that the city charter contains language that allows actions to be taken to protect citizens.

Once again, the Virginia State Rifle and Revolver Association and the National Rifle Association will be active in stopping the anti-gun proposals in Richmond.

For more information on the anti-gun ordinance, contact Chuck Cunningham, NRA state liaison for Virginia (202) 828-6377.

State Senator Proposes Bill to Stop Sale of 'Saturday Night Specials'

ANNAPOLIS, Md.—A bill to define "Saturday Night Specials" and make their sale illegal was introduced in the state Senate Jan. 8 by Sen. Troy Brailey of Baltimore.

The bill, S. 98, would define a "Saturday Night Special" as a handgun that has a frame, barrel, cylinder, slide or breechlock that is a die casting of a metal alloy or any other material that has a melting point of 1,000 degrees or less.

The legislation also would amend existing laws covering penalties for violations of the state's gun laws.

Anyone who sells or offers for sale a "Saturday Night Special" would be guilty of a misdemeanor and fined from \$250 to \$2,500 or jailed not less than 30 days nor more than three years, or both, if the violation was a first offense. Once convicted persons who violate the "Saturday Night Special" law would be subject to a mandatory one-year sentence—not more than 10 years—and persons convicted of more than one gun law violation would be subject to a three-year mandatory minimum sentence, not to exceed 10 years. (Maryland gun laws do not differentiate between use of a gun during the

commission of a crime and the mere carrying of a gun without a license.)

The bill was introduced to bolster a recent Maryland Court of Appeals ruling that holds the manufacturers of "small, inexpensive handguns, commonly known as 'Saturday Night Specials,'" strictly liable for injuries caused by the criminal misuse of their products.

The Maryland high court characterized "Saturday Night Specials" as having "short barrels, light weight, easy concealability, low costs, use of cheap quality materials, poor manufacture, inaccuracy and unreliability." (See Monitor story, page 7.)

Banning the sale of so-called "Saturday Night Specials" also would be a major step toward Baltimore's goal of ridding the city of all handguns. In City Council meetings in December, several council members supported a ban on the sale and possession of handguns, and a resolution was drafted to request the city's delegation to the General Assembly to support legislation to amend state law to allow municipalities to control guns.

[Maryland has a firearm pre-emption law prohibiting municipalities from adopting gun laws more strict than the state's.]



Colorado state Representative Carol Taylor-Little recently visited NRA headquarters in Washington, D.C., to discuss a bill she is sponsoring that will prevent handgun manufacturers from being held liable for the criminal misuse of their products in Colorado. From left to right: NRA-ILA Executive Director J. Warren Cassidy, Rep. Little and Lous J. Brune, NRA state liaison for Colorado.

An Exclusive Monitor Interview

British Scholar Richard Munday

By Denise Tray Rosen
Monitor Staff Writer



Richard Munday, the assistant editor of Handgunner magazine in Britain, was recently in Washington completing a fellowship with the Division of Armed Forces History in the National Museum of American History, Smithsonian Institution. A graduate of Oxford University, Munday's research focuses on the development of the American rifle movement and the citizen soldier concept in America before 1914. He is presently Munday's piece will be a two-year research fellowship in Geneva for the Institute for Human Development and Comparative Studies. European rifle movements are the primary research subjects.

MONITOR: What exactly are Britain's firearm laws and are they more restrictive than those enforced in the United States?

MUNDAY: That depends. The big shock upon arriving in the U.S. was finding that you have more than 20,000 separate gun laws. The advantage of the English system is that we have just one law applying to the entire country. It is a bad law, but at least it's constant. We don't have this problem of laws changing from town to town, city to city and state to state. Now, whether the English system is better or worse depends on what part of America you're from. If you come from Wyoming, you will be appalled by Britain's gun laws. On the other hand, if you come from the District of Columbia or New York, you're going to think it the other way around.

MONITOR: How are firearms regulated in Britain?

MUNDAY: Basically there are two types of firearm registration in Britain—firearm certificates for pistols and rifles, and shotgun certificates for shotguns. Under the terms of Britain's Firearms Act, for each individual rifle or pistol that you want, you must justify why you want it. In order to justify it, you must show what is known as "good reason." Unfortunately, "good reason" is open to interpretation and that interpretation has differed through the course of time. For example, in 1945, the accepted reason for wanting a pistol was "personal protection." Today, if you apply to your local police force and said you wanted a pistol for personal protection, the application would be rejected out-of-hand. The text of the law hasn't changed, just the interpretation of it.

MONITOR: What is considered "good reason" today?

MUNDAY: For pistols, competition shooting is generally the only accepted reason. For small bore or hunting rifles, then obviously hunting is justifiable. Pest control and rodent control are acceptable reasons for owning a rifle. Basically, it has been a general turn-around in attitudes with regard to the freedom of the individual and the state and the notion of how far you can rely on the police force.

MONITOR: When would you say that this "general turn-around" became most noticeable?

MUNDAY: Well, it has been a gradual change since the first handgun laws were introduced in the 1920's. But I would say 1968, which was a bad year for shooters in general, marked a turning point. In that year we had a new Firearms Act passed that basically consolidated all of the previous ones. Since then, there has been a different approach on the part of police departments and the bureaucracy in enforcing and interpreting firearm laws. They have taken to enforcing several very strict policies including pricing applicants out of the market. For example, the fees for firearm certificates have gone up dramatically since 1968. Back then, if I remember correctly, a firearm certificate was about a half-a-dollar. Now it costs about \$35. People who are keen on shooting don't mind paying that every three years, but for the casual shooter and the shooter who keeps a rifle to shoot rabbits on his farm, the price is a little high. These are the people who tend to give up their licenses rather than spend the money to renew them.

Another policy the police in many forces have adopted is to require applicants to fill out other forms in addition to those required by law. Frequent-

ly, it is just a duplication of information, but basically it means that people have got to go through a lot of paperwork, time and trouble to get access to firearms. And back to the matter of "good reason," if a person says he wants a pistol or rifle for competitive shooting, the first thing the police will ask is what club you belong to. Then they will demand a letter from the secretary of the club confirming that the applicant is a keen shooter. Now there is no basis in law for demanding an applicant to be a member of a club, but in practice, a person has to be in order to get a license for a pistol or anything other than a hunting rifle.

So you see the law hasn't changed, but the practice of enforcement has driven more than 50,000 people out of shooting in the past 10 years. Given the fact there are only 300,000 certificate holders in the entire country, 50,000 is quite significant.

MONITOR: What about shotguns?

MUNDAY: The shotgun legislation was introduced, once again, in everyone's bad year, 1968. Until then, there was no registration on shotguns whatsoever. Now an applicant must have two character references and fill out the basic forms on occupation and personal information. Provided the applicant doesn't have a criminal record or isn't insane, the issue is automatic. There are proposals now pending, however, to toughen up the system and require applicants for shotguns to fulfill the same requirements demanded for the pistol and rifle certificate system. Under that system, the burden is on you to justify each and every weapon. Shotgun certificates are issued on personal character rather than the weapon.

There is an interesting twist to the way the shotgun legislation got passed. In 1967, there was a media issue raised on how terrible it was that shotguns could be purchased from shops and then sawed off and used in crime. At the time, the issue was reviewed by Roy Jenkins, then the home secretary. He looked at the situation in a reasonably intelligent manner and came to the conclusion that there was no statistical case for introducing shotgun legislation. But in the spring of 1968, legislation on shotguns was introduced because between 1967 and 1968 three policemen were killed with handguns even though handguns had been strictly controlled since 1920. So the government, because of the media issue, had to be seen to do something, and regulated shotguns, ignoring the fact that the issue had been declared irrelevant 12 months before.

MONITOR: Have these policies helped to deter crime or is firearm-

related crime increasing in Britain?

MUNDAY: Firearm-related crime has increased in direct proportion to violent crime. Violent crime has increased so therefore, some subtraction of that is the element of gun crime. But there hasn't been a change in the overall balance since any of these laws were enacted. The proportion was there before the legislation was introduced and it's here afterwards, so it just goes to show that firearm laws have been an answer to a non-existent question. One of the things about introducing any legislation on firearms is that it is the easy answer. It's irrelevant, but the politicians or whoever is doing it can be seen by the people and the media to be doing something. And most people, who don't appreciate what the real situation is, are satisfied.

MONITOR: Experts have speculated that Europe may one day adopt a standard firearms code that would even further restrict gun ownership rights. Can you see this happening?

MUNDAY: Absolutely. In Britain and probably eventually the U.S., one of the principal threats we are going to face is going to come from Europe and resolutions made by the Council of Europe. The Council is anxious to put forth resolutions on anything it can agree on to signify unity. It cannot agree on the more contentious issues like agriculture, defense and other powerful interests, but it can agree on standardizing firearm legislation. As far as the European governments are concerned, the shooting community is an expendable one. It is not a big electorate. So uniform firearm laws could be used by the Council in a show of unity without it having to agree on the more problematic issues.

What this would mean would be that everybody would get the worst of everybody's laws. Of course every society has its own variety of craziness and it would be a combination of every country's worst in respect to gun control. For example, the Italian law, which prohibits private ownership of all military-caliber firearms, could be adopted all over Europe.

I believe that if uniform firearm laws are adopted in Europe, it will imperil the U.S. to some degree because the pressure from the world will influence lawmakers and say, "Look this is the way it should be done. The Europeans have adopted a strict uniform gun code and so should the U.S." The Council, which has been working on these types of proposals for many months, also would claim that a uniform gun law across Europe would be an effective counter-terrorism measure. Again, the U.S. could be

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Examines Gun Control in a New Light

vulnerable to this sort of dissuasion: the argument that we must legislate against terrorism by limiting the access of firearms. I firmly believe that Britain's problems today are going to be America's problems 10 years hence.

MONITOR: England seems very susceptible to gun control laws. Is it primarily the government who supports them or is it the population in general?

MUNDAY: I would say that the tenor of the entire country in general is anti-gun because of the heavy influence of the media and the perspective on firearms from a nation of people. You must keep in mind that the shooting community numbers about 3 million of a nation of 246 million. For the remaining 243 million, guns are an alien issue. Their opinions are going to be formed by what they see on television, and by really half-witted newspaper reports about guns in the U.S. They are not going to address the real issue or have any familiarity with it. What we must do, if the shooting sports are to survive, is to give these people a new perspective.

MONITOR: What type of "new perspective"?

MUNDAY: Well, we must stress the importance of the link between our civilian resources and the military. As long as firearms are looked at in terms of "Starsky and Hutch" and in terms of cops and robbers and the crime problem, then we have a real problem. What we must do is introduce new perspectives on firearms, civilians and the military. If you simply plead "shooters' rights" in Britain, nobody's heart is going to bleed for you. If you can prove your positive benefits to society then your rights will survive. We've learned that rights without duties don't tend to last very long.

One way for the shooting community to do this is to align itself more visibly with the military. If we have the military on our side in this context, it promotes shooting and gun ownership as a social utility. That is the way the NRA in both of our countries grew up and in my mind it is the only way the shooting community can survive.

It's quite practical when one thinks about it. Consider that most countries have fixed defense budgets that only have so much flex. And while the costs of defense materials are escalating very rapidly, the biggest and costliest fixed element in most defense budgets is manpower. Now, between the costs of materials and manpower, it is quite possible for the military to slip into technological obsolescence. Therefore, we must look at the possibility of exploiting civilian resources in a defense context or in

somehow reducing our manpower costs. This gives a whole new context to various concepts of what the citizen soldier might be. In addition, there is a recognized shortage of in-depth reserves in NATO. It is clear we have a manpower shortage. How are we going to afford more people at professional rates? The shooting community and the civilian soldier is our answer.

Another factor that supports this idea is the speed of the modern battlefield. It's the concept that if the soldiers aren't there already, then they are never going to get there in time. On the other hand, if you have an organized civilian military, you can actually move people and get them to an area on time to fight a battle. We're almost back to the tradition of the Anglo Saxons, which was: If you were waiting onshore when the raiders came, then you could possibly stave them off. If you weren't there, you wouldn't get there.

So there are all sorts of military reasons why the exploitation of the civilian resources must be important to us. From the point of view of the shooting community, I think it is the key to its survival.

MONITOR: Do you foresee the public accepting the idea of the "citizen soldier"?

MUNDAY: Yes, eventually, if presented properly. You see, right now we have a bit of a public relations problem with it because of the transition of attitudes over the last two decades. For instance, if you look back at the middle of the last century, you have a transition from then to now, in terms of the word "militia" and the words "paramilitary force." The connotations of those two phrases, which mean very much the same thing, are entirely different. A militia man was considered, in the last century, much more respectable than the regular soldier because the regular soldier was a man who lived off the state, while the militia man got on with his job and served as need. Whereas, nowadays, it's the regular soldier who is respectable and the paramilitary who is somehow seen as being unsavory and a risk of subversion or whatever.

MONITOR: Would you say this "risk of subversion" concept has been a big part of the passage of gun control laws in Europe and the United States?

MUNDAY: I don't think there is any question that the underlying factor in virtually every country's decision to promote or limit the use of firearms is paranoia about the security of state. If you actually look at the founding of the American NRA, you'll find one of the fundamental factors in getting it off the ground was the riots in New York City in

1871. The U.S. needed a National Guard to handle that sort of thing. There are different types of parallels in many European countries as well. France still substantially suffers from the emergency firearms legislation introduced in 1939. Germany still has strong elements of the new code introduced by the Nazis because they were concerned about the private ownership of firearms as a potentially anti-Nazi threat. In England, firearm laws were passed primarily in response to the fears of a Bolshevik revolution and later in response to problems caused by the Irish Republican Army. This is why it is very important that we seize the issue of terrorism by the horns and discount firearms control as a way to effectively combat it. Otherwise it is quite possible that the shooting community and the right to bear arms could be sold out on the excuse that the only way to eliminate terrorism is to limit access of firearms by the common man.

MONITOR: Why do you think that the many governments and the non-

shooting populations of the world are willing to believe that restricting firearms will reduce terrorism and other crime?

MUNDAY: Again, it is the change-around in attitudes. It is clear that we live in a material society. Our fundamental problem is that we give priority to the material elements in society. For example, the gun commits the crime and is the material factor that conditions the actions of the individual. This notion of diminished responsibility, reduced to a theory, is inevitably going to find as one of its corollaries pressure for the control of firearms. That attitude says that it is not the independent thoughts of the individual that cause the crime, rather that his action was conditioned by the presence of the material, the gun in this case. It is up to us to change this mindset, and it simply cannot be done by spouting statistics no matter how true they are. We must pitch the firearms issue in a new perspective and pointing out the value of a competently armed citizenry is a good way to start.



Field Reps.: NRA Key to Communications

The NRA Field Representative Areas were renumbered on Jan. 1 to put them in a logical numerical sequence, according to Anthony Madda, field staff coordinator. The new listing appears below.

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Anti-Hunting Actions by NPS Have Many Hunters Concerned

WASHINGTON—Recently, the National Park Service has initiated actions that have left it less than chummy with many hunters.

In October 1985, only weeks before the opening day of waterfowl season in Maryland, NPS filed a blind-site license application with the Maryland Department of Natural Resources to secure park shoreline on the federal Piscataway Park in southern Maryland.

The NPS was licensed for all 13 of the blind-sites around the area, known as Mockley Point, at the confluence of Piscataway Creek and the Potomac River. The marshy point has been used for nearly 15 years by local duck hunters, who use off-shore floating blinds. Shooting over—away from the park—the river, the hunters come to the area to enjoy the quiet and excellent duck hunting.

But all of that was threatened when the NPS filed its blind-site application. Hunters would not have been allowed to use the floating blinds in the area because they would have been too close

to the newly licensed—and unused—park blind-sites.

Hunters who use the area were hopping mad and they let people know it.

Hunter and local resident Jack Weatherbee contacted Washington Times outdoor writer Gene Mueller and gave him a tour of the area. Mueller reported that the hunters believed that a \$100 donation to the park management from a residential area adjoining the park resulted in the buying up of all of the blind-sites. Many of the residents have complained about the noise of the shooting and are concerned about safety.

Superintendent of National Capital Parks/East Burnice Kearney, manager of Piscataway Park, told Mueller that his office did receive such a donation, but denied that it affected the decision to secure the blind-sites.

Kearney said that there were three reasons for buying all the blind-sites. There is a school for environmental education located near Mockley Point, and instructors expressed concerns

about hunters in the area, said Kearney. Also, coves around the area are actually part of the park—even though submerged—and there is no hunting on park land. Finally, Kearney said that there have been sightings of bald eagles in the area. Safety and noise seemed to be secondary reasons for closing the area to hunting.

But Susan Recce, deputy assistant secretary for the U.S. Interior Department's Fish and Wildlife and Parks, said that NPS told her office that their concern for safety and past—unsubstantiated—shooting incidents prompted their actions.

Recce and William Horn, assistant secretary for Fish and Wildlife and Parks, were asked to intervene in the matter by National Rifle Association lobbyist James Baker, who was contacted by some of the local hunters.

"We looked at it (the situation) and there was some question as to whether or not the safety concern was valid," said Recce.

After intense questioning and pressure

from the Fish and Wildlife and Parks of vice—and one week after the duck season began—NPS returned seven of the 13 blind-sites to the state of Maryland and the hunters.

"We missed about a week of, presumably, better hunting," said James Gilfillan, one of the duck hunters.

The hunters are not really bitter about their ordeal with NPS; they are glad they got to hunt duck this past season. But they are concerned with what appears to be a dangerous trend starting at NPS.

In 1983, NPS issued new regulations that would prohibit hunting and trapping in certain national park recreation areas where those activities historically have been allowed. The NRA filed suit to reverse the regulations, and the case is pending in U.S. District Court for the District of Columbia.

And, the park service is attempting to buy two islands off the Southern California coast and stop hunters from taking wild sheep and other big game animals that inhabit the islands.

Pro-Gun Groups File Brief in Gun Liability Case

ANNAPOLIS, Md.—The Maryland Court of Appeals recently rejected several pro-gun groups' arguments in denying a motion to reconsider its ruling that manufacturers of "Saturday Night Specials" may be held strictly liable for injuries caused by the criminal misuse of their products.

The Gun Owners of America Inc., the Second Amendment Foundation and the Congress of Racial Equality filed their friends of the court brief on behalf of Roehm Gesellschaft (a West German gun manufacturer) and R.G. Industries (its U.S. subsidiary) in their motion for reconsideration of the case of *Kelley vs. R.G. Industries*. In that case, Olen J. Kelley alleges that he was shot with an R.G.-made .38-caliber revolver, and is seeking damages from the gun manufacturer.

The Maryland Court of Appeals on Oct. 3 ruled that manufacturers of "small, inexpensive handguns, commonly known as 'Saturday Night Specials,'" may be sued for injuries caused by a third party's criminal misuse of the guns.

The court said that the maker of a "Saturday Night Special knows or ought to know that he is making a product principally to be used in criminal activity."

Maryland's highest court described "Saturday Night Specials" as "generally characterized by short barrels, light weight, easy concealability, low costs, use of cheap quality materials, poor manufacture, inaccuracy and unreliability." The court went on to say that those characteristics make the gun "particularly attractive for criminal use and

virtually useless for the legitimate purposes of ... protection of persons, property and businesses."

In their brief, the Gun Owners of America and the Second Amendment Foundation—CORE, a nationwide civil rights group, focused on the discriminatory nature of the court's opinion (see Monitor, Dec. 15)—pointed out the court's definition of a "Saturday Night Special" is overly broad and inaccurate, its ruling will have an adverse effect on the manufacturers of "quality" handguns, and that the court relied on incomplete research on gun use by criminals as the basis for its decision.

The amici attacked the court's description of a "Saturday Night Special" and its statement that the gun's characteristics make it useless for self-defense, noting that "no standard reference work is cited for this view nor are any specific test results referenced."

The brief, prepared by the New York law firm of Benenson and Kates, pointed out that "not even one case has been cited of successful safety defect litigation against a Saturday Night Special manufacturer."

GOA and SAF said that U.S. Treasury Department-sponsored testing showed that cheap and expensive handguns were "functionally equivalent in utility, safety and reliability for ordinary personal defense purposes."

Describing the gun as inaccurate is irrelevant, said the pro-gun groups, because most handgun shootings occur at close quarters. FBI studies show that the majority of shootings take place at a

range of seven yards or less, "and more commonly at about seven feet."

"There is no basis for concluding that cheap handguns are unreliable for the self-defense purpose," stated the brief. "The proof that the more expensive is better in no way implies that the less expensive is worthless."

The court's definition also will have an adverse impact on the manufacturers of "quality" handguns, said GOA and SAF.

"The decision, although intended to exempt the manufacturers of quality handguns, will inevitably involve them in endless litigation as plaintiffs argue that a particular firearm, despite high price, has other characteristics ... which the Court found to be those of Saturday Night Specials," the brief stated. "In every suit involving criminal misuse of a quality detective-type handgun the manufacturer will be put to the expense of proving at trial by expert testimony that the gun falls outside the opinion's loosely defined class of Saturday Night Specials."

Finally, the Court of Appeals' fundamental basis for its ruling, that "Saturday Night Specials" are regularly used in crime, was refuted by the amici.

The brief relied on experts in the field of criminology and their studies of criminals and gun use to counter the court's assertions.

Professor David Bordua: "Since the number of Saturday Night Specials (however defined) that have been sold enormously exceeds the amount of gun

crime even in ghetto areas, the vast majority of these weapons cannot be being used in crime."

Professor James Wright: "Every rigorous American study of gun crime has shown that the majority of crime guns are not Saturday Night Specials."

"There are just not enough criminals in the United States to account for the purchasing of a majority of the Saturday Night Specials produced."

"Our recent survey of felony convicts ... finds them giving reliability, accuracy, firepower, and high quality in general, as their primary criteria for gun desirability."

The amici concluded that there was no basis for the court's statements that most Saturday Night Specials are used for criminal activity or that they are "particularly attractive" to criminals.

The brief closed by posing some questions that had been raised by the ruling, but had not been answered by the Court of Appeals.

Asked the amici: "If cheap handguns were both unreliable and predominant as crime weapons (and the court said they are), would the best social policy response clearly be to make them unavailable so that at least some criminals would resort to more reliable weapons?"

The Court of Appeals apparently ignored that question and others as well as comprehensive studies and statistics in rejecting the motion for reconsideration, and opened the gates for a flood tide of product liability suits against the manufacturers of all handguns.

State Supreme Courts Hear Cases Affecting Gun Owners

TALLAHASSEE, Fla.—The Florida Supreme Court on Dec. 19 reversed a lower court's unanimous decision that Broward County's 1984 handgun referendum violated the state constitution.

The action paves the way for a 10-day waiting period and background check on handgun buyers throughout the South Florida county, while state pro-gun groups and the National Rifle Association will step up their efforts for Florida pre-emption.

The protracted legal case began in March 1984, when Broward County passed a referendum authorizing a county-wide gun control law. Under the referendum's provisions, municipal governments were barred from "opting out" of the measure as they had been allowed in the past.

Immediately after the March vote, Ft. Lauderdale attorneys Eugene Heinrich and Robert Cox challenged the referendum's legality under Florida's home rule doctrine for cities. Their claim, which was initially rejected by Circuit Court Judge Robert Able, was later upheld by a three-judge panel of Florida's Court

Appeal for the Fourth District in a unanimous Oct. 10, 1984 ruling.

Broward County appealed that decision to the state high court, seeking to bind Ft. Lauderdale, Sunrise, Plantation, Dania, Pompano and other pro-gun cities—which had rejected the anti-gun measure—to the county's waiting period.

In its December ruling, the Florida Supreme Court said that counties could pre-empt city governments in the area of handgun control, which the court said "will best further the ends of government."

The court likened gun control to municipal "services" such as water and pollution control, parks and recreation, zoning and police.

State pro-gun organizations, led by the Unified Sportsmen of Florida, said the state high court's ruling would increase their efforts for passing a pre-emption bill in the Florida Legislature. Such a measure would bring uniformity to Florida's gun laws, prohibiting a myriad of county restrictions such as waiting periods in Broward and Dade counties.

VIRGINIA BEACH, Va.—The Virginia Supreme Court will decide this month whether to hear a legal appeal that attempts to overturn a law requiring city residents to obtain permits to purchase handguns.

The appeal is the result of a May 1985 decision by the Circuit Court for the City of Virginia Beach that upheld the permit law. The City Council passed the permit ordinance in 1982.

The appeal, filed by National Rifle Association Assistant General Counsel Richard E. Gardiner, argues that under state law only certain counties—and no cities—are permitted to enact handgun permit-to-purchase schemes.

Citing Virginia's Dillon rule, which provides that local governing bodies may not enact legislation unless granted permission by the state Legislature, Gardiner maintained that the General Assembly has not granted Virginia Beach permission to enact a gun ordinance.

In the May ruling upholding the gun ordinance, Circuit Court Chief Justice Henry L. Lam stated "... the Dillon rule does not invalidate the ordinance.... In our cities we live in a heavily structured

society. While preserving individual freedom as best we can, the dense population of our urban areas has caused the adoption of many additional laws deemed necessary to adjust to crowded living conditions."

Lam's opinion dissented from a 1983 non-binding opinion issued by then-state Attorney General Gerald L. Baliles that said the permit-to-purchase requirement was illegal.

The petition to appeal the Circuit Court's decision states: "The Circuit Court has plainly concluded that the Dillon rule does not apply to densely populated urban areas. For this novel proposition, no authority has been cited. Rather the Circuit Court apparently has concluded that the Dillon rule is outdated and has no application to modern urban jurisdictions. The Dillon rule ... is not a rule that a Circuit Court may, in some instances, refuse to apply."

Under Virginia law, only counties with a density of population of more than 1,000 per square mile have the power to enact handgun ordinances. Currently only Arlington and Fairfax counties fall into that category.

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The NRA Voluntary Practical Firearms Program teaches safe gun handling, the basics of marksmanship, firearms and the law and how to avoid criminal attacks.

Practical Firearms Program: Training for Self-Protection

By Katie O'Rourke
NRA Public Education

WASHINGTON—The National Rifle Association announced in January that more than 250,000 people, the majority of whom are women, have completed the organization's Voluntary Practical Firearms Program (VPFP).

The VPFP, created in 1983 by a coalition of experts in law enforcement, personal security and marksmanship, was developed in response to thousands of requests NRA received from women and older people for an effective self-protection program.

According to the program's national coordinator, Katie Maguire, more than 26 million women in America either own or have access to guns. "Women have adopted lifestyles independent of male protectors and are using guns for self-defense instead of relying on passive

resistance. Women are buying guns and learning how to use them," Maguire said.

The nine-hour VPFP course covers a wide range of subjects including shooting and firearm safety; handgun basics; and the care, cleaning and storage of guns. Additionally, local experts in the fields of law enforcement and self-protection teach classes in firearms and the law, and avoiding criminal attacks.

More than 10,000 classes are conducted annually by 5,000 NRA-certified instructors throughout the country. The cost of the course ranges from \$5 to \$10 to cover the cost of the materials and it is not necessary to own a gun to attend the course.

For further information, contact: Kathleen Maguire, NRA Education and Training, 1600 Rhode Island Avenue, N.W., Washington, D.C. 20036 (202) 828-6259.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 2, 1986

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Handgun Control, Inc.
1400 K Street, N.W.
Washington, D.C. 20005

Re: MUR 2115

Dear Gentlemen:

This letter is to notify you that on December 23, 1985, the Federal Election Commission received a complaint which alleges that the Handgun Control, Inc. may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2115. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against the Handgun Control, Inc. in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

EXHIBIT 2

35040362425

If you have any questions, please contact Maura Callaway, the staff person assigned to this matter at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

Kenneth A. Gross (KAG)

By Kenneth A. Gross
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

36040362426



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20543

*OGE
Sohit*

SENSITIVE

MEMORANDUM TO: THE COMMISSION
FROM: MARJORIE W. EMMONS / CHERYL A. FLEMING *CAF*
DATE: FEBRUARY 21, 1986
SUBJECT: MUR 2142 - COMPLAINT

The attached has been circulated for your information.

36040361427

Attachment

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5. On or about December 17, 1985, the NRA filed a complaint with the Federal Election Commission alleging that HCI and/or its separate segregated fund Handgun Control, Inc. Political Action Committee ("HCI-PAC") violated provisions of the Federal Election Campaign Act. The Commission has docketed this matter as MUR 2115. Exhibit 2.
 6. By letter dated January 2, 1986, and received on January 9, 1986, Charles Steele on behalf of the Commission notified HCI that it had received the NRA complaint commencing MUR 2115. In that letter of notification, Mr. Steele noted "This matter will remain confidential in accordance with 2 U.S.C. §437g (a)(4)(B) and §437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public." Exhibit 2.
 7. HCI has not notified the Commission that it wishes any aspect of MUR 2115 to be made public; nor, has HCI itself taken any steps to make public MUR 2115.
 8. On or about January 15, 1986, the NRA published Volume 13, No. 1 of MONITOR, the cover page of which reported "Handgun Control Inc. has engaged in unlawful solicitations of political contributors and made corporate contributions to its Political Action Committee in violation of federal law, according to a National Rifle Association complaint filed with the Federal Election Commission. [See story, page 1]." Page 1 of this same edition of MONITOR contained a story that discussed MUR 2115 in more detail. Exhibit 1, pages 1 and 2.
 9. By making these disclosures concerning MUR 2115 in the official publication of the NRA's Institute for Legislative Action, the NRA willfully violated HCI's right to confidentiality in derogation of both the Federal Election Campaign Act and the Commission's regulations. 2 USC §437g(a)(12)(A); 11 C.F.R. §111.21. See H.R.Rep. No. 422, 96th Cong., 1st Sess. 22-23 reprinted in 1979 US Code Cong. and Ad. News 2860, 2882-83.

MONITOR

NATIONAL RIFLE ASSOCIATION

Institute for Legislative Action

Volume 11 Number 1 January 15, 1988

At A Glance

The Wilmington, Del., City Council is expected to consider an ordinance to ban the sale and possession of handguns. Already, pressure has been put on council members to reject the ban proposal. [See story, page 1.]

Handgun Control Inc. has engaged in unlawful solicitations of political contributions and made corporate contributions to its political action committee in violation of federal law, according to a National Rifle Association complaint filed with the Federal Election Commission. [See story, page 1.]

New York Gov. Mario Cuomo, once again, has slighted NRA members and hunters. The possible 1988 presidential candidate recently tried to downplay his remark made in March 1985 that NRA members "drink beer, don't vote and lie to their wives about where they were all weekend." Cuomo said the remark was made in jest at a dinner last summer. [See story, page 2.]

Most state legislatures reconvene this month, and a flurry of pro- and anti-gun bills have been pre-filed and await in-

roduction in their respective statehouses. [See state roundup, page 3.]

Richard Munday, editor of the British magazine *Handgunner*, talks about firearms and firearms laws in Great Britain and the United States in a Monitor interview. [See interview, pages 4 and 5.]

The 21 field representatives of the National Rifle Association provide an important link between the association's 3 million members and its elected officials who carry out NRA policies. The NRA Field Services Division has updated and revised its list of field representatives. [See list, page 6.]

The Supreme Courts of Florida and Virginia have made or soon will be making decisions in cases of great importance to gun owners in portions of those states. [See story, page 7.]

More than 250,000 people, the majority of them women, have completed the NRA's Voluntary Practical Firearms Program. Started in 1983, the VPPF trains people in the safe and effective use of firearms for self-protection. [See story, page 8.]

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Past Presidents, Officials Praise NRA

The concept of an armed citizenry has been endorsed by chiefs of state and the military since America was founded. In looking through the NRA archives recently, we found some interesting correspondence by famous military and political figures that we thought our readers might enjoy:

"Expertness in the use of the rifle cannot be over-emphasized. If the Cleveland Civilian Marksmen's Association is bringing this kind of training and knowledge to the men who will one day become either officers or enlisted men in any of the armed forces, it is doing them, and the country, a service of incalculable value."

— Dwight D. Eisenhower
commander-in-chief of the
Allied Force Headquarters
August 16, 1943

"I hope that the splendid program which the National Rifle Association has followed during the last three-quarters of a century will be continued. It is a program which is good for a free America."

— President Harry Truman
November 14, 1945

"The record of the National Rifle Association during World War II has been one in which its members should take great pride. The nation is fortunate in having such an organization upon which it can rely for the continued development of proficiency in the use of small arms by the citizens of this country."

— George Marshall
chief of staff of the
War Department
October 30, 1945

"I take this opportunity to congratulate the National Rifle Association for its untiring efforts to encourage marksmanship training among the youth of our country. The Association deserves much credit for its contribution to the promotion of competitive shooting which bore much fruit in the training camps and on the battlefields of World War II as well as during the present national emergency."

— President Harry Truman
September 20, 1951

"Through competitive matches and sports in coordination with the National Board for the Promotion of Rifle Practice, the National Rifle Association fills an important role in our national defense effort, and fosters in an active and meaningful fashion the spirit of the Minute-men."

— President John F. Kennedy
March 20, 1961

"The NRA believes America's laws were made to be obeyed and that our constitutional liberties are just as important today as 200 years ago. The Constitution does not say Government shall decree the right to keep and bear arms. The Constitution says 'the right of the people to keep and bear arms shall not be infringed.' No group does more to promote gun safety and respect for the laws of this land than the NRA, and I thank you."

— President Ronald Reagan
May 6, 1983

Cuomo Gives 'New' Description of NRA Members



Governor Mario Cuomo

gaffe to reporters for Albany radio station WINS.

When asked to recall his personal worst in 1985, Cuomo recounted remarks made about the NRA. He told the radio station that the remarks were made at a dinner in California last summer. (Summer usually is considered to be the time from June through September. Cuomo made his off-the-cuff comments in March.)

Said Cuomo: "I said in a jocular way, these guys are out pretending they're hunting. They're really having a party and they're lying to their wives about it. They'll buy a deer, strap it to the car and bring it home. The guys (at the dinner) laughed; we all laughed, but they put it on the wire and 6 million NRA people hoisted their pistols and their cannons and pointed them at Albany, as I would if I were an NRA member."

For his remarks in the Times, Cuomo received a letter from NRA-Institute for Legislative Action Executive Director J. Warren Cassidy, who wrote that the governor was "perpetuating an unfair and prejudiced stereotype that is unjustified and intolerable."

"You pride yourself as a champion against ethnic prejudice, yet you continually demonstrate the most unforgivable and callous prejudice against those who choose to own guns and hunt."

"You will see for yourself whether or not NRA members vote," Cassidy's letter concluded.

Cuomo tried to allay NRA's wrath in a letter to then-NRA President Howard Pollock, saying that politicians say things from time to time that may create "baseless concerns."

"My response was inartful," said Cuomo. "It could leave a false impression of disrespect for the National Rifle Association."

NRA officials, who viewed Cuomo's so-called apology as less than sincere, consider the governor's recent radio remarks as an attempt to "brush off" his earlier statements about the organization.

The 3 million-member association has renewed its pledge to oppose Cuomo in his bid for re-election in 1986—there are 200,000 NRA members in New York—and should he run for the 1988 presidential nomination.

Correction

In the production of the Dec. 31 Monitor (Vol. 12, No. 24), the printing company accidentally transposed the photos on pages 1 and 7 on certain issues. A limited supply of corrected copies is available from NRA Public Education. Our printers apologize for the error.

Monitor Reprint Policy

It is the policy of the National Rifle Association to make available to the public, without charge, reprints of articles appearing in the Monitor. Requests for reprints should be sent to the National Rifle Association, 1700 Rhode Island Avenue, N.W., Washington, D.C. 20036. Reprints are available in quantities of 100 or more. A charge of \$1.00 per copy applies to quantities of 100 or more. A charge of \$2.00 per copy applies to quantities of 500 or more. A charge of \$3.00 per copy applies to quantities of 1000 or more. A charge of \$4.00 per copy applies to quantities of 2000 or more. A charge of \$5.00 per copy applies to quantities of 5000 or more. A charge of \$6.00 per copy applies to quantities of 10000 or more. A charge of \$7.00 per copy applies to quantities of 20000 or more. A charge of \$8.00 per copy applies to quantities of 50000 or more. A charge of \$9.00 per copy applies to quantities of 100000 or more. 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An Exclusive Monitor Interview

British Scholar Richard Munday

By Drake Tray Rosen
Monitor Staff Writer



Richard Munday, the assistant editor of Handgunner magazine in Britain, was recently in Washington completing a fellowship with the Division of Armed Forces History in the National Museum of American History, Smithsonian Institution. A graduate of Oxford University, Munday's research focused on the development of the American rifle movement and the citizen-soldier concept. America between 1880 and the present. Munday's new project will be a two-year research fellowship in Geneva for the Institute for Humanistic and International Studies, where he will examine and compare various European rifle movements and the concept of citizen-soldiers.

MONITOR: What exactly are Britain's firearm laws and are they more restrictive than those enforced in the United States?

MUNDAY: That depends. The big shock upon arriving in the U.S. was finding that you have more than 20,000 separate gun laws. The advantage of the English system is that we have just one law applying to the entire country. It is a bad law, but at least it's constant. We don't have this problem of laws changing from town to town, city to city and state to state. Now, whether the English system is better or worse depends on what part of America you're from. If you come from Wyoming, you will be appalled by Britain's gun laws. On the other hand, if you come from the District of Columbia or New York, you're going to think it the other way around.

MONITOR: How are firearms regulated in Britain?

MUNDAY: Basically there are two types of firearm registration in Britain—firearm certificates for pistols and rifles, and shotgun certificates for shotguns. Under the terms of Britain's Firearms Act, for each individual rifle or pistol that you want, you must justify why you want it. In order to justify it, you must show what is known as "good reason." Unfortunately, "good reason" is open to interpretation and that interpretation has differed through the course of time. For example, in 1945, the accepted reason for wanting a pistol was "personal protection." Today, if you apply to your local police force and said you wanted a pistol for personal protection, the application would be rejected out-of-hand. The text of the law hasn't changed, just the interpretation of it.

MONITOR: What is considered "good reason" today?

MUNDAY: For pistols, competition shooting is generally the only accepted reason. For small bore or hunting rifles, then obviously hunting is justifiable. Pest control and rodent control are acceptable reasons for owning a rifle. Basically, it has been a general turn-around in attitudes with regard to the freedom of the individual and the state and the notion of how far you can rely on the police force.

MONITOR: When would you say that this "general turn-around" became most noticeable?

MUNDAY: Well, it has been a gradual change since the first handgun laws were introduced in the 1920's. But I would say 1968, which was a bad year for shooters in general, marked a turning point. In that year we had a new Firearms Act passed that basically consolidated all of the previous ones. Since then, there has been a different approach on the part of police departments and the bureaucracy in enforcing and interpreting firearm laws. They have taken to enforcing several very strict policies including pricing applicants out of the market. For example, the fees for firearm certificates have gone up dramatically since 1968. Back then, if I remember correctly, a firearm certificate was about a half-a-dollar. Now it costs about \$35. People who are keen on shooting don't mind paying that every three years, but for the casual shooter and the shooter who keeps a rifle to shoot rabbits on his farm, the price is a little high. These are the people who tend to give up their licenses rather than spend the money to renew them.

Another policy the police in many forces have adopted is to require applicants to fill out other forms in addition to those required by law. Frequent-

ly, it is just a duplication of information, but basically it means that people have got to go through a lot of paperwork, time and trouble to get access to firearms. And back to the matter of "good reason," if a person says he wants a pistol or rifle for competitive shooting, the first thing the police will ask is what club you belong to. Then they will demand a letter from the secretary of the club confirming that the applicant is a keen shooter. Now there is no basis in law for demanding an applicant to be a member of a club, but in practice, a person has to be in order to get a license for a pistol or anything other than a hunting rifle.

So you see the law hasn't changed, but the practice of enforcement has driven more than 50,000 people out of shooting in the past 10 years. Given the fact there are only 300,000 certificate holders in the entire country, 50,000 is quite significant.

MONITOR: What about shotguns?

MUNDAY: The shotgun legislation was introduced, once again, in everyone's bad year, 1968. Until then, there was no registration on shotguns whatsoever. Now an applicant must have two character references and fill out the basic forms on occupation and personal information. Provided the applicant doesn't have a criminal record or isn't insane, the issue is automatic. There are proposals now pending, however, to toughen up the system and require applicants for shotguns to fulfill the same requirements demanded for the pistol and rifle certificate system. Under that system, the burden is on you to justify each and every weapon. Shotgun certificates are issued on personal character rather than the weapon.

There is an interesting twist to the way the shotgun legislation got passed. In 1967, there was a media issue raised on how terrible it was that shotguns could be purchased from shops and then sawed off and used in crime. At the time, the issue was reviewed by Roy Jenkins, then the home secretary. He looked at the situation in a reasonably intelligent manner and came to the conclusion that there was no statistical case for introducing shotgun legislation. But in the spring of 1968, legislation on shotguns was introduced because between 1967 and 1968 three policemen were killed with handguns even though handguns had been strictly controlled since 1920. So the government, because of the media issue, had to be seen to do something, and regulated shotguns, ignoring the fact that the issue had been declared irrelevant 12 months before.

MONITOR: Have these policies helped to deter crime or is firearm-

related crime increasing in Britain?

MUNDAY: Firearm-related crime has increased in direct proportion to violent crime. Violent crime has increased so therefore, some subtraction of that is the element of gun crime. But there hasn't been a change in the overall balance since any of these laws were enacted. The proportion was there before the legislation was introduced and it's here afterwards, so it just goes to show that firearm laws have been an answer to a non-existent question. One of the things about introducing any legislation on firearms is that it is the easy answer. It's irrelevant, but the politicians or whoever is doing it can be seen by the people and the media to be doing something. And most people, who don't appreciate what the real situation is, are satisfied.

MONITOR: Experts have speculated that Europe may one day adopt a standard firearms code that would even further restrict gun ownership rights. Can you see this happening?

MUNDAY: Absolutely. In Britain and probably eventually the U.S., one of the principal threats we are going to face is going to come from Europe and resolutions made by the Council of Europe. The Council is anxious to put forth resolutions on anything it can agree on to signify unity. It cannot agree on the more contentious issues like agriculture, defense and other powerful interests, but it can agree on standardizing firearm legislation. As far as the European governments are concerned, the shooting community is an expendable one. It is not a big electorate. So uniform firearm laws could be used by the Council in a show of unity without it having to agree on the more problematic issues.

What this would mean would be that everybody would get the worst of everybody's laws. Of course every society has its own variety of craziness and it would be a combination of every country's worst in respect to gun control. For example, the Italian law, which prohibits private ownership of all military-caliber firearms, could be adopted all over Europe.

I believe that if uniform firearm laws are adopted in Europe, it will imperil the U.S. to some degree because the pressure from the world will influence lawmakers and say, "Look this is the way it should be done. The Europeans have adopted a strict uniform gun code and so should the U.S." The Council, which has been working on these types of proposals for many months, also would claim that a uniform gun law across Europe would be an effective counter-terrorist measure. Again, the U.S. could be

Field Reps.: NRA Key to Communications

The NRA Field Representative Areas were renumbered on Jan. 1 to put them in a logical numerical sequence, according to Anthony Madda, field staff coordinator. The new listing appears below.

AREA 1
Maine, Vt., N.H., R.I., Mass., Conn.
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(203) 928-6934

AREA 2
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Richard R. Sorrentino
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AREA 3
Pa.
Alan S. King
315 S. Allen St., #225
Ezra College, Pa. 16801
(814) 234-2222

AREA 4
Del., Md., Va., W. Va., District of Columbia
John Hopf
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Hollywood, Md. 20636-2018
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AREA 5
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Clinton, N.C. 28328
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AREA 6
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Dave Laub
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Port Richey, Fla. 33568
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AREA 7
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Baton Rouge, La. 70808
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AREA 8
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AREA 9
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Fremont, Ind. 46737
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AREA 10
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Burlington, Iowa 52601
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AREA 11
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1460 Zimmerman Place
St. Louis, Mo. 63132
(314) 991-2643

AREA 12
Texas, Puerto Rico
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Granbury, Texas 76048
(817) 573-3669

AREA 13
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Sand Springs, Okla. 74063
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Gig Harbor, Wash. 98335
(206) 859-3500

AREA 21
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Rupert Andrews
9416 Long Run Drive
Juneau, Alaska 99801
(907) 789-7422

Anti-Hunting Actions by NPS Have Many Hunters Concerned

WASHINGTON—Recently, the National Park Service has initiated actions that have left it less than chummy with many hunters.

In October 1985, only weeks before the opening day of waterfowl season in Maryland, NPS filed a blind-site license application with the Maryland Department of Natural Resources to secure park shoreline on the federal Piscataway Park in southern Maryland.

The NPS was licensed for all 13 of the blind-sites around the area, known as Mockley Point, at the confluence of Piscataway Creek and the Potomac River. The marshy point has been used for nearly 15 years by local duck hunters, who use off-shore floating blinds. Shooting over—away from the park—the river, the hunters come to the area to enjoy the quiet and excellent duck hunting.

But all of that was threatened when the NPS filed its blind-site application. Hunters would not have been allowed to use the floating blinds in the area because they would have been too close

to the newly licensed—and unused—park blind-sites.

Hunters who use the area were hopping mad and they let people know it.

Hunter and local resident Jack Weatherbee contacted Washington Times outdoor writer Gene Mueller and gave him a tour of the area. Mueller reported that the hunters believed that a \$100 donation to the park management from a residential area adjoining the park resulted in the buying up of all of the blind-sites. Many of the residents have complained about the noise of the shooting and are concerned about safety.

Superintendent of National Capital Parks/East Burnice Kearney, manager of Piscataway Park, told Mueller that his office did receive such a donation, but denied that it affected the decision to secure the blind-sites.

Kearney said that there were three reasons for buying all the blind-sites. There is a school for environmental education located near Mockley Point, and instructors expressed concerns

about hunters in the area, said Kearney. Also, coves around the area are actually part of the park—even though submerged—and there is no hunting on park land. Finally, Kearney said that there have been sightings of bald eagles in the area. Safety and noise seemed to be secondary reasons for closing the area to hunting.

But Susan Recce, deputy assistant secretary for the U.S. Interior Department's Fish and Wildlife and Parks, said that NPS told her office that their concern for safety and past—unsubstantiated—shooting incidents prompted their actions.

Recce and William Horn, assistant secretary for Fish and Wildlife and Parks, were asked to intervene in the matter by National Rifle Association lobbyist James Baker, who was contacted by some of the local hunters.

"We looked at it (the situation) and there was some question as to whether or not the safety concern was valid," said Recce.

After intense questioning and pressure

from the Fish and Wildlife and Parks office—and one week after the duck season began—NPS returned seven of the 13 blind-sites to the state of Maryland and the hunters.

"We missed about a week of, presumably, better hunting," said James Gilfillan, one of the duck hunters.

The hunters are not really bitter about their ordeal with NPS, they are glad they got to hunt duck this past season. But they are concerned with what appears to be a dangerous trend starting at NPS.

In 1983, NPS issued new regulations that would prohibit hunting and trapping in certain national park recreation areas where those activities historically have been allowed. The NRA filed suit to reverse the regulations, and the case is pending in U.S. District Court for the District of Columbia.

And, the park service is attempting to buy two islands off the Southern California coast and stop hunters from taking wild sheep and other big game animals that inhabit the islands.



The NRA Voluntary Practical Firearms Program teaches safe gun handling, the basics of marksmanship, firearms and the law and how to avoid criminal attacks.

Practical Firearms Program: Training for Self-Protection

By Katie O'Rourke
NRA Public Education

WASHINGTON—The National Rifle Association announced in January that more than 250,000 people, the majority of whom are women, have completed the organization's Voluntary Practical Firearms Program (VFPF).

The VFPF, created in 1983 by a coalition of experts in law enforcement, personal security and marksmanship, was developed in response to thousands of requests NRA received from women and older people for an effective self-protection program.

According to the program's national coordinator, Katie Maguire, more than 26 million women in America either own or have access to guns. "Women have adopted lifestyles independent of male protectors and are using guns for self-defense instead of relying on passive

resistance. Women are buying guns and learning how to use them," Maguire said.

The nine-hour VFPF course covers a wide range of subjects including: shooting and firearm safety; handgun basics; and the care, cleaning and storage of guns. Additionally, local experts in the fields of law enforcement and self-protection teach classes in firearms and the law, and avoiding criminal attacks.

More than 10,000 classes are conducted annually by 5,000 NRA-certified instructors throughout the country. The cost of the course ranges from \$5 to \$10 to cover the cost of the materials and it is not necessary to own a gun to attend the course.

For further information, contact: Kathleen Maguire, NRA Education and Training, 1600 Rhode Island Avenue, N.W., Washington, D.C. 20036 (202) 828-6259

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If you have any questions, please contact Maura Callaway, the staff person assigned to this matter at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

Kenneth A. Gross (KAG)
By Kenneth A. Gross
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION
WASHINGTON DC 20543

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SENSITIVE

MEMORANDUM TO: THE COMMISSION

FROM: MARJORIE W. EMMONS / CHERYL A. FLEMING *CAF*

DATE: FEBRUARY 21, 1986

SUBJECT: MUR 2142 - COMPLAINT

The attached has been circulated for your information.

35040582435

Attachment

HANDGUN CONTROL

ONE MILLION STRONG . . . working to
keep handguns out of the wrong hands.

02 FEB 20 12:07

SENSITIVE

February 14, 1986

Mr. Charles N. Steele
General Counsel
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

96 FEB 19 11:28

GENERAL COUNSEL

Dear Mr. Steele:

Pursuant to 2 U.S.C. §437g(a)(1) and 11 C.F.R. §111.4(a), I request that you investigate the following complaint alleging that the National Rifle Association ("NRA") has violated section 437g(a)(12)(A) of title 2, United States Code, and section 111.21(a) of title 11, Code of Federal Regulation, by making public MUR 2115. This complaint is filed on behalf of Handgun Control, Inc. ("HCI"), 1400 K Street, N.W., Washington, D.C. 20005.

It is averred that:

1. On information and belief, the NRA is a membership corporation chartered in New York in 1871.
2. On information and belief, the "Institute for Legislative Action" is an office within the NRA organized in 1975 for the purpose of engaging in lobbying and other political activities of the NRA.
3. MONITOR is the official publication of the NRA's Institute for Legislative Action. Exhibit 1*, page 3.
4. MONITOR is available to the general public. Exhibit 1, page 3.

*Exhibit 1 is a xerox copy of Volume 13, No. 1 of MONITOR dated January 15, 1986. An original copy of the January 15 MONITOR was attached to HCI's response in MUR 2115 filed January 23, 1986.

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5. On or about December 17, 1985, the NRA filed a complaint with the Federal Election Commission alleging that HCI and/or its separate segregated fund Handgun Control, Inc. Political Action Committee ("HCI-PAC") violated provisions of the Federal Election Campaign Act. The Commission has docketed this matter as MUR 2115. Exhibit 2.
6. By letter dated January 2, 1986, and received on January 9, 1986, Charles Steele on behalf of the Commission notified HCI that it had received the NRA complaint commencing MUR 2115. In that letter of notification, Mr. Steele noted "This matter will remain confidential in accordance with 2 U.S.C. §437g (a)(4)(B) and §437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public." Exhibit 2.
7. HCI has not notified the Commission that it wishes any aspect of MUR 2115 to be made public; nor, has HCI itself taken any steps to make public MUR 2115.
8. On or about January 15, 1986, the NRA published Volume 13, No. 1 of MONITOR, the cover page of which reported "Handgun Control Inc. has engaged in unlawful solicitations of political contributors and made corporate contributions to its Political Action Committee in violation of federal law, according to a National Rifle Association complaint filed with the Federal Election Commission. [See story, page 1]." Page 1 of this same edition of MONITOR contained a story that discussed MUR 2115 in more detail. Exhibit 1, pages 1 and 2.
9. By making these disclosures concerning MUR 2115 in the official publication of the NRA's Institute for Legislative Action, the NRA willfully violated HCI's right to confidentiality in derogation of both the Federal Election Campaign Act and the Commission's regulations. 2 USC §437g(a)(12)(A); 11 C.F.R. §111.21. See H.R.Rep. No. 422, 96th Cong., 1st Sess. 22-23 reprinted in 1979 US Code Cong. and Ad. News 2860, 2882-83.

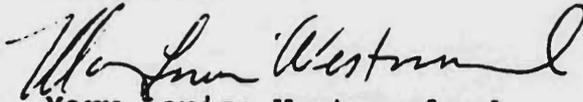
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Mr. Charles N. Steele
February 14, 1986
Page 3

CONCLUSION

The NRA should be sanctioned to the fullest extent allowed by U.S.C. §437G(A)(12)(B) for its willful violation of HCI's rights and the Commission's confidentiality procedures.

Sincerely,



Mary Louise Westmoreland
General Counsel

MLW:vbf

The foregoing is based on my knowledge except insofar as averments identify the source of information on which they are based or are expressly made on information and belief.

Sworn to and subscribed before me this 14th day of February, 1986.

Cindy C Peterson
Notary Public

Feb. 14, 1991
My Commission Expires

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MONITOR

NATIONAL RIFLE ASSOCIATION

Institute for Legislative Action

Volume 11 Number 1 January 15, 1988

At A Glance

The Wilmington, Del., City Council is expected to consider an ordinance to ban the sale and possession of handguns. Already, pressure has been put on council members to reject the ban proposal. [See story, page 1.]

Handgun Control Inc. has engaged in unlawful solicitations of political contributions and made corporate contributions to its political action committee in violation of federal law, according to a National Rifle Association complaint filed with the Federal Election Commission. [See story, page 1.]

New York Gov. Mario Cuomo, once again, has slighted NRA members and hunters. The possible 1988 presidential candidate recently tried to downplay his remark made in March 1985 that NRA members "drink beer, don't vote and lie to their wives about where they were all weekend." Cuomo said the remark was made in jest at a dinner last summer. [See story, page 2.]

Most state legislatures reconvene this month, and a flurry of pro- and anti-gun bills have been pre-filed and await in-

roduction in their respective statehouses. [See state roundup, page 8.]

Richard Munday, editor of the British magazine *Handgunner*, talks about firearms and firearms laws in Great Britain and the United States in a Monitor interview. [See interview, pages 4 and 5.]

The 21 field representatives of the National Rifle Association provide an important link between the association's 3 million members and its elected officials who carry out NRA policies. The NRA Field Services Division has updated and revised its list of field representatives. [See list, page 6.]

The Supreme Courts of Florida and Virginia have made or soon will be making decisions in cases of great importance to gun owners in portions of those states. [See story, page 7.]

More than 250,000 people, the majority of them women, have completed the NRA's Voluntary Practical Firearms Program. Started in 1983, the VFPF trains people in the safe and effective use of firearms for self-protection. [See story, page 8.]

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Kentucky Governor Martha Layne Collins, one of the few women to hold such office, recently was presented with a 24K gold .38-caliber Colt Detective Special for her pro-gun political stand by the Kentuckiana Arms Collectors Association. Collins, who favors tougher jail sentences, more prisons and the death penalty as effective crime deterrents rather than restrictive gun laws, was elected to her current post in 1983. Making the presentation to Collins were (left to right) Winfred Sumner, vice president, KACA; Tony Wilson, president; Governor Collins; Jeffrey W. Flannery, gun engraver; and Floyd Poore, Kentucky secretary of transportation.

City to Consider Handgun Ban

WILMINGTON, Del. — An ordinance to ban the sale and possession of handguns in this city of 70,000 was introduced Dec. 19 at a City Council meeting.

Councilwoman Loretta Walsh sponsored the anti-gun measure that would prohibit the sale of handguns and require current handgun owners to deliver their guns to local police within six months from the date of enactment of the ordinance.

The ordinance calls for violators to be fined from \$500 to \$2,500 or sentenced up to six months in jail.

Although Delaware recently passed a firearm pre-emption law that prohibits local municipalities from adopting gun laws more restrictive than the state's, city attorneys who drafted the Wilmington ban proposal claim that they have found a loophole in the law. The state law says that no city may amend its charter to enact firearm laws more restrictive than the state's; lawyers for the city say their proposal is an amendment to an ordinance, not the city charter.

The proposed law, which was sent to the Public Safety Committee and is expected to be debated at a public hearing this month, was modeled after ordinances in Morton Grove, Evanston and

Oak Park, Ill. Indications are that the handgun bans in those Chicago suburbs have done little or nothing to reduce crime, and many of the gun-owning residents have ignored the provisions requiring that they surrender their handguns to police.

Walsh claims that many of her constituents voiced support for gun control, but fellow Delaware resident Nelson T. "Pete" Shields, president of Handgun Control Inc., told the Wilmington News Journal, "My group cannot support this law."

The Delaware State Sportsmen's Association is gathering support to fight the City Council proposal and DSSA President John Thompson is confident the ordinance will be defeated.

"I think we can win in City Council," said Thompson. "Then we're going to close this supposed loophole so that we don't have to fight this thing two years from now."

Thompson said that DSSA plans to amend the state pre-emption law to preclude local municipalities from amending their charters and ordinances with regard to gun control. Amending legislation is expected to be introduced when the Legislature reconvenes Jan. 14.

Complaint Filed Against HCI

WASHINGTON — Handgun Control Inc. unlawfully solicited contributions and made illegal corporate contributions to candidates running for federal office in 1984, the National Rifle Association has charged in a formal complaint recently filed with the Federal Election Commission.

The Dec. 19 complaint, filed by NRA Assistant General Counsels Janet Scherer and Richard Gardiner, stems from a July 1985 disclosure report filed with the FEC by HCI's political action committee, HCI-PAC. The report revealed that HCI-PAC "reimbursed" HCI for more than \$2,100 last January for in-kind contributions made by HCI on behalf of the PAC to 13 federal candidates in 1984.

Under federal law, it is illegal for a corporation to make campaign contributions or lend money to its PAC.

NRA's complaint also alleges that

HCI "knowingly entered false information on several of its 1984 reports to conceal HCI's corporate contribution."

The complaint states that, in at least three earlier disclosure reports to the FEC, HCI maintained that the in-kind contributions were made by HCI-PAC and not HCI.

NRA's complaint also charges HCI with violating federal law by soliciting contributions from individuals who are not members of the organization.

An earlier FEC directive ordered HCI to revamp its membership structure by assigning specific membership rights to individuals in order to make solicitations for political contributions. NRA's complaint charges that while HCI complied with the directive, it is not yet in compliance with federal law because it has not granted sufficient membership rights to supporters and has continued to solicit political contributions.

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State Roundup

Pennsylvania

HARRISBURG—Pistol carry permits may be extended from the current one-year validation period to an indefinite period if bills that were recently introduced in the state Legislature are approved.

S.B. 1265 was introduced in December by Sen. D. Michael Fisher to "correct the deficiencies in the current law, and stop the abuses of power that have been uncovered in many counties and towns in Pennsylvania," according to a press release from the Allegheny County Sportsmen's League.

A House companion bill, H.B. 819, was introduced in April by Rep. Robert W. Godshall.

No action has been taken on the bills to date, but the Senate is expected to consider its bill soon, according to Pennsylvania sources. The bills have been assigned to their respective Judiciary committees.

If the bills are passed and signed into law they would:

- Specify in the law the contents of carry permit applications;
- Mandate that a carry license be valid anywhere in the state;
- Eliminate the necessity of stating a "reason" to obtain a license;
- Require the issuing authority to state a "reason," in writing, why an application should be denied;
- Change the validation period from the present one year to indefinite;
- Require that only the sheriff of a county be responsible for issuing a license;

- Set the fee for a license at \$20.
- Provide procedures for administrative appeals of suspensions, revocations and denials of a license to be heard within 20 days;
- Require that the license and application forms be provided by the state police, and that they be uniform throughout the state;
- Specify who may not be eligible for a license;
- Provide the sheriff with a grant of immunity from liability for the actions of a licensee.

Legislation (H.B. 583) also is pending in the Legislature to extend state carry permits from their current one-year life to five years. (See Monitor, Dec. 15.)

Michigan

LANSING—Michiganders now will be allowed to use handguns to hunt deer in the lower third of the state.

Gov. James Blanchard signed into law Dec. 8 a bill that permits the use of "repeating" handguns for deer and other big game hunting in the southern portions of the Wolverine state. (Michigan does not allow hunting with rifles.)

The bill, H.B. 4098 sponsored by NRA member and state Rep. Jerry C. Baroik, was passed by the House May 28 by a vote of 92-0. The Senate approved the measure, with an amendment, 24-10, and the House concurred Oct. 21 by a vote of 99-0.

Michigan law previously allowed handgun hunting in the other two-thirds of the state.

State Senator Proposes Bill to Stop Sale of 'Saturday Night Specials'

ANNAPOLIS, Md.—A bill to define "Saturday Night Specials" and make their sale illegal was introduced in the state Senate Jan. 8 by Sen. Troy Brailey of Baltimore.

The bill, S. 98, would define a "Saturday Night Special" as a handgun that has a frame, barrel, cylinder, slide or breechlock that is a die-casting of a metal alloy or any other material that has a melting point of 1,000 degrees or less.

The legislation also would amend existing laws covering penalties for violations of the state's gun laws.

Anyone who sells or offers for sale a "Saturday Night Special" would be guilty of a misdemeanor and fined from \$250 to \$2,500 or jailed not less than 30 days nor more than three years, or both, if the violation was a first offense. Once-convicted persons who violate the "Saturday Night Special" law would be subject to a mandatory one-year sentence—not more than 10 years—and persons convicted of more than one gun law violation would be subject to a three-year mandatory minimum sentence, not to exceed 10 years. (Maryland gun laws do not differentiate between use of a gun during the

commission of a crime and the mere carrying of a gun without a license.)

The bill was introduced to bolster a recent Maryland Court of Appeals ruling that holds the manufacturers of "small, inexpensive handguns, commonly known as 'Saturday Night Specials,'" strictly liable for injuries caused by the criminal misuse of their products.

The Maryland high court characterized "Saturday Night Specials" as having "short barrels, light weight, easy concealability, low costs, use of cheap quality materials, poor manufacture, inaccuracy and unreliability." (See Monitor story, page 7.)

Banning the sale of so-called "Saturday Night Specials" also would be a major step toward Baltimore's goal of ridding the city of all handguns. In City Council meetings in December, several council members supported a ban on the sale and possession of handguns, and a resolution was drafted to request the city's delegation to the General Assembly to support legislation to amend state law to allow municipalities to control guns.

[Maryland has a firearm pre-emption law prohibiting municipalities from adopting gun laws more strict than the state's.]

Richmond Councilmen Expected to Propose Anti-Gun Measure

RICHMOND, Va.—City Councilmen Walter Kenney and Henry Marsh are expected to propose an ordinance to control guns in this capital city of 220,000.

Richmond had a rash of handgun-related deaths in 1985, topping the number of 1984 killings. But most of the deaths were homicides related to drug deals, according to police reports.

Kenney and Marsh also proposed handgun control measures last year. The councilmen introduced in January 1985 an ordinance that would have required city residents to register their handguns by May 31, 1985. The ordinance also would have banned the sale of handguns in the city, and persons failing to register their guns by the May 31 deadline could have been charged with a misdemeanor. A second proposal called for handgun registration only.

Both measures were defeated overwhelmingly by the City Council, which elected instead to adopt a resolution supporting stiffer mandatory penalties for those convicted of using a gun during the commission of a felony.

Two bills to enhance firearm manda-

tory sentences were introduced in the Virginia General Assembly last year, but neither measure was reported out of committee.

The Kenney-Marsh proposal—if, as expected, attempts to control the sale or possession of guns or call for their registration—would be in conflict with the state's pre-emption law.

The Dillon rule—which holds in general that state law supersedes local ordinances, and which has been interpreted by the former state's attorney general as applying to firearms legislation—protects Virginia gun owners from restrictive firearms laws.

Despite the Dillon rule, city attorneys have stated in the past that the city charter contains language that allows actions to be taken to protect citizens.

Once again, the Virginia State Rifle and Revolver Association and the National Rifle Association will be active in stopping the anti-gun proposals in Richmond.

For more information on the anti-gun ordinance, contact Chuck Cunningham, NRA state liaison for Virginia (202) 628-6377.



Colorado state Representative Carol Taylor-Little recently visited NRA headquarters in Washington, D.C., to discuss a bill she is sponsoring that will prevent handgun manufacturers from being held liable for the criminal misuse of their products in Colorado. From left to right: NRA-ILA Executive Director J. Warren Cassidy, Rep. Little and Louis J. Brune, NRA state liaison for Colorado.

An Exclusive Monitor Interview

British Scholar Richard Munday

By Denise Tracy Rosen
Monitor Staff Writer



Richard Munday, the assistant editor of Handgunner magazine in Britain, was recently in Washington completing a fellowship with the Division of Armed Forces History in the National Museum of American History, Smithsonian Institution. A graduate of Oxford University, Munday's research focused on the development of the American rifle movement and the citizen soldier concept in America between 1861 and the present. Munday's next project will be a two-year research fellowship in Geneva for the Institute for Higher International Studies, where he will examine and compare various European rifle movements and the concept of citizen soldiers.

MONITOR: What exactly are Britain's firearm laws and are they more restrictive than those enforced in the United States?

MUNDAY: That depends. The big shock upon arriving in the U.S. was finding that you have more than 20,000 separate gun laws. The advantage of the English system is that we have just one law applying to the entire country. It is a bad law, but at least it's constant. We don't have this problem of laws changing from town to town, city to city and state to state. Now, whether the English system is better or worse depends on what part of America you're from. If you come from Wyoming, you will be appalled by Britain's gun laws. On the other hand, if you come from the District of Columbia or New York, you're going to think it the other way around.

MONITOR: How are firearms regulated in Britain?

MUNDAY: Basically there are two types of firearm registration in Britain—firearm certificates for pistols and rifles, and shotgun certificates for shotguns. Under the terms of Britain's Firearms Act, for each individual rifle or pistol that you want, you must justify why you want it. In order to justify it, you must show what is known as "good reason." Unfortunately, "good reason" is open to interpretation and that interpretation has differed through the course of time. For example, in 1945, the accepted reason for wanting a pistol was "personal protection." Today, if you apply to your local police force and said you wanted a pistol for personal protection, the application would be rejected out-of-hand. The text of the law hasn't changed, just the interpretation of it.

MONITOR: What is considered "good reason" today?

MUNDAY: For pistols, competition shooting is generally the only accepted reason. For small bore or hunting rifles, then obviously hunting is justifiable. Pest control and rodent control are acceptable reasons for owning a rifle. Basically, it has been a general turn-around in attitudes with regard to the freedom of the individual and the state and the notion of how far you can rely on the police force.

MONITOR: When would you say that this "general turn-around" became most noticeable?

MUNDAY: Well, it has been a gradual change since the first handgun laws were introduced in the 1920's. But I would say 1968, which was a bad year for shooters in general, marked a turning point. In that year we had a new Firearms Act passed that basically consolidated all of the previous ones. Since then, there has been a different approach on the part of police departments and the bureaucracy in enforcing and interpreting firearm laws. They have taken to enforcing several very strict policies including pricing applicants out of the market. For example, the fees for firearm certificates have gone up dramatically since 1968. Back then, if I remember correctly, a firearm certificate was about a half-a-dollar. Now it costs about \$35. People who are keen on shooting don't mind paying that every three years, but for the casual shooter and the shooter who keeps a rifle to shoot rabbits on his farm, the price is a little high. These are the people who tend to give up their licenses rather than spend the money to renew them.

Another policy the police in many forces have adopted is to require applicants to fill out other forms in addition to those required by law. Frequent-

ly, it is just a duplication of information, but basically it means that people have got to go through a lot of paperwork, time and trouble to get access to firearms. And back to the matter of "good reason," if a person says he wants a pistol or rifle for competitive shooting, the first thing the police will ask is what club you belong to. Then they will demand a letter from the secretary of the club confirming that the applicant is a keen shooter. Now there is no basis in law for demanding an applicant to be a member of a club, but in practice, a person has to be in order to get a license for a pistol or anything other than a hunting rifle.

So you see the law hasn't changed, but the practice of enforcement has driven more than 50,000 people out of shooting in the past 10 years. Given the fact there are only 300,000 certificate holders in the entire country, 50,000 is quite significant.

MONITOR: What about shotguns?

MUNDAY: The shotgun legislation was introduced, once again, in everyone's bad year, 1968. Until then, there was no registration on shotguns whatsoever. Now an applicant must have two character references and fill out the basic forms on occupation and personal information. Provided the applicant doesn't have a criminal record or isn't insane, the issue is automatic. There are proposals now pending, however, to toughen up the system and require applicants for shotguns to fulfill the same requirements demanded for the pistol and rifle certificate system. Under that system, the burden is on you to justify each and every weapon. Shotgun certificates are issued on personal character rather than the weapon.

There is an interesting twist to the way the shotgun legislation got passed. In 1967, there was a media issue raised on how terrible it was that shotguns could be purchased from shops and then sawed off and used in crime. At the time, the issue was reviewed by Roy Jenkins, then the home secretary. He looked at the situation in a reasonably intelligent manner and came to the conclusion that there was no statistical case for introducing shotgun legislation. But in the spring of 1968, legislation on shotguns was introduced because between 1967 and 1968 three policemen were killed with handguns even though handguns had been strictly controlled since 1920. So the government, because of the media issue, had to be seen to do something, and regulated shotguns, ignoring the fact that the issue had been declared irrelevant 12 months before.

MONITOR: Have these policies helped to deter crime or is firearm-

related crime increasing in Britain?

MUNDAY: Firearm-related crime has increased in direct proportion to violent crime. Violent crime has increased so therefore, some subtraction of that is the element of gun crime. But there hasn't been a change in the overall balance since any of these laws were enacted. The proportion was there before the legislation was introduced and it's here afterwards, so it just goes to show that firearm laws have been an answer to a non-existent question. One of the things about introducing any legislation on firearms is that it is the easy answer. It's irrelevant, but the politicians or whoever is doing it can be seen by the people and the media to be doing something. And most people, who don't appreciate what the real situation is, are satisfied.

MONITOR: Experts have speculated that Europe may one day adopt a standard firearms code that would even further restrict gun ownership rights. Can you see this happening?

MUNDAY: Absolutely. In Britain and probably eventually the U.S., one of the principal threats we are going to face is going to come from Europe and resolutions made by the Council of Europe. The Council is anxious to put forth resolutions on anything it can agree on to signify unity. It cannot agree on the more contentious issues like agriculture, defense and other powerful interests, but it can agree on standardizing firearm legislation. As far as the European governments are concerned, the shooting community is an expendable one. It is not a big electorate. So uniform firearm laws could be used by the Council in a show of unity without it having to agree on the more problematic issues.

What this would mean would be that everybody would get the worst of everybody's laws. Of course every society has its own variety of craziness and it would be a combination of every country's worst in respect to gun control. For example, the Italian law, which prohibits private ownership of all military-caliber firearms, could be adopted all over Europe.

I believe that if uniform firearm laws are adopted in Europe, it will imperil the U.S. to some degree because the pressure from the world will influence lawmakers and say, "Look this is the way it should be done. The Europeans have adopted a strict uniform gun code and so should the U.S." The Council, which has been working on these types of proposals for many months, also would claim that a uniform gun law across Europe would be an effective counter-terrorist measure. Again, the U.S. could be

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Examines Gun Control in a New Light

vulnerable to this sort of discussion: the argument that we must legislate against terrorism by limiting the access of firearms. I firmly believe that Britain's problems today are going to be America's problems 10 years hence.

MONITOR: England seems very susceptible to gun control laws. Is it primarily the government who supports them or is it the population in general?

MUNDAY: I would say that the tenor of the entire country in general is anti-gun because of the heavy influence of the media and the perspective on firearms from a nation of people. You must keep in mind that the shooting community numbers about 3 million of a nation of 56 million. For the remaining 53 million, guns are an alien issue. Their opinions are going to be formed by what they see on television, and by really half-witted newspaper reports about guns in the U.S. They are not going to address the real issue or have any familiarity with it. What we must do, if the shooting sports are to survive, is to give these people a new perspective.

MONITOR: What type of "new perspective"?

MUNDAY: Well, we must stress the importance of the link between our civilian resources and the military. As long as firearms are looked at in terms of "Starky and Hutch" and in terms of cops and robbers and the crime problem, then we have a real problem. What we must do is introduce new perspectives on firearms, civilians and the military. If you simply plead "shooters' rights" in Britain, nobody's heart is going to bleed for you. If you can prove your positive benefits to society then your rights will survive. We've learned that rights without duties don't tend to last very long.

One way for the shooting community to do this is to align itself more visibly with the military. If we have the military on our side in this context, it promotes shooting and gun ownership as a social utility. That is the way the NRA in both of our countries grew up and in my mind it is the only way the shooting community can survive.

It's quite practical when one thinks about it. Consider that most countries have fixed defense budgets that only have so much flex. And while the costs of defense materials are escalating very rapidly, the biggest and costliest fixed element in most defense budgets is manpower. Now, between the costs of materials and manpower, it is quite possible for the military to slip into technological obsolescence. Therefore, we must look at the possibility of exploiting civilian resources in a defense context or in

somehow reducing our manpower costs. This gives a whole new context to various concepts of what the citizen soldier might be. In addition, there is a recognized shortage of in-depth reserves in NATO. It is clear we have a manpower shortage. How are we going to afford more people at professional rates? The shooting community and the civilian soldier is our answer.

Another factor that supports this idea is the speed of the modern battlefield. It's the concept that if the soldiers aren't there already, then they are never going to get there in time. On the other hand, if you have an organized civilian military, you can actually move people and get them to an area on time to fight a battle. We're almost back to the tradition of the Anglo Saxons, which was: If you were waiting onshore when the raiders came, then you could possibly stave them off. If you weren't there, you wouldn't get there.

So there are all sorts of military reasons why the exploitation of the civilian resources must be important to us. From the point of view of the shooting community, I think it is the key to its survival.

MONITOR: Do you foresee the public accepting the idea of the "citizen soldier"?

MUNDAY: Yes, eventually, if presented properly. You see, right now we have a bit of a public relations problem with it because of the transition of attitudes over the last two decades. For instance, if you look back at the middle of the last century, you have a transition from then to now, in terms of the word "militia" and the words "paramilitary force." The connotations of those two phrases, which mean very much the same thing, are entirely different. A militia man was considered, in the last century, much more respectable than the regular soldier because the regular soldier was a man who lived off the state, while the militia man got on with his job and served at need. Whereas, nowadays, it's the regular soldier who is respectable and the paramilitary who is somehow seen as being unsavory and a risk of subversion or whatever.

MONITOR: Would you say this "risk of subversion" concept has been a big part of the passage of gun control laws in Europe and the United States?

MUNDAY: I don't think there is any question that the underlying factor in virtually every country's decision to promote or limit the use of firearms is paranoia about the security of state. If you actually look at the founding of the American NRA, you'll find one of the fundamental factors in getting it off the ground was the riots in New York City in

1871. The U.S. needed a National Guard to handle that sort of thing. There are different types of parallels in many European countries as well. France still substantially suffers from the emergency firearms legislation introduced in 1939. Germany still has strong elements of the new code introduced by the Nazis because they were concerned about the private ownership of firearms as a potentially anti-Nazi threat. In England, firearm laws were passed primarily in response to the fears of a Bolshevik revolution and later in response to problems caused by the Irish Republican Army. This is why it is very important that we seize the issue of terrorism by the horns and discount firearms control as a way to effectively combat it. Otherwise it is quite possible that the shooting community and the right to bear arms could be sold out on the excuse that the only way to eliminate terrorism is to limit access of firearms by the common man.

MONITOR: Why do you think that the many governments and the non-

shooting populations of the world are willing to believe that restricting firearms will reduce terrorism and other crime?

MUNDAY: Again, it is the change-ground in attitudes. It is clear that we live in a material society. Our fundamental problem is that we give priority to the material elements in society. For example, the gun commits the crime and is the material factor that conditions the actions of the individual. This notion of diminished responsibility, reduced to a theory, is inevitably going to find as one of its corollaries pressure for the control of firearms. That attitude says that it is not the independent thoughts of the individual that cause the crime, rather that his action was conditioned by the presence of the material, the gun in this case. It is up to us to change this mindset, and it simply cannot be done by spouting statistics no matter how true they are. We must pitch the firearms issue in a new perspective and pointing out the value of a competently armed citizenry is a good way to start.



Field Reps.: NRA Key to Communications

The NRA Field Representative Areas were renumbered on Jan. 1 to put them in a logical numerical sequence, according to Anthony Madda, field staff coordinator. The new listing appears below.

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Anti-Hunting Actions by NPS Have Many Hunters Concerned

WASHINGTON—Recently, the National Park Service has initiated actions that have left it less than chummy with many hunters.

In October 1985, only weeks before the opening day of waterfowl season in Maryland, NPS filed a blind-site license application with the Maryland Department of Natural Resources to secure park shoreline on the federal Piscataway Park in southern Maryland.

The NPS was licensed for all 13 of the blind-sites around the area, known as Mockley Point, at the confluence of Piscataway Creek and the Potomac River. The marshy point has been used for nearly 15 years by local duck hunters, who use off-shore floating blinds. Shooting over—away from the park—the river, the hunters come to the area to enjoy the quiet and excellent duck hunting.

But all of that was threatened when the NPS filed its blind-site application. Hunters would not have been allowed to use the floating blinds in the area because they would have been too close

to the newly licensed—and unused—park blind-sites.

Hunters who use the area were hopping mad and they let people know it.

Hunter and local resident Jack Weatherbee contacted Washington Times outdoor writer Gene Mueller and gave him a tour of the area. Mueller reported that the hunters believed that a \$100 donation to the park management from a residential area adjoining the park resulted in the buying up of all of the blind-sites. Many of the residents have complained about the noise of the shooting and are concerned about safety.

Superintendent of National Capital Parks/East Burnice Kearney, manager of Piscataway Park, told Mueller that his office did receive such a donation, but denied that it affected the decision to secure the blind-sites.

Kearney said that there were three reasons for buying all the blind-sites. There is a school for environmental education located near Mockley Point, and instructors expressed concerns

about hunters in the area, said Kearney. Also, coves around the area are actually part of the park—even though submerged—and there is no hunting on park land. Finally, Kearney said that there have been sightings of bald eagles in the area. Safety and noise seemed to be secondary reasons for closing the area to hunting.

But Susan Recce, deputy assistant secretary for the U.S. Interior Department's Fish and Wildlife and Parks, said that NPS told her office that their concern for safety and past—unsubstantiated—shooting incidents prompted their actions.

Recce and William Horn, assistant secretary for Fish and Wildlife and Parks, were asked to intervene in the matter by National Rifle Association lobbyist James Baker, who was contacted by some of the local hunters.

"We looked at it (the situation) and there was some question as to whether or not the safety concern was valid," said Recce.

After intense questioning and pressure

from the Fish and Wildlife and Parks office—and one week after the duck season began—NPS returned seven of the 13 blind-sites to the state of Maryland and the hunters.

"We missed about a week of, presumably, better hunting," said James Gilfillan, one of the duck hunters.

The hunters are not really bitter about their ordeal with NPS, they are glad they got to hunt duck this past season. But they are concerned with what appears to be a dangerous trend starting at NPS.

In 1983, NPS issued new regulations that would prohibit hunting and trapping in certain national park recreation areas where those activities historically have been allowed. The NRA filed suit to reverse the regulations, and the case is pending in U.S. District Court for the District of Columbia.

And, the park service is attempting to buy two islands off the Southern California coast and stop hunters from taking wild sheep and other big game animals that inhabit the islands.

Pro-Gun Groups File Brief in Gun Liability Case

ANNAPOLIS, Md.—The Maryland Court of Appeals recently rejected several pro-gun groups' arguments in denying a motion to reconsider its ruling that manufacturers of "Saturday Night Specials" may be held strictly liable for injuries caused by the criminal misuse of their products.

The Gun Owners of America Inc., the Second Amendment Foundation and the Congress of Racial Equality filed their friends of the court brief on behalf of Roehm Gesellschaft (a West German gun manufacturer) and R.G. Industries (its U.S. subsidiary) in their motion for reconsideration of the case of *Kelley vs. R.G. Industries*. In that case, Olen J. Kelley alleges that he was shot with an R.G.-made .38-caliber revolver, and is seeking damages from the gun manufacturer.

The Maryland Court of Appeals on Oct. 3 ruled that manufacturers of "small, inexpensive handguns, commonly known as 'Saturday Night Specials,'" may be sued for injuries caused by a third party's criminal misuse of the guns.

The court said that the maker of a "Saturday Night Special knows or ought to know that he is making a product principally to be used in criminal activity."

Maryland's highest court described "Saturday Night Specials" as "generally characterized by short barrels, light weight, easy concealability, low costs, use of cheap quality materials, poor manufacture, inaccuracy and unreliability." The court went on to say that those characteristics make the gun "particularly attractive for criminal use and

virtually useless for the legitimate purposes of... protection of persons, property and businesses."

In their brief, the Gun Owners of America and the Second Amendment Foundation — CORE, a nationwide civil rights group, focused on the discriminatory nature of the court's opinion (see Monitor, Dec. 15)—pointed out the court's definition of a "Saturday Night Special" is overly broad and inaccurate, its ruling will have an adverse affect on the manufacturers of "quality" handguns, and that the court relied on incomplete research on gun use by criminals as the basis for its decision.

The amici attacked the court's description of a "Saturday Night Special" and its statement that the gun's characteristics make it useless for self-defense, noting that "no standard reference work is cited for this view nor are any specific test results referenced."

The brief, prepared by the New York law firm of Benson and Kates, pointed out that "not even one case has been cited of successful safety defect litigation against a Saturday Night Special manufacturer."

GOA and SAF said that U.S. Treasury Department-sponsored testing showed that cheap and expensive handguns were "functionally equivalent in utility, safety and reliability for ordinary personal defense purposes."

Describing the gun as inaccurate is irrelevant, said the pro-gun groups, because most handgun shootings occur at close quarters. FBI studies show that the majority of shootings take place at a

range of seven yards or less, "and more commonly at about seven feet."

"There is no basis for concluding that cheap handguns are unreliable for the self-defense purpose," stated the brief. "The proof that the more expensive is better in no way implies that the less expensive is worthless."

The court's definition also will have an adverse impact on the manufacturers of "quality" handguns, said GOA and SAF.

"The decision, although intended to exempt the manufacturers of quality handguns, will inevitably involve them in endless litigation as plaintiffs argue that a particular firearm, despite high price, has other characteristics... which the Court found to be those of Saturday Night Specials," the brief stated. "In every suit involving criminal misuse of a quality detective-type handgun the manufacturer will be put to the expense of proving at trial by expert testimony that the gun falls outside the opinion's loosely defined class of Saturday Night Specials."

Finally, the Court of Appeals' fundamental basis for its ruling, that "Saturday Night Specials" are regularly used in crime, was refuted by the amici.

The brief relied on experts in the field of criminology and their studies of criminals and gun use to counter the court's assertions.

Professor David Bordua: "Since the number of Saturday Night Specials (however defined) that have been sold enormously exceeds the amount of gun

crime even in ghetto areas, the vast majority of these weapons cannot be being used in crime."

Professor James Wright: "Every rigorous American study of gun crime has shown that the majority of crime guns are not Saturday Night Specials."

"There are just not enough criminals in the United States to account for the purchasing of a majority of the Saturday Night Specials produced."

"Our recent survey of felony convicts... finds them giving reliability, accuracy, firepower, and high quality in general, as their primary criteria for gun desirability."

The amici concluded that there was no basis for the court's statements that most Saturday Night Specials are used for criminal activity or that they are "particularly attractive" to criminals.

The brief closed by posing some questions that had been raised by the ruling, but had not been answered by the Court of Appeals.

Asked the amici: "If cheap handguns were both unreliable and predominant as crime weapons (and the court said they are), would the best social policy response clearly be to make them unavailable so that at least some criminals would resort to more reliable weapons?"

The Court of Appeals apparently ignored that question and others as well as comprehensive studies and statistics in rejecting the motion for reconsideration, and opened the gates for a flood tide of product liability suits against the manufacturers of all handguns.

State Supreme Courts Hear Cases Affecting Gun Owners

TALLAHASSEE, Fla.—The Florida Supreme Court on Dec. 19 reversed a lower court's unanimous decision that Broward County's 1984 handgun referendum violated the state constitution.

The action paves the way for a 10-day waiting period and background check on handgun buyers throughout the South Florida county, while state pro-gun groups and the National Rifle Association will step up their efforts for Florida pre-emption.

The protracted legal case began in March 1984, when Broward County passed a referendum authorizing a county-wide gun control law. Under the referendum's provisions, municipal governments were barred from "opting out" of the measure as they had been allowed in the past.

Immediately after the March vote, Ft. Lauderdale attorneys Eugene Heinrich and Robert Cox challenged the referendum's legality under Florida's home rule doctrine for cities. Their claim, which was initially rejected by Circuit Court Judge Robert Able, was later upheld by a three-judge panel of Florida's Court of

Appeal for the Fourth District in a unanimous Oct. 10, 1984 ruling.

Broward County appealed that decision to the state high court, seeking to bind Ft. Lauderdale, Sunrise, Plantation, Dania, Pompano and other pro-gun cities—which had rejected the anti-gun measure—to the county's waiting period.

In its December ruling, the Florida Supreme Court said that counties could pre-empt city governments in the area of handgun control, which the court said "will best further the ends of government."

The court likened gun control to municipal "services" such as water and pollution control, parks and recreation, zoning and police.

State pro-gun organizations, led by the Unified Sportsmen of Florida, said the state high court's ruling would increase their efforts for passing a pre-emption bill in the Florida Legislature. Such a measure would bring uniformity to Florida's gun laws, prohibiting a myriad of county restrictions such as waiting periods in Broward and Dade counties.

VIRGINIA BEACH, Va.—The Virginia Supreme Court will decide this month whether to hear a legal appeal that attempts to overturn a law requiring city residents to obtain permits to purchase handguns.

The appeal is the result of a May 1985 decision by the Circuit Court for the City of Virginia Beach that upheld the permit law. The City Council passed the permit ordinance in 1982.

The appeal, filed by National Rifle Association Assistant General Counsel Richard E. Gardiner, argues that under state law only certain counties—and no cities—are permitted to enact handgun permit-to-purchase schemes.

Citing Virginia's Dillon rule, which provides that local governing bodies may not enact legislation unless granted permission by the state Legislature, Gardiner maintained that the General Assembly has not granted Virginia Beach permission to enact a gun ordinance.

In the May ruling upholding the gun ordinance, Circuit Court Chief Justice Henry L. Lam stated "... the Dillon rule does not invalidate the ordinance.... In our cities we live in a heavily structured

society. While preserving individual freedom as best we can, the dense population of our urban areas has caused the adoption of many additional laws deemed necessary to adjust to crowded living conditions."

Lam's opinion dissented from a 1983 non-binding opinion issued by then-state Attorney General Gerald L. Rabiles that said the permit-to-purchase requirement was illegal.

The petition to appeal the Circuit Court's decision states: "The Circuit Court has plainly concluded that the Dillon rule does not apply to densely populated urban areas. For this novel proposition, no authority has been cited. Rather the Circuit Court apparently has concluded that the Dillon rule is outdated and has no application to modern urban jurisdictions. The Dillon rule... is not a rule that a Circuit Court may, in some instances, refuse to apply."

Under Virginia law, only counties with a density of population of more than 1,000 per square mile have the power to enact handgun ordinances. Currently only Arlington and Fairfax counties fall into that category.

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The NRA Voluntary Practical Firearms Program teaches safe gun handling, the basics of marksmanship, firearms and the law and how to avoid criminal attacks.

Practical Firearms Program: Training for Self-Protection

By Katie O'Rourke
NRA Public Education

WASHINGTON—The National Rifle Association announced in January that more than 250,000 people, the majority of whom are women, have completed the organization's Voluntary Practical Firearms Program (VPFP).

The VPFP, created in 1983 by a coalition of experts in law enforcement, personal security and marksmanship, was developed in response to thousands of requests NRA received from women and older people for an effective self-protection program.

According to the program's national coordinator, Katie Maguire, more than 26 million women in America either own or have access to guns. "Women have adopted lifestyles independent of male protectors and are using guns for self-defense instead of relying on passive

resistance. Women are buying guns and learning how to use them," Maguire said.

The nine-hour VPFP course covers a wide range of subjects including shooting and firearm safety; handgun basics; and the care, cleaning and storage of guns. Additionally, local experts in the fields of law enforcement and self-protection teach classes in firearms and the law, and avoiding criminal attacks.

More than 10,000 classes are conducted annually by 5,000 NRA-certified instructors throughout the country. The cost of the course ranges from \$5 to \$10 to cover the cost of the materials and it is not necessary to own a gun to attend the course.

For further information, contact: Kathleen Maguire, NRA Education and Training, 1600 Rhode Island Avenue, N.W., Washington, D.C. 20036 (202) 828-6259



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 2, 1986

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Handgun Control, Inc.
1400 K Street, N.W.
Washington, D.C. 20005

Re: MUR 2115

Dear Gentlemen:

This letter is to notify you that on December 23, 1985, the Federal Election Commission received a complaint which alleges that the Handgun Control, Inc. may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2115. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against the Handgun Control, Inc. in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

8504056248

If you have any questions, please contact Maura Callaway, the staff person assigned to this matter at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

Kenneth A. Gross (Signature)
By Kenneth A. Gross
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

86040582444

HANDGUN CONTROL

ONE MILLION STRONG . . . working to
keep handguns out of the wrong hands.

February 14, 1986

Mr. Charles N. Steele
General Counsel
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

Dear Mr. Steele:

Pursuant to 2 U.S.C. §437g(a)(1) and 11 C.F.R. §111.4(a), I request that you investigate the following complaint alleging that the National Rifle Association ("NRA") has violated section 437 g(a)(12)(A) of title 2, United States Code, and section 111.21(a) of title 11, Code of Federal Regulation, by making public MUR 2115. This complaint is filed on behalf of Handgun Control, Inc. ("HCI"), 1400 K Street, N.W., Washington, D.C. 20005.

It is averred that:

1. On information and belief, the NRA is a membership corporation chartered in New York in 1871.
2. On information and belief, the "Institute for Legislative Action" is an office within the NRA organized in 1975 for the purpose of engaging in lobbying and other political activities of the NRA.
3. MONITOR is the official publication of the NRA's Institute for Legislative Action. Exhibit 1*, page 3.
4. MONITOR is available to the general public. Exhibit 1, page 3.

*Exhibit 1 is a xerox copy of Volume 13, No. 1 of MONITOR dated January 15, 1986. An original copy of the January 15 MONITOR was attached to HCI's response in MUR 2115 filed January 23, 1986.

66 FEB 19 P 1:29

RECEIVED
GENERAL COUNSEL

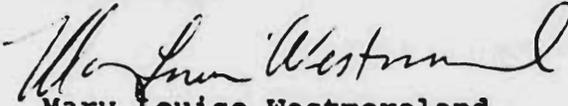
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5. On or about December 17, 1985, the NRA filed a complaint with the Federal Election Commission alleging that HCI and/or its separate segregated fund Handgun Control, Inc. Political Action Committee ("HCI-PAC") violated provisions of the Federal Election Campaign Act. The Commission has docketed this matter as MUR 2115. Exhibit 2.
 6. By letter dated January 2, 1986, and received on January 9, 1986, Charles Steele on behalf of the Commission notified HCI that it had received the NRA complaint commencing MUR 2115. In that letter of notification, Mr. Steele noted "This matter will remain confidential in accordance with 2 U.S.C. §437g (a)(4)(B) and §437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public." Exhibit 2.
 7. HCI has not notified the Commission that it wishes any aspect of MUR 2115 to be made public; nor, has HCI itself taken any steps to make public MUR 2115.
 8. On or about January 15, 1986, the NRA published Volume 13, No. 1 of MONITOR, the cover page of which reported "Handgun Control Inc. has engaged in unlawful solicitations of political contributors and made corporate contributions to its Political Action Committee in violation of federal law, according to a National Rifle Association complaint filed with the Federal Election Commission. [See story, page 1]." Page 1 of this same edition of MONITOR contained a story that discussed MUR 2115 in more detail. Exhibit 1, pages 1 and 2.
 9. By making these disclosures concerning MUR 2115 in the official publication of the NRA's Institute for Legislative Action, the NRA willfully violated HCI's right to confidentiality in derogation of both the Federal Election Campaign Act and the Commission's regulations. 2 USC §437g(a)(12)(A); 11 C.F.R. §111.21. See H.R.Rep. No. 422, 96th Cong., 1st Sess. 22-23 reprinted in 1979 US Code Cong. and Ad. News 2860, 2882-83.

CONCLUSION

The NRA should be sanctioned to the fullest extent allowed by U.S.C. §437G(A)(12)(B) for its willful violation of HCI's rights and the Commission's confidentiality procedures.

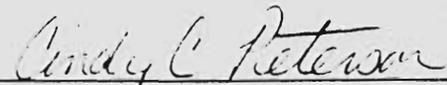
Sincerely,


Mary Louise Westmoreland
General Counsel

MLW:vbf

The foregoing is based on my knowledge except insofar as averments identify the source of information on which they are based or are expressly made on information and belief.

Sworn to and subscribed before me this 14th day of February, 1986.



Notary Public

Feb. 14, 1991
My Commission Expires

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MONITOR

NATIONAL RIFLE ASSOCIATION

Institute for Legislative Action

Volume 11 Number 1 January 15, 1988

At A Glance

The Wilmington, Del., City Council is expected to consider an ordinance to ban the sale and possession of handguns. Already, pressure has been put on council members to reject the ban proposal. [See story, page 1.]

Handgun Control Inc. has engaged in unlawful solicitations of political contributions and made corporate contributions to its political action committee in violation of federal law, according to a National Rifle Association complaint filed with the Federal Election Commission. [See story, page 1.]

New York Gov. Mario Cuomo, once again, has slighted NRA members and hunters. The possible 1988 presidential candidate recently tried to downplay his remark made in March 1985 that NRA members "drink beer, don't vote and lie to their wives about where they were all weekend." Cuomo said the remark was made in jest at a dinner last summer. [See story, page 2.]

Most state legislatures reconvene this month, and a flurry of pro- and anti-gun bills have been pre-filed and await in-

roduction in their respective statehouses. [See state roundup, page 3.]

Richard Munday, editor of the British magazine *Handgunner*, talks about firearms and firearms laws in Great Britain and the United States in a Monitor interview. [See interview, pages 4 and 5.]

The 21 field representatives of the National Rifle Association provide an important link between the association's 3 million members and its elected officials who carry out NRA policies. The NRA Field Services Division has updated and revised its list of field representatives. [See list, page 6.]

The Supreme Courts of Florida and Virginia have made or soon will be making decisions in cases of great importance to gun owners in portions of those states. [See story, page 7.]

More than 250,000 people, the majority of them women, have completed the NRA's Voluntary Practical Firearms Program. Started in 1983, the VPPF trains people in the safe and effective use of firearms for self-protection. [See story, page 8.]

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MONITOR

National Rifle Association of America

Institute for Legislative Action

Volume 13, Number 1



Kentucky Governor Martha Layne Collins, one of the few women to hold such office, recently was presented with a 24K gold .38-caliber Colt Detective Special for her pro-gun political stand by the Kentuckiana Arms Collectors Association. Collins, who favors tougher jail sentences, more prisons and the death penalty as effective crime deterrents rather than restrictive gun laws, was elected to her current post in 1983. Making the presentation to Collins were (left to right) Winfred Sumner, vice president, KACA; Tony Wilson, president; Governor Collins; Jeffrey W. Flannery, gun engraver; and Floyd Poore, Kentucky secretary of transportation.

City to Consider Handgun Ban

WILMINGTON, Del.—An ordinance to ban the sale and possession of handguns in this city of 70,000 was introduced Dec. 19 at a City Council meeting.

Councilwoman Loretta Walsh sponsored the anti-gun measure that would prohibit the sale of handguns and require current handgun owners to deliver their guns to local police within six months from the date of enactment of the ordinance.

The ordinance calls for violators to be fined from \$500 to \$2,500 or sentenced up to six months in jail.

Although Delaware recently passed a firearm pre-emption law that prohibits local municipalities from adopting gun laws more restrictive than the state's, city attorneys who drafted the Wilmington ban proposal claim that they have found a loophole in the law. The state law says that no city may amend its charter to enact firearm laws more restrictive than the state's; lawyers for the city say their proposal is an amendment to an ordinance, not the city charter.

The proposed law, which was sent to the Public Safety Committee and is expected to be debated at a public hearing this month, was modeled after ordinances in Morton Grove, Evanston and

Oak Park, Ill. Indications are that the handgun bans in those Chicago suburbs have done little or nothing to reduce crime, and many of the gun-owning residents have ignored the provisions requiring that they surrender their handguns to police.

Walsh claims that many of her constituents voiced support for gun control, but fellow Delaware resident Nelson T. "Pete" Shields, president of Handgun Control Inc., told the Wilmington News Journal, "My group cannot support this law."

The Delaware State Sportsmen's Association is gathering support to fight the City Council proposal and DSSA President John Thompson is confident the ordinance will be defeated.

"I think we can win in City Council," said Thompson. "Then we're going to close this supposed loophole so that we don't have to fight this thing two years from now."

Thompson said that DSSA plans to amend the state pre-emption law to preclude local municipalities from amending their charters and ordinances with regard to gun control. Amending legislation is expected to be introduced when the Legislature reconvenes Jan. 14.

Complaint Filed Against HCI

WASHINGTON—Handgun Control Inc. unlawfully solicited contributions and made illegal corporate contributions to candidates running for federal office in 1984, the National Rifle Association has charged in a formal complaint recently filed with the Federal Election Commission.

The Dec. 19 complaint, filed by NRA Assistant General Counsels Janet Scherer and Richard Gardiner, stems from a July 1985 disclosure report filed with the FEC by HCI's political action committee, HCI-PAC. The report revealed that HCI-PAC "reimbursed" HCI for more than \$2,100 last January for in-kind contributions made by HCI on behalf of the PAC to 13 federal candidates in 1984.

Under federal law, it is illegal for a corporation to make campaign contributions or lend money to its PAC.

NRA's complaint also alleges that

HCI "knowingly entered false information on several of its 1984 reports to conceal HCI's corporate contribution."

The complaint states that, in at least three earlier disclosure reports to the FEC, HCI maintained that the in-kind contributions were made by HCI-PAC and not HCI.

NRA's complaint also charges HCI with violating federal law by soliciting contributions from individuals who are not members of the organization.

An earlier FEC directive ordered HCI to revamp its membership structure by assigning specific membership rights to individuals in order to make solicitations for political contributions. NRA's complaint charges that while HCI complied with the directive, it is not yet in compliance with federal law because it has not granted sufficient membership rights to supporters and has continued to solicit political contributions.

In this issue:

- Handgun Ban Proposed in Del. City p. 1
- NRA Important to National Security p. 2
- State Roundup p. 3
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- NRA Field Representatives p. 6
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- Voluntary Practical Firearms Program p. 8

3 5 0 4 0 7 6 2 4 5 4

Past Presidents, Officials Praise NRA

The concept of an armed citizenry has been endorsed by chiefs of state and the military since America was founded. In looking through the NRA archives recently, we found some interesting correspondence by famous military and political figures that we thought our readers might enjoy:

"Expertness in the use of the rifle cannot be over-emphasized. If the Cleveland Civilian Marksman's Association is bringing this kind of training and knowledge to the men who will one day become either officers or enlisted men in any of the armed forces, it is doing them, and the country, a service of incalculable value."

— Dwight D. Eisenhower
commander-in-chief of the Allied Force Headquarters
August 16, 1943

"I hope that the splendid program which the National Rifle Association has followed during the last three-quarters of a century will be continued. It is a program which is good for a free America."

— President Harry Truman
November 14, 1945

"The record of the National Rifle Association during World War II has been one in which its members should take great pride. The nation is fortunate in having such an organization upon which it can rely for the continued development of proficiency in the use of small arms by the citizens of this country."

— George Marshall
chief of staff of the War Department
October 30, 1945

"I take this opportunity to congratulate the National Rifle Association for its untiring efforts to encourage marksmanship training among the youth of our country. The Association deserves much credit for its contribution to the promotion of competitive shooting which bore much fruit in the training camps and on the battlefields of World War II as well as during the present national emergency."

— President Harry Truman
September 20, 1951

"Through competitive matches and sports in coordination with the National Board for the Promotion of Rifle Practice, the National Rifle Association fills an important role in our national defense effort, and fosters in an active and meaningful fashion the spirit of the Minute-men."

— President John F. Kennedy
March 20, 1961

"The NRA believes America's laws were made to be obeyed and that our constitutional liberties are just as important today as 200 years ago. The Constitution does not say Government shall decree the right to keep and bear arms. The Constitution says 'the right of the people to keep and bear arms shall not be infringed.' No group does more to promote gun safety and respect for the laws of this land than the NRA, and I thank you."

— President Ronald Reagan
May 6, 1983

Cuomo Gives 'New' Description of NRA Members



Governor Mario Cuomo

ALBANY, N.Y. — One of the National Rifle Association's favorite politicians has put his foot in his mouth — again.

New York Gov. Mario Cuomo once again has endeared himself to NRA members and hunters throughout the country.

The governor was quoted in April 1985 by the Los Angeles Times as describing those opposed to New York's mandatory seat belt law as NRA members "who drink beer, don't vote and lie to their wives about where they were all weekend."

His latest *faux pas* occurred Dec. 31 when he described that earlier political

gaffe to reporters for Albany radio station WINS.

When asked to recall his personal worst in 1985, Cuomo recounted remarks made about the NRA. He told the radio station that the remarks were made at a dinner in California last summer. (Summer usually is considered to be the time from June through September. Cuomo made his off-the-cuff comments in March.)

Said Cuomo: "I said in a jocular way, these guys are out pretending they're hunting. They're really having a party and they're lying to their wives about it. They'll buy a deer, strap it to the car and bring it home. The guys (at the dinner) laughed, we all laughed, but they put it on the wire and 6 million NRA people hoisted their pistols and their cannons and pointed them at Albany, as I would if I were an NRA member."

For his remarks in the Times, Cuomo received a letter from NRA-Institute for Legislative Action Executive Director J. Warren Cassidy, who wrote that the governor was "perpetuating an unfair and prejudiced stereotype that is unjustified and intolerable."

"You pride yourself as a champion against ethnic prejudice, yet you continually demonstrate the most unforgivable and callous prejudice against those who choose to own guns and hunt."

"You will see for yourself whether or not NRA members vote," Cassidy's letter concluded.

Cuomo tried to allay NRA's wrath in a letter to then-NRA President Howard Pollock, saying that politicians say things from time to time that may create "baseless concerns."

"My response was inartful," said Cuomo. "It could leave a false impression of disrespect for the National Rifle Association."

NRA officials, who viewed Cuomo's so-called apology as less than sincere, consider the governor's recent radio remarks as an attempt to "brush off" his earlier statements about the organization.

The 3 million-member association has renewed its pledge to oppose Cuomo in his bid for re-election in 1986 — there are 200,000 NRA members in New York — and should he run for the 1988 presidential nomination.

Correction

In the production of the Dec. 31 Monitor (Vol. 12, No. 24), the printing company accidentally transposed the photos on pages 1 and 7 on certain issues. A limited supply of corrected copies is available from NRA Public Education. Our printers apologize for the error.

Monitor Reprint Policy

From the 1984 edition of the Monitor, the following reprint policy is in effect: All reprints must be for non-commercial purposes and must be for educational or informational purposes. Reprints must be for the use of individuals or small groups and must be for the use of individuals or small groups. Reprints must be for the use of individuals or small groups. Reprints must be for the use of individuals or small groups.



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State Roundup

STATE ROUNDUP

Pennsylvania

HARRISBURG—Pistol carry permits may be extended from the current one-year validation period to an indefinite period if bills that were recently introduced in the state Legislature are approved.

S.B. 1265 was introduced in December by Sen. D. Michael Fisher to "correct the deficiencies in the current law, and stop the abuses of power that have been uncovered in many counties and towns in Pennsylvania," according to a press release from the Allegheny County Sportsmen's League.

A House companion bill, H.B. 819, was introduced in April by Rep. Robert W. Godshall.

No action has been taken on the bills to date, but the Senate is expected to consider its bill soon, according to Pennsylvania sources. The bills have been assigned to their respective Judiciary committees.

If the bills are passed and signed into law they would:

- Specify in the law the contents of carry permit applications;
- Mandate that a carry license be valid anywhere in the state;
- Eliminate the necessity of stating a "reason" to obtain a license;
- Require the issuing authority to state a "reason," in writing, why an application should be denied;
- Change the validation period from the present one year to indefinite;
- Require that only the sheriff of a county be responsible for issuing a license;

- Set the fee for a license at \$20;
- Provide procedures for administrative appeals of suspensions, revocations and denials of a license to be heard within 20 days;
- Require that the license and application forms be provided by the state police, and that they be uniform throughout the state;
- Specify who may not be eligible for a license;
- Provide the sheriff with a grant of immunity from liability for the actions of a licensee.

Legislation (H.B. 583) also is pending in the Legislature to extend state carry permits from their current one-year life to five years. [See Monitor, Dec. 15.]

Michigan

LANSING—Michiganders now will be allowed to use handguns to hunt deer in the lower third of the state.

Gov. James Blanchard signed into law Dec. 8 a bill that permits the use of "repeating" handguns for deer and other big game hunting in the southern portions of the Wolverine state. (Michigan does not allow hunting with rifles.)

The bill, H.B. 4096 sponsored by NRA member and state Rep. Jerry C. Batopik, was passed by the House May 28 by a vote of 92-0. The Senate approved the measure, with an amendment, 24-10, and the House concurred Oct. 21 by a vote of 99-0.

Michigan law previously allowed handgun hunting in the other two-thirds of the state.

Richmond Councilmen Expected to Propose Anti-Gun Measure

RICHMOND, Va.—City Councilmen Walter Kenney and Henry Marsh are expected to propose an ordinance to control guns in this capital city of 220,000.

Richmond had a rash of handgun-related deaths in 1985, topping the number of 1984 killings. But most of the deaths were homicides related to drug deals, according to police reports.

Kenney and Marsh also proposed handgun control measures last year. The councilmen introduced in January 1985 an ordinance that would have required city residents to register their handguns by May 31, 1985. The ordinance also would have banned the sale of handguns in the city, and persons failing to register their guns by the May 31 deadline could have been charged with a misdemeanor. A second proposal called for handgun registration only.

Both measures were defeated overwhelmingly by the City Council, which elected instead to adopt a resolution supporting stiffer mandatory penalties for those convicted of using a gun during the commission of a felony.

Two bills to enhance firearm manda-

tory sentences were introduced in the Virginia General Assembly last year, but neither measure was reported out of committee.

The Kenney-Marsh proposal—if, as expected, attempts to control the sale or possession of guns or call for their registration—would be in conflict with the state's pre-emption law.

The Dillon rule—which holds in general that state law supersedes local ordinances, and which has been interpreted by the former state's attorney general as applying to firearm legislation—protects Virginia gun owners from restrictive firearms laws.

Despite the Dillon rule, city attorneys have stated in the past that the city charter contains language that allows actions to be taken to protect citizens.

Once again, the Virginia State Rifle and Revolver Association and the National Rifle Association will be active in stopping the anti-gun proposals in Richmond.

For more information on the anti-gun ordinance, contact Chuck Cunningham, NRA state liaison for Virginia (202) 828-6377.

State Senator Proposes Bill to Stop Sale of 'Saturday Night Specials'

ANNAPOLIS, Md.—A bill to define "Saturday Night Specials" and make their sale illegal was introduced in the state Senate Jan. 8 by Sen. Troy Brailey of Baltimore.

The bill, S. 98, would define a "Saturday Night Special" as a handgun that has a frame, barrel, cylinder, slide or breechlock that is a die casting of a metal alloy or any other material that has a melting point of 1,000 degrees or less.

The legislation also would amend existing laws covering penalties for violations of the state's gun laws.

Anyone who sells or offers for sale a "Saturday Night Special" would be guilty of a misdemeanor and fined from \$250 to \$2,500 or jailed not less than 30 days nor more than three years, or both, if the violation was a first offense. Once convicted persons who violate the "Saturday Night Special" law would be subject to a mandatory one-year sentence—no more than 10 years—and persons convicted of more than one gun-law violation would be subject to a three-year mandatory minimum sentence, not to exceed 10 years. (Maryland gun laws do not differentiate between use of a gun during the

commission of a crime and the mere carrying of a gun without a license.)

The bill was introduced to bolster a recent Maryland Court of Appeals ruling that holds the manufacturers of "small, inexpensive handguns, commonly known as 'Saturday Night Specials,'" strictly liable for injuries caused by the criminal misuse of their products.

The Maryland high court characterized "Saturday Night Specials" as having "short barrels, light weight, easy concealability, low costs, use of cheap quality materials, poor manufacture, inaccuracy and unreliability." (See Monitor story, page 7.)

Banning the sale of so-called "Saturday Night Specials" also would be a major step toward Baltimore's goal of ridding the city of all handguns. In City Council meeting in December, several council members supported a ban on the sale and possession of handguns, and a resolution was drafted to request the city's delegation to the General Assembly to support legislation to amend state law to allow municipalities to control guns.

[Maryland has a firearm pre-emption law prohibiting municipalities from adopting gun laws more strict than the state's.]



Colorado state Representative Carol Taylor-Little recently visited NRA headquarters in Washington, D.C., to discuss a bill she is sponsoring that will prevent handgun manufacturers from being held liable for the criminal misuse of their products in Colorado. From left to right: NRA-ILA Executive Director J. Warren Cassidy, Rep. Little and Louis J. Brune, NRA state liaison for Colorado.

An Exclusive Monitor Interview

British Scholar Richard Munday

By Denise Tray Rosen
Monitor Staff Writer



Richard Munday, the assistant editor of *Handgunns* magazine in Britain, was recently in Washington completing a fellowship with the Division of Armed Forces History in the National Museum of American History, Smithsonian Institution. A graduate of Oxford University, Munday's research focuses on the development of the American rifle movement and the state-society concept in America between 1870 and the present. Munday's next project will be a two-year research fellowship in Geneva for the Institute for Human International Studies, which he will examine and compare various European rifle movements and the concept of state-society.

MONITOR: What exactly are Britain's firearm laws and are they more restrictive than those enforced in the United States?

MUNDAY: That depends. The big shock upon arriving in the U.S. was finding that you have more than 20,000 separate gun laws. The advantage of the English system is that we have just one law applying to the entire country. It is a bad law, but at least it's constant. We don't have this problem of laws changing from town to town, city to city and state to state. Now, whether the English system is better or worse depends on what part of America you're from. If you come from Wyoming, you will be appalled by Britain's gun laws. On the other hand, if you come from the District of Columbia or New York, you're going to think it the other way around.

MONITOR: How are firearms regulated in Britain?

MUNDAY: Basically there are two types of firearm registration in Britain—firearm certificates for pistols and rifles, and shotgun certificates for shotguns. Under the terms of Britain's Firearms Act, for each individual rifle or pistol that you want, you must justify why you want it. In order to justify it, you must show what is known as "good reason." Unfortunately, "good reason" is open to interpretation and that interpretation has differed through the course of time. For example, in 1945, the accepted reason for wanting a pistol was "personal protection." Today, if you apply to your local police force and said you wanted a pistol for personal protection, the application would be rejected out-of-hand. The text of the law hasn't changed, just the interpretation of it.

MONITOR: What is considered "good reason" today?

MUNDAY: For pistols, competition shooting is generally the only accepted reason. For small bore or hunting rifles, then obviously hunting is justifiable. Pest control and rodent control are acceptable reasons for owning a rifle. Basically, it has been a general turn-around in attitudes with regard to the freedom of the individual and the state and the notion of how far you can rely on the police force.

MONITOR: When would you say that this "general turn-around" became most noticeable?

MUNDAY: Well, it has been a gradual change since the first handgun laws were introduced in the 1920's. But I would say 1968, which was a bad year for shooters in general, marked a turning point. In that year we had a new Firearms Act passed that basically consolidated all of the previous ones. Since then, there has been a different approach on the part of police departments and the bureaucracy in enforcing and interpreting firearm laws. They have taken to enforcing several very strict policies including pricing applicants out of the market. For example, the fees for firearm certificates have gone up dramatically since 1968. Back then, if I remember correctly, a firearm certificate was about a half-a-dollar. Now it costs about \$35. People who are keen on shooting don't mind paying that every three years, but for the casual shooter and the shooter who keeps a rifle to shoot rabbits on his farm, the price is a little high. These are the people who tend to give up their licenses rather than spend the money to renew them.

Another policy the police in many forces have adopted is to require applicants to fill out other forms in addition to those required by law. Frequent-

ly, it is just a duplication of information, but basically it means that people have got to go through a lot of paperwork, time and trouble to get access to firearms. And back to the matter of "good reason," if a person says he wants a pistol or rifle for competitive shooting, the first thing the police will ask is what club you belong to. Then they will demand a letter from the secretary of the club confirming that the applicant is a keen shooter. Now there is no basis in law for demanding an applicant to be a member of a club, but in practice, a person has to be in order to get a license for a pistol or anything other than a hunting rifle.

So you see the law hasn't changed, but the practice of enforcement has driven more than 50,000 people out of shooting in the past 10 years. Given the fact there are only 300,000 certificate holders in the entire country, 50,000 is quite significant.

MONITOR: What about shotguns?

MUNDAY: The shotgun legislation was introduced, once again, in everyone's bad year, 1968. Until then, there was no registration on shotguns whatsoever. Now an applicant must have two character references and fill out the basic forms on occupation and personal information. Provided the applicant doesn't have a criminal record or isn't insane, the issue is automatic. There are proposals now pending, however, to toughen up the system and require applicants for shotguns to fulfill the same requirements demanded for the pistol and rifle certificate system. Under that system, the burden is on you to justify each and every weapon. Shotgun certificates are issued on personal character rather than the weapon.

There is an interesting twist to the way the shotgun legislation got passed. In 1967, there was a media issue raised on how terrible it was that shotguns could be purchased from shops and then sawed off and used in crime. At the time, the issue was reviewed by Roy Jenkins, then the home secretary. He looked at the situation in a reasonably intelligent manner and came to the conclusion that there was no statistical case for introducing shotgun legislation. But in the spring of 1968, legislation on shotguns was introduced because between 1967 and 1968 three policemen were killed with handguns even though handguns had been strictly controlled since 1920. So the government, because of the media issue, had to be seen to do something, and regulated shotguns, ignoring the fact that the issue had been declared irrelevant 12 months before.

MONITOR: Have these policies helped to deter crime or is firearm-

related crime increasing in Britain?

MUNDAY: Firearm-related crime has increased in direct proportion to violent crime. Violent crime has increased so therefore, some subtraction of that is the element of gun crime. But there hasn't been a change in the overall balance since any of these laws were enacted. The proportion was there before the legislation was introduced and it's here afterwards, so it just goes to show that firearm laws have been an answer to a non-existent question. One of the things about introducing any legislation on firearms is that it is the easy answer. It's irrelevant, but the politicians or whoever is doing it can be seen by the people and the media to be doing something. And most people, who don't appreciate what the real situation is, are satisfied.

MONITOR: Experts have speculated that Europe may one day adopt a standard firearms code that would even further restrict gun ownership rights. Can you see this happening?

MUNDAY: Absolutely. In Britain and probably eventually the U.S., one of the principal threats we are going to face is going to come from Europe and resolutions made by the Council of Europe. The Council is anxious to put forth resolutions on anything it can agree on to signify unity. It cannot agree on the more contentious issues like agriculture, defense and other powerful interests, but it can agree on standardizing firearm legislation. As far as the European governments are concerned, the shooting community is an expendable one. It is not a big electorate. So uniform firearm laws could be used by the Council in a show of unity without it having to agree on the more problematic issues.

What this would mean would be that everybody would get the worst of everybody's laws. Of course every society has its own variety of craziness and it would be a combination of every country's worst in respect to gun control. For example, the Italian law, which prohibits private ownership of all military-caliber firearms, could be adopted all over Europe.

I believe that if uniform firearm laws are adopted in Europe, it will imperil the U.S. to some degree because the pressure from the world will influence lawmakers and say, "Look this is the way it should be done. The Europeans have adopted a strict uniform gun code and so should the U.S." The Council, which has been working on these types of proposals for many months, also would claim that a uniform gun law across Europe would be an effective counter-terrorist measure. Again, the U.S. could be

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Examines Gun Control in a New Light

vulnerable to this sort of discussion: the argument that we must legislate against terrorism by limiting the access of firearms. I firmly believe that Britain's problems today are going to be America's problems 10 years hence.

MONITOR: England seems very susceptible to gun control laws. Is it primarily the government who supports them or is it the population in general?

MUNDAY: I would say that the tenor of the entire country in general is anti-gun because of the heavy influence of the media and the perspective on firearms from a nation of people. You must keep in mind that the shooting community numbers about 3 million of a nation of 56 million. For the remaining 53 million, guns are an alien issue. Their opinions are going to be formed by what they see on television, and by really half-witted newspaper reports about guns in the U.S. They are not going to address the real issue or have any familiarity with it. What we must do, if the shooting sports are to survive, is to give these people a new perspective.

MONITOR: What type of "new perspective"?

MUNDAY: Well, we must stress the importance of the link between our civilian resources and the military. As long as firearms are looked at in terms of "Starsky and Hutch" and in terms of cops and robbers and the crime problem, then we have a real problem. What we must do is introduce new perspectives on firearms, civilians and the military. If you simply plead "shooters' rights" in Britain, nobody's heart is going to bleed for you. If you can prove your positive benefits to society then your rights will survive. We've learned that rights without duties don't tend to last very long.

One way for the shooting community to do this is to align itself more visibly with the military. If we have the military on our side in this context, it promotes shooting and gun ownership as a social utility. That is the way the NRA in both of our countries grew up and in my mind it is the only way the shooting community can survive.

It's quite practical when one thinks about it. Consider that most countries have fixed defense budgets that only have so much flex. And while the costs of defense materials are escalating very rapidly, the biggest and costliest fixed element in most defense budgets is manpower. Now, between the costs of materials and manpower, it is quite possible for the military to slip into technological obsolescence. Therefore, we must look at the possibility of exploiting civilian resources in a defense context or in

somehow reducing our manpower costs. This gives a whole new context to various concepts of what the citizen soldier might be. In addition, there is a recognized shortage of in-depth reserves in NATO. It is clear we have a manpower shortage. How are we going to afford more people at professional rates? The shooting community and the civilian soldier is our answer.

Another factor that supports this idea is the speed of the modern battlefield. It's the concept that if the soldiers aren't there already, then they are never going to get there in time. On the other hand, if you have an organized civilian military, you can actually move people and get them to an area on time to fight a battle. We're almost back to the tradition of the Anglo Saxons, which was: If you were waiting onshore when the raiders came, then you could possibly save them off. If you weren't there, you wouldn't get there.

So there are all sorts of military reasons why the exploitation of the civilian resources must be important to us. From the point of view of the shooting community, I think it is the key to its survival.

MONITOR: Do you foresee the public accepting the idea of the "citizen soldier"?

MUNDAY: Yes, eventually, if presented properly. You see, right now we have a bit of a public relations problem with it because of the transition of attitudes over the last two decades. For instance, if you look back at the middle of the last century, you have a transition from then to now, in terms of the word "militia" and the words "paramilitary force." The connotations of those two phrases, which mean very much the same thing, are entirely different. A militia man was considered, in the last century, much more respectable than the regular soldier because the regular soldier was a man who lived off the state, while the militia man got on with his job and served as need. Whereas, nowadays, it's the regular soldier who is respectable and the paramilitary who is somehow seen as being unsavory and a risk of subversion or whatever.

MONITOR: Would you say this "risk of subversion" concept has been a big part of the passage of gun control laws in Europe and the United States?

MUNDAY: I don't think there is any question that the underlying factor in virtually every country's decision to promote or limit the use of firearms is paranoia about the security of state. If you actually look at the founding of the American NRA, you'll find one of the fundamental factors in getting it off the ground was the riots in New York City in

1871. The U.S. needed a National Guard to handle that sort of thing. There are different types of parallels in many European countries as well. France still substantially suffers from the emergency firearms legislation introduced in 1939. Germany still has strong elements of the new code introduced by the Nazis because they were concerned about the private ownership of firearms as a potentially anti-Nazi threat. In England, firearm laws were passed primarily in response to the fears of a Bolshevik revolution and later in response to problems caused by the Irish Republican Army. This is why it is very important that we seize the issue of terrorism by the horns and discount firearms control as a way to effectively combat it. Otherwise it is quite possible that the shooting community and the right to bear arms could be sold out on the excuse that the only way to eliminate terrorism is to limit access of firearms by the common man.

MONITOR: Why do you think that the many governments and the non-

shooting populations of the world are willing to believe that restricting firearms will reduce terrorism and other crime?

MUNDAY: Again, it is the change-around in attitudes. It is clear that we live in a material society. Our fundamental problem is that we give priority to the material elements in society. For example, the gun commits the crime and is the material factor that conditions the actions of the individual. This notion of diminished responsibility, reduced to a theory, is inevitably going to find as one of its corollaries pressure for the control of firearms. That attitude says that it is not the independent thoughts of the individual that cause the crime, rather that his action was conditioned by the presence of the material, the gun in this case. It is up to us to change this mindset, and it simply cannot be done by spouting statistics no matter how true they are. We must pitch the firearms issue in a new perspective and pointing out the value of a competently armed citizenry is a good way to start.



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Field Reps.: NRA Key to Communications

The NRA Field Representative Areas were renumbered on Jan. 1 to put them in a logical numerical sequence, according to Anthony Madda, field staff coordinator. The new listing appears below.

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AREA 3
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AREA 4
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Anti-Hunting Actions by NPS Have Many Hunters Concerned

WASHINGTON—Recently, the National Park Service has initiated actions that have left it less than chummy with many hunters.

In October 1985, only weeks before the opening day of waterfowl season in Maryland, NPS filed a blind-site license application with the Maryland Department of Natural Resources to secure park shoreline on the federal Piscataway Park in southern Maryland.

The NPS was licensed for all 13 of the blind-sites around the area, known as Mockley Point, at the confluence of Piscataway Creek and the Potomac River. The marshy point has been used for nearly 15 years by local duck hunters, who use off-shore floating blinds. Shooting over—away from the park—the river, the hunters come to the area to enjoy the quiet and excellent duck hunting.

But all of that was threatened when the NPS filed its blind-site application. Hunters would not have been allowed to use the floating blinds in the area because they would have been too close

to the newly licensed—and unused—park blind-sites.

Hunters who use the area were hoping mad and they let people know it.

Hunter and local resident Jack Weatherbee contacted Washington Times outdoor writer Gene Mueller and gave him a tour of the area. Mueller reported that the hunters believed that a \$100 donation to the park management from a residential area adjoining the park resulted in the buying up of all of the blind-sites. Many of the residents have complained about the noise of the shooting and are concerned about safety.

Superintendent of National Capital Parks/East Burnice Kearney, manager of Piscataway Park, told Mueller that his office did receive such a donation, but denied that it affected the decision to secure the blind-sites.

Kearney said that there were three reasons for buying all the blind-sites. There is a school for environmental education located near Mockley Point, and instructors expressed concerns

about hunters in the area, said Kearney. Also, coves around the area are actually part of the park—even though submerged—and there is no hunting on park land. Finally, Kearney said that there have been sightings of bald eagles in the area. Safety and noise seemed to be secondary reasons for closing the area to hunting.

But Susan Recce, deputy assistant secretary for the U.S. Interior Department's Fish and Wildlife and Parks, said that NPS told her office that their concern for safety and past unsubstantiated shooting incidents prompted their actions.

Recce and William Horn, assistant secretary for Fish and Wildlife and Parks, were asked to intervene in the matter by National Rifle Association lobbyist James Baker, who was contacted by some of the local hunters.

"We looked at it (the situation) and there was some question as to whether or not the safety concern was valid," said Recce.

After intense questioning and pressure

from the Fish and Wildlife and Parks of vice—and one week after the duck season began—NPS returned seven of the 13 blind-sites to the state of Maryland and the hunters.

"We missed about a week of, presumably, better hunting," said James Giffilan, one of the duck hunters.

The hunters are not really bitter about their ordeal with NPS, they are glad they got to hunt duck this past season. But they are concerned with what appears to be a dangerous trend starting at NPS.

In 1983, NPS issued new regulations that would prohibit hunting and trapping in certain national park recreation areas where those activities historically have been allowed. The NRA filed suit to reverse the regulations, and the case is pending in U.S. District Court for the District of Columbia.

And, the park service is attempting to buy two islands off the Southern California coast and stop hunters from taking wild sheep and other big game animals that inhabit the islands.

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Pro-Gun Groups File Brief in Gun Liability Case

ANNAPOLIS, Md.—The Maryland Court of Appeals recently rejected several pro-gun groups' arguments in denying a motion to reconsider its ruling that manufacturers of "Saturday Night Specials" may be held strictly liable for injuries caused by the criminal misuse of their products.

The Gun Owners of America Inc., the Second Amendment Foundation and the Congress of Racial Equality filed their friends of the court brief on behalf of Roehm Gesellschaft (a West German gun manufacturer) and R.G. Industries (its U.S. subsidiary) in their motion for reconsideration of the case of *Kelley vs. R.G. Industries*. In that case, Olen J. Kelley alleges that he was shot with an R.G.-made .38-caliber revolver, and is seeking damages from the gun manufacturer.

The Maryland Court of Appeals on Oct. 3 ruled that manufacturers of "small, inexpensive handguns, commonly known as 'Saturday Night Specials,'" may be sued for injuries caused by a third party's criminal misuse of the guns.

The court said that the maker of a "Saturday Night Special knows or ought to know that he is making a product principally to be used in criminal activity."

Maryland's highest court described "Saturday Night Specials" as "generally characterized by short barrels, light weight, easy concealability, low costs, use of cheap quality materials, poor manufacture, inaccuracy and unreliability." The court went on to say that those characteristics make the gun "particularly attractive for criminal use and

virtually useless for the legitimate purposes of ... protection of persons, property and businesses."

In their brief, the Gun Owners of America and the Second Amendment Foundation — CORE, a nationwide civil rights group, focused on the discriminatory nature of the court's opinion (see Monitor, Dec. 15)—pointed out the court's definition of a "Saturday Night Special" is overly broad and inaccurate, its ruling will have an adverse effect on the manufacturers of "quality" handguns, and that the court relied on incomplete research on gun use by criminals as the basis for its decision.

The amici attacked the court's description of a "Saturday Night Special" and its statement that the gun's characteristics make it useless for self-defense, noting that "no standard reference work is cited for this view nor are any specific test results referenced."

The brief, prepared by the New York law firm of Benenson and Kates, pointed out that "not even one case has been cited of successful safety defect litigation against a Saturday Night Special manufacturer."

GOA and SAF said that U.S. Treasury Department-sponsored testing showed that cheap and expensive handguns were "functionally equivalent in utility, safety and reliability for ordinary personal defense purposes."

Describing the gun as inaccurate is irrelevant, said the pro-gun groups, because most handgun shootings occur at close quarters. FBI studies show that the majority of shootings take place at a

range of seven yards or less, "and more commonly at about seven feet."

"There is no basis for concluding that cheap handguns are unreliable for the self-defense purpose," stated the brief. "The proof that the more expensive is better in no way implies that the less expensive is worthless."

The court's definition also will have an adverse impact on the manufacturers of "quality" handguns, said GOA and SAF.

"The decision, although intended to exempt the manufacturers of quality handguns, will inevitably involve them in endless litigation as plaintiffs argue that a particular firearm, despite high price, has other characteristics ... which the Court found to be those of Saturday Night Specials," the brief stated. "In every suit involving criminal misuse of a quality detective-type handgun the manufacturer will be put to the expense of proving at trial by expert testimony that the gun falls outside the opinion's loosely defined class of Saturday Night Specials."

Finally, the Court of Appeals' fundamental basis for its ruling, that "Saturday Night Specials" are regularly used in crime, was refuted by the amici.

The brief relied on experts in the field of criminology and their studies of criminals and gun use to counter the court's assertions.

Professor David Bordua: "Since the number of Saturday Night Specials (however defined) that have been sold enormously exceeds the amount of gun

crime even in ghetto areas, the vast majority of these weapons cannot be being used in crime."

Professor James Wright: "Every rigorous American study of gun crime has shown that the majority of crime guns are not Saturday Night Specials."

"There are just not enough criminals in the United States to account for the purchasing of a majority of the Saturday Night Specials produced."

"Our recent survey of felony convicts ... finds them giving reliability, accuracy, firepower, and high quality in general, as their primary criteria for gun desirability."

The amici concluded that there was no basis for the court's statements that most Saturday Night Specials are used for criminal activity or that they are "particularly attractive" to criminals.

The brief closed by posing some questions that had been raised by the ruling, but had not been answered by the Court of Appeals.

Asked the amici: "If cheap handguns were both unreliable and predominant as crime weapons (and the court said they are), would the best social policy response clearly be to make them unavailable so that at least some criminals would resort to more reliable weapons?"

The Court of Appeals apparently ignored that question and others as well as comprehensive studies and statistics in rejecting the motion for reconsideration, and opened the gates for a flood tide of product liability suits against the manufacturers of all handguns.

State Supreme Courts Hear Cases Affecting Gun Owners

TALLAHASSEE, Fla.—The Florida Supreme Court on Dec. 19 reversed a lower court's unanimous decision that Broward County's 1984 handgun referendum violated the state constitution.

The action paves the way for a 10-day waiting period and background check on handgun buyers throughout the South Florida county, while state pro-gun groups and the National Rifle Association will step up their efforts for Florida pre-emption.

The protracted legal case began in March 1984, when Broward County passed a referendum authorizing a county-wide gun control law. Under the referendum's provisions, municipal governments were barred from "opting out" of the measure as they had been allowed in the past.

Immediately after the March vote, Ft. Lauderdale attorneys Eugene Heinrich and Robert Cox challenged the referendum's legality under Florida's home rule doctrine for cities. Their claim, which was initially rejected by Circuit Court Judge Robert Able, was later upheld by a three-judge panel of Florida's Court of

Appeal for the Fourth District in a unanimous Oct. 10, 1984 ruling.

Broward County appealed that decision to the state high court, seeking to bind Ft. Lauderdale, Sunrise, Plantation, Dania, Pompano and other pro-gun cities—which had rejected the anti-gun measure—to the county's waiting period.

In its December ruling, the Florida Supreme Court said that counties could pre-empt city governments in the area of handgun control, which the court said "will best further the ends of government."

The court likened gun control to municipal "services" such as water and pollution control, parks and recreation, zoning and police.

State pro-gun organizations, led by the Unified Sportsmen of Florida, said the state high court's ruling would increase their efforts for passing a pre-emption bill in the Florida Legislature. Such a measure would bring uniformity to Florida's gun laws, prohibiting a myriad of county restrictions such as waiting periods in Broward and Dade counties.

VIRGINIA BEACH, Va.—The Virginia Supreme Court will decide this month whether to hear a legal appeal that attempts to overturn a law requiring city residents to obtain permits to purchase handguns.

The appeal is the result of a May 1985 decision by the Circuit Court for the City of Virginia Beach that upheld the permit law. The City Council passed the permit ordinance in 1982.

The appeal, filed by National Rifle Association Assistant General Counsel Richard E. Gardner, argues that under state law only certain counties—and no cities—are permitted to enact handgun permit-to-purchase schemes.

Citing Virginia's Dillon rule, which provides that local governing bodies may not enact legislation unless granted permission by the state Legislature, Gardner maintained that the General Assembly has not granted Virginia Beach permission to enact a gun ordinance.

In the May ruling upholding the gun ordinance, Circuit Court Chief Justice Henry L. Lam stated "... the Dillon rule does not invalidate the ordinance.... In our cities we live in a heavily structured

society. While preserving individual freedom as best we can, the dense population of our urban areas has caused the adoption of many additional laws deemed necessary to adjust to crowded living conditions."

Lam's opinion dissented from a 1983 non-binding opinion issued by then-state Attorney General Gerald L. Baliles that said the permit-to-purchase requirement was illegal.

The petition to appeal the Circuit Court's decision states: "The Circuit Court has plainly concluded that the Dillon rule does not apply to densely populated urban areas. For this novel proposition, no authority has been cited. Rather the Circuit Court apparently has concluded that the Dillon rule is outdated and has no application to modern urban jurisdictions. The Dillon rule ... is not a rule that a Circuit Court may, in some instances, refuse to apply."

Under Virginia law, only counties with a density of population of more than 1,000 per square mile have the power to enact handgun ordinances. Currently only Arlington and Fairfax counties fall into that category.

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The NRA Voluntary Practical Firearms Program teaches safe gun handling, the basics of marksmanship, firearms and the law and how to avoid criminal attacks.

Practical Firearms Program: Training for Self-Protection

By Katie O'Rourke
NRA Public Education

WASHINGTON—The National Rifle Association announced in January that more than 250,000 people, the majority of whom are women, have completed the organization's Voluntary Practical Firearms Program (VPFP).

The VPFP, created in 1983 by a coalition of experts in law enforcement, personal security and marksmanship, was developed in response to thousands of requests NRA received from women and older people for an effective self-protection program.

According to the program's national coordinator, Katie Maguire, more than 26 million women in America either own or have access to guns. "Women have adopted lifestyles independent of male protectors and are using guns for self-defense instead of relying on passive

resistance. Women are buying guns and learning how to use them," Maguire said.

The nine-hour VPFP course covers a wide range of subjects including shooting and firearm safety; handgun basics; and the care, cleaning and storage of guns. Additionally, local experts in the fields of law enforcement and self-protection teach classes in firearms and the law, and avoiding criminal attacks.

More than 10,000 classes are conducted annually by 5,000 NRA-certified instructors throughout the country. The cost of the course ranges from \$5 to \$10 to cover the cost of the materials and it is not necessary to own a gun to attend the course.

For further information, contact: Kathleen Maguire, NRA Education and Training, 1600 Rhode Island Avenue, N.W., Washington, D.C. 20036 (202) 828-6259.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 2, 1986

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Handgun Control, Inc.
1400 K Street, N.W.
Washington, D.C. 20005

Re: MUR 2115

Dear Gentlemen:

This letter is to notify you that on December 23, 1985, the Federal Election Commission received a complaint which alleges that the Handgun Control, Inc. may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2115. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against the Handgun Control, Inc. in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

EXHIBIT 2

25040782462

If you have any questions, please contact Maura Callaway, the staff person assigned to this matter at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

Kenneth A. Gross (Signature)
By Kenneth A. Gross
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

35040582463

HANDGUN CONTROL

ONE MILLION STRONG . . . working to
keep handguns out of the wrong hands.

REC-
GCC# 9757
86 FEB 18 12:30

February 14, 1986

Mr. Charles N. Steele
General Counsel
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

86 FEB 19 9:48
RECORDED
GENERAL COUNSEL

Dear Mr. Steele:

Pursuant to 2 U.S.C. §437g(a)(1) and 11 C.F.R. §111.4(a), I request that you investigate the following complaint alleging that the National Rifle Association ("NRA") has violated section 437g(a)(12)(A) of title 2, United States Code, and section 111.21(a) of title 11, Code of Federal Regulation, by making public MUR 2115. This complaint is filed on behalf of Handgun Control, Inc. ("HCI"), 1400 K Street, N.W., Washington, D.C. 20005.

It is averred that:

1. On information and belief, the NRA is a membership corporation chartered in New York in 1871.
2. On information and belief, the "Institute for Legislative Action" is an office within the NRA organized in 1975 for the purpose of engaging in lobbying and other political activities of the NRA.
3. MONITOR is the official publication of the NRA's Institute for Legislative Action. Exhibit 1*, page 3.
4. MONITOR is available to the general public. Exhibit 1, page 3.

*Exhibit 1 is a xerox copy of Volume 13, No. 1 of MONITOR dated January 15, 1986. An original copy of the January 15 MONITOR was attached to HCI's response in MUR 2115 filed January 23, 1986.

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5. On or about December 17, 1985, the NRA filed a complaint with the Federal Election Commission alleging that HCI and/or its separate segregated fund Handgun Control, Inc. Political Action Committee ("HCI-PAC") violated provisions of the Federal Election Campaign Act. The Commission has docketed this matter as MUR 2115. Exhibit 2.
6. By letter dated January 2, 1986, and received on January 9, 1986, Charles Steele on behalf of the Commission notified HCI that it had received the NRA complaint commencing MUR 2115. In that letter of notification, Mr. Steele noted "This matter will remain confidential in accordance with 2 U.S.C. §437g (a)(4)(B) and §437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public." Exhibit 2.
7. HCI has not notified the Commission that it wishes any aspect of MUR 2115 to be made public; nor, has HCI itself taken any steps to make public MUR 2115.
8. On or about January 15, 1986, the NRA published Volume 13, No. 1 of MONITOR, the cover page of which reported "Handgun Control Inc. has engaged in unlawful solicitations of political contributors and made corporate contributions to its Political Action Committee in violation of federal law, according to a National Rifle Association complaint filed with the Federal Election Commission. [See story, page 1]." Page 1 of this same edition of MONITOR contained a story that discussed MUR 2115 in more detail. Exhibit 1, pages 1 and 2.
9. By making these disclosures concerning MUR 2115 in the official publication of the NRA's Institute for Legislative Action, the NRA willfully violated HCI's right to confidentiality in derogation of both the Federal Election Campaign Act and the Commission's regulations. 2 USC §437g(a)(12)(A); 11 C.F.R. §111.21. See H.R.Rep. No. 422, 96th Cong., 1st Sess. 22-23 reprinted in 1979 US Code Cong. and Ad. News 2860, 2882-83.

35040332455

Mr. Charles N. Steele
February 14, 1986
Page 3

CONCLUSION

The NRA should be sanctioned to the fullest extent allowed by U.S.C. §437G(A)(12)(B) for its willful violation of HCI's rights and the Commission's confidentiality procedures.

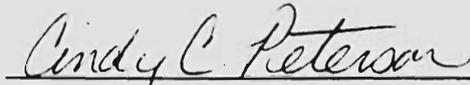
Sincerely,


Mary Louise Westmoreland
General Counsel

MLW:vbf

The foregoing is based on my knowledge except insofar as averments identify the source of information on which they are based or are expressly made on information and belief.

Sworn to and subscribed before me this 14th day of February, 1986.



Notary Public

Feb. 14, 1991

My Commission Expires

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MONITOR

NATIONAL RIFLE ASSOCIATION

Institute for Legislative Action

Volume 11 Number 1 January 15, 1986

At A Glance

The Wilmington, Del., City Council is expected to consider an ordinance to ban the sale and possession of handguns. Already, pressure has been put on council members to reject the ban proposal. [See story, page 1.]

Handgun Control Inc. has engaged in unlawful solicitations of political contributions and made corporate contributions to its political action committee in violation of federal law, according to a National Rifle Association complaint filed with the Federal Election Commission. [See story, page 1.]

New York Gov. Mario Cuomo, once again, has slighted NRA members and hunters. The possible 1988 presidential candidate recently tried to downplay his remark made in March 1985 that NRA members "drink beer, don't vote and lie to their wives about where they were all weekend." Cuomo said the remark was made in jest at a dinner last summer. [See story, page 2.]

Most state legislatures reconvene this month, and a flurry of pro- and anti-gun bills have been pre-filed and await in-

roduction in their respective statehouses. [See state roundup, page 3.]

Richard Munday, editor of the British magazine *Handgunner*, talks about firearms and firearms laws in Great Britain and the United States in a Monitor interview. [See interview, pages 4 and 5.]

The 21 field representatives of the National Rifle Association provide an important link between the association's 3 million members and its elected officials who carry out NRA policies. The NRA Field Services Division has updated and revised its list of field representatives. [See list, page 6.]

The Supreme Courts of Florida and Virginia have made or soon will be making decisions in cases of great importance to gun owners in portions of those states. [See story, page 7.]

More than 250,000 people, the majority of them women, have completed the NRA's Voluntary Practical Firearms Program. Started in 1983, the VPPF trains people in the safe and effective use of firearms for self-protection. [See story, page 8.]

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MONITOR

National Rifle Association of America

Institute for Legislative Action

Volume 13, Number 1



Kentucky Governor Martha Layne Collins, one of the few women to hold such office, recently was presented with a 24K gold .38-caliber Colt Detective Special for her pro-gun political stand by the Kentuckiana Arms Collectors Association. Collins, who favors tougher jail sentences, more prisons and the death penalty as effective crime deterrents rather than restrictive gun laws, was elected to her current post in 1983. Making the presentation to Collins were (left to right) Winfred Sumner, vice president, KACA; Tony Wilson, president; Governor Collins; Jeffrey W. Flannery, gun engraver; and Floyd Poore, Kentucky secretary of transportation.

City to Consider Handgun Ban

WILMINGTON, Del. — An ordinance to ban the sale and possession of handguns in this city of 70,000 was introduced Dec. 19 at a City Council meeting.

Councilwoman Loretta Walsh sponsored the anti-gun measure that would prohibit the sale of handguns and require current handgun owners to deliver their guns to local police within six months from the date of enactment of the ordinance.

The ordinance calls for violators to be fined from \$500 to \$2,500 or sentenced up to six months in jail.

Although Delaware recently passed a firearm pre-emption law that prohibits local municipalities from adopting gun laws more restrictive than the state's, city attorneys who drafted the Wilmington ban proposal claim that they have found a loophole in the law. The state law says that no city may amend its charter to enact firearm laws more restrictive than the state's; lawyers for the city say their proposal is an amendment to an ordinance, not the city charter.

The proposed law, which was sent to the Public Safety Committee and is expected to be debated at a public hearing this month, was modeled after ordinances in Morton Grove, Evanston and

Oak Park, Ill. Indications are that the handgun bans in those Chicago suburbs have done little or nothing to reduce crime, and many of the gun-owning residents have ignored the provisions requiring that they surrender their handguns to police.

Walsh claims that many of her constituents voiced support for gun control, but fellow Delaware resident Nelson T. "Pete" Shields, president of Handgun Control Inc., told the Wilmington News Journal, "My group cannot support this law."

The Delaware State Sportsmen's Association is gathering support to fight the City Council proposal and DSSA President John Thompson is confident the ordinance will be defeated.

"I think we can win in City Council," said Thompson. "Then we're going to close this supposed loophole so that we don't have to fight this thing two years from now."

Thompson said that DSSA plans to amend the state pre-emption law to preclude local municipalities from amending their charters and ordinances with regard to gun control. Amending legislation is expected to be introduced when the Legislature reconvenes Jan. 14.

Complaint Filed Against HCI

WASHINGTON — Handgun Control Inc. unlawfully solicited contributions and made illegal corporate contributions to candidates running for federal office in 1984, the National Rifle Association has charged in a formal complaint recently filed with the Federal Election Commission.

The Dec. 19 complaint, filed by NRA Assistant General Counsels Janet Scherer and Richard Gardiner, stems from a July 1985 disclosure report filed with the FEC by HCI's political action committee, HCI-PAC. The report revealed that HCI-PAC "reimbursed" HCI for more than \$2,100 last January for in-kind contributions made by HCI on behalf of the PAC to 13 federal candidates in 1984.

Under federal law, it is illegal for a corporation to make campaign contributions or lend money to its PAC.

NRA's complaint also alleges that

HCI "knowingly entered false information on several of its 1984 reports to conceal HCI's corporate contribution."

The complaint states that, in at least three earlier disclosure reports to the FEC, HCI maintained that the in-kind contributions were made by HCI-PAC and not HCI.

NRA's complaint also charges HCI with violating federal law by soliciting contributions from individuals who are not members of the organization.

An earlier FEC directive ordered HCI to revamp its membership structure by assigning specific membership rights to individuals in order to make solicitations for political contributions. NRA's complaint charges that while HCI complied with the directive, it is not yet in compliance with federal law because it has not granted sufficient membership rights to supporters and has continued to solicit political contributions.

In this issue:

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3 5 0 4 0 5 0 2 4 5 8

Past Presidents, Officials Praise NRA

The concept of an armed citizenry has been endorsed by chiefs of state and the military since America was founded. In looking through the NRA archives recently, we found some interesting correspondence by famous military and political figures that we thought our readers might enjoy:

"Expertness in the use of the rifle cannot be over-emphasized. If the Cleveland Civilian Marksman's Association is bringing this kind of training and knowledge to the men who will one day become either officers or enlisted men in any of the armed forces, it is doing them, and the country, a service of incalculable value."

— Dwight D. Eisenhower
commander-in-chief of the
Allied Force Headquarters
August 16, 1943

"I hope that the splendid program which the National Rifle Association has followed during the last three-quarters of a century will be continued. It is a program which is good for a free America."

— President Harry Truman
November 14, 1945

"The record of the National Rifle Association during World War II has been one in which its members should take great pride. The nation is fortunate in having such an organization upon which it can rely for the continued development of proficiency in the use of small arms by the citizens of this country."

— George Marshall
chief of staff of the
War Department
October 30, 1945

"I take this opportunity to congratulate the National Rifle Association for its untiring efforts to encourage marksmanship training among the youth of our country. The Association deserves much credit for its contribution to the promotion of competitive shooting which bore much fruit in the training camps and on the battlefields of World War II as well as during the present national emergency."

— President Harry Truman
September 20, 1951

"Through competitive matches and sports in coordination with the National Board for the Promotion of Rifle Practice, the National Rifle Association fills an important role in our national defense effort, and fosters in an active and meaningful fashion the spirit of the Minutemen."

— President John F. Kennedy
March 20, 1961

"The NRA believes America's laws were made to be obeyed and that our constitutional liberties are just as important today as 200 years ago. The Constitution does not say Government shall decree the right to keep and bear arms. The Constitution says 'the right of the people to keep and bear arms shall not be infringed.' No group does more to promote gun safety and respect for the laws of this land than the NRA, and I thank you."

— President Ronald Reagan
May 6, 1983

Monitor Report Policy

It is the policy of the National Rifle Association to publish in its Monitor only those reports which are of national interest and which are of a nature to be of benefit to the general public. The Monitor is not a political publication and it does not take sides in political controversies. It is the policy of the Association to publish only those reports which are of a nature to be of benefit to the general public and which are of a nature to be of national interest.



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Official Publication of the
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Subscription information: \$10 per year, \$5 for NRA members. Single copies \$1.00.

Cuomo Gives 'New' Description of NRA Members



Governor Mario Cuomo

gaffe to reporters for Albany radio station WINS.

When asked to recall his personal worst in 1985, Cuomo recounted remarks made about the NRA. He told the radio station that the remarks were made at a dinner in California last summer. (Summer usually is considered to be the time from June through September. Cuomo made his off-the-cuff comments in March.)

Said Cuomo, "I said in a jocular way, these guys are out pretending they're hunting. They're really having a party and they're lying to their wives about it. They'll buy a deer, strap it to the car and bring it home. The guys (at the dinner) laughed, we all laughed, but they put it on the wire and 6 million NRA people hoisted their pistols and their cannons and pointed them at Albany, as I would if I were an NRA member."

For his remarks in the Times, Cuomo received a letter from NRA-Institute for Legislative Action Executive Director J. Warren Cassidy, who wrote that the governor was "perpetuating an unfair and prejudiced stereotype that is unjustified and intolerable."

"You pride yourself as a champion against ethnic prejudice, yet you continually demonstrate the most unforgivable and callous prejudice against those who choose to own guns and hunt."

"You will see for yourself whether or not NRA members vote," Cassidy's letter concluded.

Cuomo tried to allay NRA's wrath in a letter to then-NRA President Howard Pollock, saying that politicians say things from time to time that may create "baseless concerns."

"My response was inartful," said Cuomo. "It could leave a false impression of disrespect for the National Rifle Association."

NRA officials, who viewed Cuomo's so-called apology as less than sincere, consider the governor's recent radio remarks as an attempt to "brush off" his earlier statements about the organization.

The 3 million-member association has renewed its pledge to oppose Cuomo in his bid for re-election in 1986 — there are 200,000 NRA members in New York — and should he run for the 1988 presidential nomination.

ALBANY, N.Y. — One of the National Rifle Association's favorite politicians has put his foot in his mouth — again.

New York Gov. Mario Cuomo once again has endeared himself to NRA members and hunters throughout the country.

The governor was quoted in April 1985 by the Los Angeles Times as describing those opposed to New York's mandatory seat belt law as NRA members "who drink beer, don't vote and lie to their wives about where they were all weekend."

His latest faux pas occurred Dec. 31 when he described that earlier political

Correction

In the production of the Dec. 31 Monitor (Vol. 12, No. 24), the printing company accidentally transposed the photos on pages 1 and 7 on certain issues. A limited supply of corrected copies is available from NRA Public Education. Our printers apologize for the error.

National Rifle Association's MONITOR

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state roundup

THE ROUNDUP

Pennsylvania

HARRISBURG—Pistol carry permits may be extended from the current one-year validation period to an indefinite period if bills that were recently introduced in the state Legislature are approved.

S.B. 1265 was introduced in December by Sen. D. Michael Fisher to "correct the deficiencies in the current law, and stop the abuses of power that have been uncovered in many counties and towns in Pennsylvania," according to a press release from the Allegheny County Sportsmen's League.

A House companion bill, H.B. 819, was introduced in April by Rep. Robert W. Godshall.

No action has been taken on the bills to date, but the Senate is expected to consider its bill soon, according to Pennsylvania sources. The bills have been assigned to their respective Judiciary committees.

If the bills are passed and signed into law they would:

- Specify in the law the contents of carry permit applications;
- Mandate that a carry license be valid anywhere in the state;
- Eliminate the necessity of stating a "reason" to obtain a license;
- Require the issuing authority to state a "reason," in writing, why an application should be denied;
- Change the validation period from the present one year to indefinite;
- Require that only the sheriff of a county be responsible for issuing a license.

- Set the fee for a license at \$20;
- Provide procedures for administrative appeals of suspensions, revocations and denials of a license to be heard within 20 days;
- Require that the license and application forms be provided by the state police, and that they be uniform throughout the state;
- Specify who may not be eligible for a license;
- Provide the sheriff with a grant of immunity from liability for the actions of a licensee.

Legislation (H.B. 583) also is pending in the Legislature to extend state carry permits from their current one-year life to five years. [See Monitor, Dec. 15.]

Michigan

LANSING—Michiganders now will be allowed to use handguns to hunt deer in the lower third of the state.

Gov. James Blanchard signed into law Dec. 8 a bill that permits the use of "repeating" handguns for deer and other big game hunting in the southern portions of the Wolverine state. (Michigan does not allow hunting with rifles.)

The bill, H.B. 4098 sponsored by NRA member and state Rep. Jerry C. Bantz, was passed by the House May 28 by a vote of 92-0. The Senate approved the measure, with an amendment, 24-10, and the House concurred Oct. 21 by a vote of 99-0.

Michigan law previously allowed handgun hunting in the other two-thirds of the state.

Richmond Councilmen Expected to Propose Anti-Gun Measure

RICHMOND, Va.—City Councilmen Walter Kenney and Henry Marsh are expected to propose an ordinance to control guns in this capital city of 220,000.

Richmond had a rash of handgun-related deaths in 1985, topping the number of 1984 killings. But most of the deaths were homicides related to drug deals, according to police reports.

Kenney and Marsh also proposed handgun control measures last year. The councilmen introduced in January 1985 an ordinance that would have required city residents to register their handguns by May 31, 1985. The ordinance also would have banned the sale of handguns in the city, and persons failing to register their guns by the May 31 deadline could have been charged with a misdemeanor. A second proposal called for handgun registration only.

Both measures were defeated overwhelmingly by the City Council, which elected instead to adopt a resolution supporting stiffer mandatory penalties for those convicted of using a gun during the commission of a felony.

Two bills to enhance firearm manda-

tory sentences were introduced in the Virginia General Assembly last year, but neither measure was reported out of committee.

The Kenney-Marsh proposal—if, as expected, attempts to control the sale or possession of guns or call for their registration—would be in conflict with the state's pre-emption law.

The Dillon rule—which holds in general that state law supercedes local ordinances, and which has been interpreted by the former state's attorney general as applying to firearm legislation—protects Virginia gun owners from restrictive firearms laws.

Despite the Dillon rule, city attorneys have stated in the past that the city charter contains language that allows actions to be taken to protect citizens.

Once again, the Virginia State Rifle and Revolver Association and the National Rifle Association will be active in stopping the anti-gun proposals in Richmond.

For more information on the anti-gun ordinance, contact Chuck Cunningham, NRA state liaison for Virginia (202) 828-6377.

State Senator Proposes Bill to Stop Sale of 'Saturday Night Specials'

ANNAPOLIS, Md.—A bill to define "Saturday Night Specials" and make their sale illegal was introduced in the state Senate Jan. 8 by Sen. Troy Brailey of Baltimore.

The bill, S. 98, would define a "Saturday Night Special" as a handgun that has a frame, barrel, cylinder, slide or breechlock that is a die casting of a metal alloy or any other material that has a melting point of 1,000 degrees or less.

The legislation also would amend existing laws covering penalties for violations of the state's gun laws.

Anyone who sells or offers for sale a "Saturday Night Special" would be guilty of a misdemeanor and fined from \$250 to \$2,500 or jailed not less than 30 days nor more than three years, or both, if the violation was a first offense. Once-convicted persons who violate the "Saturday Night Special" law would be subject to a mandatory one-year sentence—no more than 10 years—and persons convicted of more than one gun law violation would be subject to a three-year mandatory minimum sentence, not to exceed 10 years. (Maryland gun laws do not differentiate between use of a gun during the

commission of a crime and the mere carrying of a gun without a license.)

The bill was introduced to bolster a recent Maryland Court of Appeals ruling that holds the manufacturers of "small, inexpensive handguns, commonly known as 'Saturday Night Specials,'" strictly liable for injuries caused by the criminal misuse of their products.

The Maryland high court characterized "Saturday Night Specials" as having "short barrels, light weight, easy concealability, low costs, use of cheap quality materials, poor manufacture, inaccuracy and unreliability." (See Monitor story, page 7.)

Banning the sale of so-called "Saturday Night Specials" also would be a major step toward Baltimore's goal of ridding the city of all handguns. In City Council meetings in December, several council members supported a ban on the sale and possession of handguns, and a resolution was drafted to request the city's delegation to the General Assembly to support legislation to amend state law to allow municipalities to control guns.

[Maryland has a firearm pre-emption law prohibiting municipalities from adopting gun laws more strict than the state's.]



Colorado state Representative Carol Taylor-Little recently visited NRA headquarters in Washington, D.C., to discuss a bill she is sponsoring that will prevent handgun manufacturers from being held liable for the criminal misuse of their products in Colorado. From left to right: NRA-ILA Executive Director J. Warren Cassidy, Rep. Little and Louis J. Brunc, NRA state liaison for Colorado.

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An Exclusive Monitor Interview

British Scholar Richard Munday E

By Denise Troy Rouse
Monitor Staff Writer



Richard Munday, the assistant editor of *Handgun* magazine in Britain, was recently in Washington completing a fellowship with the Division of Armed Forces History at the National Museum of American History, Smithsonian Institution. A graduate of Oxford University, Munday's research focuses on the evolution of the American handgun. He has also written for *Gun Digest*, *Handgun*, *Handgun News*, *Shooting*, and *Handgun* magazines. He is also a frequent contributor to *Handgun* magazine.

MONITOR: What exactly are Britain's firearm laws and are they more restrictive than those enforced in the United States?

MUNDAY: That depends. The big shock upon arriving in the U.S. was finding that you have more than 20,000 separate gun laws. The advantage of the English system is that we have just one law applying to the entire country. It is a bad law, but at least it's constant. We don't have this problem of laws changing from town to town, city to city and state to state. Now, whether the English system is better or worse depends on what part of America you're from. If you come from Wyoming, you will be appalled by Britain's gun laws. On the other hand, if you come from the District of Columbia or New York, you're going to think it the other way around.

MONITOR: How are firearms regulated in Britain?

MUNDAY: Basically there are two types of firearm registration in Britain—firearm certificates for pistols and rifles, and shotgun certificates for shotguns. Under the terms of Britain's Firearms Act, for each individual rifle or pistol that you want, you must justify why you want it. In order to justify it, you must show what is known as "good reason." Unfortunately, "good reason" is open to interpretation and that interpretation has differed through the course of time. For example, in 1945, the accepted reason for wanting a pistol was "personal protection." Today, if you apply to your local police force and said you wanted a pistol for personal protection, the application would be rejected out-of-hand. The text of the law hasn't changed, just the interpretation of it.

MONITOR: What is considered "good reason" today?

MUNDAY: For pistols, competition shooting is generally the only accepted reason. For small bore or hunting rifles, then obviously hunting is justifiable. Pest control and rodent control are acceptable reasons for owning a rifle. Basically, it has been a general turn-around in attitudes with regard to the freedom of the individual and the state and the notion of how far you can rely on the police force.

MONITOR: When would you say that this "general turn-around" became most noticeable?

MUNDAY: Well, it has been a gradual change since the first handgun laws were introduced in the 1920's. But I would say 1968, which was a bad year for shooters in general, marked a turning point. In that year we had a new Firearms Act passed that basically consolidated all of the previous ones. Since then, there has been a different approach on the part of police departments and the bureaucracy in enforcing and interpreting firearm laws. They have taken to enforcing several very strict policies including pricing applicants out of the market. For example, the fees for firearm certificates have gone up dramatically since 1968. Back then, if I remember correctly, a firearm certificate was about a half-a-dollar. Now it costs about \$35. People who are keen on shooting don't mind paying that every three years, but for the casual shooter and the shooter who keeps a rifle to shoot rabbits on his farm, the price is a little high. These are the people who tend to give up their licenses rather than spend the money to renew them.

Another policy the police in many forces have adopted is to require applicants to fill out other forms in addition to those required by law. Frequent-

ly, it is just a duplication of information, but basically it means that people have got to go through a lot of paperwork, time and trouble to get access to firearms. And back to the matter of "good reason," if a person says he wants a pistol or rifle for competitive shooting, the first thing the police will ask is what club you belong to. Then they will demand a letter from the secretary of the club confirming that the applicant is a keen shooter. Now there is no basis in law for demanding an applicant to be a member of a club, but in practice, a person has to be in order to get a license for a pistol or anything other than a hunting rifle.

So you see the law hasn't changed, but the practice of enforcement has driven more than 50,000 people out of shooting in the past 10 years. Given the fact there are only 300,000 certificate holders in the entire country, 50,000 is quite significant.

MONITOR: What about shotguns?

MUNDAY: The shotgun legislation was introduced, once again, in everyone's bad year, 1968. Until then, there was no registration on shotguns whatsoever. Now an applicant must have two character references and fill out the basic forms on occupation and personal information. Provided the applicant doesn't have a criminal record or isn't insane, the issue is automatic. There are proposals now pending, however, to toughen up the system and require applicants for shotguns to fulfill the same requirements demanded for the pistol and rifle certificate system. Under that system, the burden is on you to justify each and every weapon. Shotgun certificates are issued on personal character rather than the weapon.

There is an interesting twist to the way the shotgun legislation got passed. In 1967, there was a media issue raised on how terrible it was that shotguns could be purchased from shops and then sawed off and used in crime. At the time, the issue was reviewed by Roy Jenkins, then the home secretary. He looked at the situation in a reasonably intelligent manner and came to the conclusion that there was no statistical case for introducing shotgun legislation. But in the spring of 1968, legislation on shotguns was introduced because between 1967 and 1968 three policemen were killed with handguns even though handguns had been strictly controlled since 1920. So the government, because of the media issue, had to be seen to do something, and regulated shotguns, ignoring the fact that the issue had been declared irrelevant 12 months before.

MONITOR: Have these policies helped to deter crime or is firearm-

related crime increasing in Britain?

MUNDAY: Firearm-related crime has increased in direct proportion to violent crime. Violent crime has increased so therefore, some subtraction of that is the element of gun crime. But there hasn't been a change in the overall balance since any of these laws were enacted. The proportion was there before the legislation was introduced and it's here afterwards, so it just goes to show that firearm laws have been an answer to a non-existent question. One of the things about introducing any legislation on firearms is that it is the easy answer. It's irrelevant, but the politicians or whoever is doing it can be seen by the people and the media to be doing something. And most people, who don't appreciate what the real situation is, are satisfied.

MONITOR: Experts have speculated that Europe may one day adopt a standard firearms code that would even further restrict gun ownership rights. Can you see this happening?

MUNDAY: Absolutely. In Britain and probably eventually the U.S., one of the principal threats we are going to face is going to come from Europe and resolutions made by the Council of Europe. The Council is anxious to put forth resolutions on anything it can agree on to signify unity. It cannot agree on the more contentious issues like agriculture, defense and other powerful interests, but it can agree on standardizing firearm legislation. As far as the European governments are concerned, the shooting community is an expendable one. It is not a big electorate. So uniform firearm laws could be used by the Council in a show of unity without it having to agree on the more problematic issues.

What this would mean would be that everybody would get the worst of everybody's laws. Of course every society has its own variety of craziness and it would be a combination of every country's worst in respect to gun control. For example, the Italian law, which prohibits private ownership of all military-caliber firearms, could be adopted all over Europe.

I believe that if uniform firearm laws are adopted in Europe, it will imperil the U.S. to some degree because the pressure from the world will influence lawmakers and say, "Look this is the way it should be done. The Europeans have adopted a strict uniform gun code and so should the U.S." The Council, which has been working on these types of proposals for many months, also would claim that a uniform gun law across Europe would be an effective counter-terrorist measure. Again, the U.S. could be

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Examines Gun Control in a New Light

vulnerable to this sort of discussion: the argument that we must legislate against terrorism by limiting the access of firearms. I firmly believe that Britain's problems today are going to be America's problems 10 years hence.

MONITOR: England seems very susceptible to gun control laws. Is it primarily the government who supports them or is it the population in general?

MUNDAY: I would say that the tenor of the entire country in general is anti-gun because of the heavy influence of the media and the perspective on firearms from a nation of people. You must keep in mind that the shooting community numbers about 3 million of a nation of 56 million. For the remaining 53 million, guns are an alien issue. Their opinions are going to be formed by what they see on television, and by really half-witted newspaper reports about guns in the U.S. They are not going to address the real issue or have any familiarity with it. What we must do, if the shooting sports are to survive, is to give these people a new perspective.

MONITOR: What type of "new perspective"?

MUNDAY: Well, we must stress the importance of the link between our civilian resources and the military. As long as firearms are looked at in terms of "Starsky and Hutch" and in terms of cops and robbers and the crime problem, then we have a real problem. What we must do is introduce new perspectives on firearms, civilians and the military. If you simply plead "shooters' rights" in Britain, nobody's heart is going to bleed for you. If you can prove your positive benefits to society then your rights will survive. We've learned that rights without duties don't tend to last very long.

One way for the shooting community to do this is to align itself more visibly with the military. If we have the military on our side in this context, it promotes shooting and gun ownership as a social utility. That is the way the NRA in both of our countries grew up and in my mind it is the only way the shooting community can survive.

It's quite practical when one thinks about it. Consider that most countries have fixed defense budgets that only have so much flex. And while the costs of defense materials are escalating very rapidly, the biggest and costliest fixed element in most defense budgets is manpower. Now, between the costs of materials and manpower, it is quite possible for the military to slip into technological obsolescence. Therefore, we must look at the possibility of exploiting civilian resources in a defense context or in

somehow reducing our manpower costs. This gives a whole new context to various concepts of what the citizen soldier might be. In addition, there is a recognized shortage of in-depth reserves in NATO. It is clear we have a manpower shortage. How are we going to afford more people at professional rates? The shooting community and the civilian soldier is our answer.

Another factor that supports this idea is the speed of the modern battlefield. It's the concept that if the soldiers aren't there already, then they are never going to get there in time. On the other hand, if you have an organized civilian military, you can actually move people and get them to an area on time to fight a battle. We're almost back to the tradition of the Anglo Saxons, which was: If you were waiting onshore when the raiders came, then you could possibly stave them off. If you weren't there, you wouldn't get there.

So there are all sorts of military reasons why the exploitation of the civilian resources must be important to us. From the point of view of the shooting community, I think it is the key to its survival.

MONITOR: Do you foresee the public accepting the idea of the "citizen soldier"?

MUNDAY: Yes, eventually, if presented properly. You see, right now we have a bit of a public relations problem with it because of the transition of attitudes over the last two decades. For instance, if you look back at the middle of the last century, you have a transition from then to now, in terms of the word "militia" and the words "paramilitary force." The connotations of those two phrases, which mean very much the same thing, are entirely different. A militia man was considered, in the last century, much more respectable than the regular soldier because the regular soldier was a man who lived off the state, while the militia man got on with his job and served as needed. Whereas, nowadays, it's the regular soldier who is respectable and the paramilitary who is somehow seen as being unsavory and a risk of subversion or whatever.

MONITOR: Would you say this "risk of subversion" concept has been a big part of the passage of gun control laws in Europe and the United States?

MUNDAY: I don't think there is any question that the underlying factor in virtually every country's decision to promote or limit the use of firearms is paranoia about the security of state. If you actually look at the founding of the American NRA, you'll find one of the fundamental factors in getting it off the ground was the riots in New York City in

1871. The U.S. needed a National Guard to handle that sort of thing. There are different types of parallels in many European countries as well. France still substantially suffers from the emergency firearms legislation introduced in 1939. Germany still has strong elements of the new code introduced by the Nazis because they were concerned about the private ownership of firearms as a potentially anti-Nazi threat. In England, firearm laws were passed primarily in response to the fears of a Bolshevik revolution and later in response to problems caused by the Irish Republican Army. This is why it is very important that we seize the issue of terrorism by the horns and discount firearms control as a way to effectively combat it. Otherwise it is quite possible that the shooting community and the right to bear arms could be sold out on the excuse that the only way to eliminate terrorism is to limit access of firearms by the common man.

MONITOR: Why do you think that the many governments and the non-

shooting populations of the world are willing to believe that restricting firearms will reduce terrorism and other crime?

MUNDAY: Again, it is the change-around in attitudes. It is clear that we live in a material society. Our fundamental problem is that we give priority to the material elements in society. For example, the gun commits the crime and is the material factor that conditions the actions of the individual. This notion of diminished responsibility, reduced to a theory, is inevitably going to find as one of its corollaries pressure for the control of firearms. That attitude says that it is not the independent thoughts of the individual that cause the crime, rather that his action was conditioned by the presence of the material, the gun in this case. It is up to us to change this mindset, and it simply cannot be done by spouting statistics no matter how true they are. We must pitch the firearms issue in a new perspective and pointing out the value of a competently armed citizenry is a good way to start.



Field Reps.: NRA Key to Communications

The NRA Field Representative Areas were renumbered on Jan. 1 to put them in a logical numerical sequence, according to Anthony Madda, field staff coordinator. The new listing appears below.

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AREA 4

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Anti-Hunting Actions by NPS Have Many Hunters Concerned

WASHINGTON—Recently, the National Park Service has initiated actions that have left it less than chummy with many hunters.

In October 1985, only weeks before the opening day of waterfowl season in Maryland, NPS filed a blind-site license application with the Maryland Department of Natural Resources to secure park shoreline on the federal Piscataway Park in southern Maryland.

The NPS was licensed for all 13 of the blind-sites around the area, known as Mockley Point, at the confluence of Piscataway Creek and the Potomac River. The marshy point has been used for nearly 15 years by local duck hunters, who use off-shore floating blinds. Shooting over—away from the park—the river, the hunters come to the area to enjoy the quiet and excellent duck hunting.

But all of that was threatened when the NPS filed its blind-site application. Hunters would not have been allowed to use the floating blinds in the area because they would have been too close

to the newly licensed—and unused—park blind-sites.

Hunters who use the area were hopping mad and they let people know it.

Hunter and local resident Jack Weatherbee contacted Washington Times outdoor writer Gene Mueller and gave him a tour of the area. Mueller reported that the hunters believed that a \$100 donation to the park management from a residential area adjoining the park resulted in the buying up of all of the blind-sites. Many of the residents have complained about the noise of the shooting and are concerned about safety.

Superintendent of National Capital Parks East Burnice Kearney, manager of Piscataway Park, told Mueller that his office did receive such a donation, but denied that it affected the decision to secure the blind-sites.

Kearney said that there were three reasons for buying all the blind-sites. There is a school for environmental education located near Mockley Point, and instructors expressed concerns

about hunters in the area, said Kearney. Also, coves around the area are actually part of the park—even though submerged—and there is no hunting on park land. Finally, Kearney said that there have been sightings of bald eagles in the area. Safety and noise seemed to be secondary reasons for closing the area to hunting.

But Susan Recce, deputy assistant secretary for the U.S. Interior Department's Fish and Wildlife and Parks, said that NPS told her office that their concern for safety and past—unsubstantiated—shooting incidents prompted their actions.

Recce and William Horn, assistant secretary for Fish and Wildlife and Parks, were asked to intervene in the matter by National Rifle Association lobbyist James Baker, who was contacted by some of the local hunters.

"We looked at it (the situation) and there was some question as to whether or not the safety concern was valid," said Recce.

After intense questioning and pressure

from the Fish and Wildlife and Parks office—and one week after the duck season began—NPS returned seven of the 13 blind-sites to the state of Maryland and the hunters.

"We missed about a week of, presumably, better hunting," said James Gillfillan, one of the duck hunters.

The hunters are not really bitter about their ordeal with NPS, they are glad they got to hunt duck this past season. But they are concerned with what appears to be a dangerous trend starting at NPS.

In 1983, NPS issued new regulations that would prohibit hunting and trapping in certain national park recreation areas where those activities historically have been allowed. The NRA filed suit to reverse the regulations, and the case is pending in U.S. District Court for the District of Columbia.

And, the park service is attempting to buy two islands off the Southern California coast and stop hunters from taking wild sheep and other big game animals that inhabit the islands.

Pro-Gun Groups File Brief in Gun Liability Case

ANNAPOLIS, Md.—The Maryland Court of Appeals recently rejected several pro-gun groups' arguments in denying a motion to reconsider its ruling that manufacturers of "Saturday Night Specials" may be held strictly liable for injuries caused by the criminal misuse of their products.

The Gun Owners of America Inc., the Second Amendment Foundation and the Congress of Racial Equality filed their friends of the court brief on behalf of Roehm Gesellschaft (a West German gun manufacturer) and R.G. Industries (its U.S. subsidiary) in their motion for reconsideration of the case of *Kelley vs. R.G. Industries*. In that case, Olen J. Kelley alleges that he was shot with an R.G.-made .38-caliber revolver, and is seeking damages from the gun manufacturer.

The Maryland Court of Appeals on Oct. 3 ruled that manufacturers of "small, inexpensive handguns, commonly known as 'Saturday Night Specials,'" may be sued for injuries caused by a third party's criminal misuse of the guns.

The court said that the maker of a "Saturday Night Special knows or ought to know that he is making a product principally to be used in criminal activity."

Maryland's highest court described "Saturday Night Specials" as "generally characterized by short barrels, light weight, easy concealability, low costs, use of cheap quality materials, poor manufacture, inaccuracy and unreliability." The court went on to say that those characteristics make the gun "particularly attractive for criminal use and

virtually useless for the legitimate purposes of...protection of persons, property and businesses."

In their brief, the Gun Owners of America and the Second Amendment Foundation—CORE, a nationwide civil rights group, focused on the discriminatory nature of the court's opinion (see *Gunnet*, Dec. 15)—pointed out the court's definition of a "Saturday Night Special" is overly broad and inaccurate, its ruling will have an adverse effect on the manufacturers of "quality" handguns, and that the court relied on incomplete research on gun use by criminals as the basis for its decision.

The amici attacked the court's description of a "Saturday Night Special" and its statement that the gun's characteristics make it useless for self-defense, noting that "no standard reference work is cited for this view nor are any specific test results referenced."

The brief, prepared by the New York law firm of Benenson and Kates, pointed out that "not even one case has been cited of successful safety defect litigation against a Saturday Night Special manufacturer."

GOA and SAF said that U.S. Treasury Department-sponsored testing showed that cheap and expensive handguns were "functionally equivalent in utility, safety and reliability for ordinary personal defense purposes."

Describing the gun as inaccurate is irrelevant, said the pro-gun groups, because most handgun shootings occur at close quarters. FBI studies show that the majority of shootings take place at a

range of seven yards or less, "and more commonly at about seven feet."

"There is no basis for concluding that cheap handguns are unreliable for the self-defense purpose," stated the brief. "The proof that the more expensive is better in no way implies that the less expensive is worthless."

The court's definition also will have an adverse impact on the manufacturers of "quality" handguns, said GOA and SAF.

"The decision, although intended to exempt the manufacturers of quality handguns, will inevitably involve them in endless litigation as plaintiffs argue that a particular firearm, despite high price, has other characteristics... which the Court found to be those of Saturday Night Specials," the brief stated. "In every suit involving criminal misuse of a quality detective-type handgun the manufacturer will be put to the expense of proving at trial by expert testimony that the gun falls outside the opinion's loosely defined class of Saturday Night Specials."

Finally, the Court of Appeals' fundamental basis for its ruling, that "Saturday Night Specials" are regularly used in crime, was refuted by the amici.

The brief relied on experts in the field of criminology and their studies of criminals and gun use to counter the court's assertions.

Professor David Bordua: "Since the number of Saturday Night Specials (however defined) that have been sold enormously exceeds the amount of gun

crime even in ghetto areas, the vast majority of these weapons cannot be being used in crime."

Professor James Wright: "Every rigorous American study of gun crime has shown that the majority of crime guns are not Saturday Night Specials."

"There are just not enough criminals in the United States to account for the purchasing of a majority of the Saturday Night Specials produced."

"Our recent survey of felony convicts... finds them giving reliability, accuracy, firepower, and high quality in general, as their primary criteria for gun desirability."

The amici concluded that there was no basis for the court's statements that most Saturday Night Specials are used for criminal activity or that they are "particularly attractive" to criminals.

The brief closed by posing some questions that had been raised by the ruling, but had not been answered by the Court of Appeals.

Asked the amici: "If cheap handguns were both unreliable and predominant as crime weapons (and the court said they are), would the best social policy response clearly be to make them unavailable so that at least some criminals would resort to more reliable weapons?"

The Court of Appeals apparently ignored that question and others as well as comprehensive studies and statistics in rejecting the motion for reconsideration, and opened the gates for a flood tide of product liability suits against the manufacturers of all handguns.

State Supreme Courts Hear Cases Affecting Gun Owners

TALLAHASSEE, Fla.—The Florida Supreme Court on Dec. 19 reversed a lower court's unanimous decision that Broward County's 1984 handgun referendum violated the state constitution.

The action paves the way for a 10-day waiting period and background check on handgun buyers throughout the South Florida county, while state pro-gun groups and the National Rifle Association will step up their efforts for Florida pre-emption.

The protracted legal case began in March 1984, when Broward County passed a referendum authorizing a county-wide gun control law. Under the referendum's provisions, municipal governments were barred from "opting out" of the measure as they had been allowed in the past.

Immediately after the March vote, Ft. Lauderdale attorneys Eugene Heinrich and Robert Cox challenged the referendum's legality under Florida's home rule doctrine for cities. Their claim, which was initially rejected by Circuit Court Judge Robert Able, was later upheld by a three-judge panel of Florida's Court of

Appeal for the Fourth District in a unanimous Oct. 10, 1984 ruling.

Broward County appealed that decision to the state high court, seeking to bind Ft. Lauderdale, Sunrise, Plantation, Dania, Pompano and other pro-gun cities—which had rejected the anti-gun measure—to the county's waiting period.

In its December ruling, the Florida Supreme Court said that counties could pre-empt city governments in the area of handgun control, which the court said "will best further the ends of government."

The court likened gun control to municipal "services" such as water and pollution control, parks and recreation, zoning and police.

State pro-gun organizations, led by the Unified Sportsmen of Florida, said the state high court's ruling would increase their efforts for passing a pre-emption bill in the Florida Legislature. Such a measure would bring uniformity to Florida's gun laws, prohibiting a myriad of county restrictions such as waiting periods in Broward and Dade counties.

VIRGINIA BEACH, Va.—The Virginia Supreme Court will decide this month whether to hear a legal appeal that attempts to overturn a law requiring city residents to obtain permits to purchase handguns.

The appeal is the result of a May 1985 decision by the Circuit Court for the City of Virginia Beach that upheld the permit law. The City Council passed the permit ordinance in 1982.

The appeal, filed by National Rifle Association Assistant General Counsel Richard E. Gardiner, argues that under state law only certain counties—and no cities—are permitted to enact handgun permit-to-purchase schemes.

Citing Virginia's Dillon rule, which provides that local governing bodies may not enact legislation unless granted permission by the state Legislature, Gardiner maintained that the General Assembly has not granted Virginia Beach permission to enact a gun ordinance.

In the May ruling upholding the gun ordinance, Circuit Court Chief Justice Henry L. Lam stated "...the Dillon rule does not invalidate the ordinance.... In our cities we live in a heavily structured

society. While preserving individual freedom as best we can, the dense population of our urban areas has caused the adoption of many additional laws deemed necessary to adjust to crowded living conditions."

Lam's opinion dissented from a 1983 non-binding opinion issued by then-state Attorney General Gerald L. Babites that said the permit-to-purchase requirement was illegal.

The petition to appeal the Circuit Court's decision states: "The Circuit Court has plainly concluded that the Dillon rule does not apply to densely populated urban areas. For this novel proposition, no authority has been cited. Rather the Circuit Court apparently has concluded that the Dillon rule is outdated and has no application to modern urban jurisdictions. The Dillon rule... is not a rule that a Circuit Court may, in some instances, refuse to apply."

Under Virginia law, only counties with a density of population of more than 1,000 per square mile have the power to enact handgun ordinances. Currently only Arlington and Fairfax counties fall into that category.

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The NRA Voluntary Practical Firearms Program teaches safe gun handling, the basics of marksmanship, firearms and the law and how to avoid criminal attacks.

Practical Firearms Program: Training for Self-Protection

By Katie O'Rourke
NRA Public Education

WASHINGTON—The National Rifle Association announced in January that more than 250,000 people, the majority of whom are women, have completed the organization's Voluntary Practical Firearms Program (VPFP).

The VPFP, created in 1983 by a coalition of experts in law enforcement, personal security and marksmanship, was developed in response to thousands of requests NRA received from women and older people for an effective self-protection program.

According to the program's national coordinator, Katie Maguire, more than 26 million women in America either own or have access to guns. "Women have adopted lifestyles independent of male protectors and are using guns for self-defense instead of relying on passive

resistance. Women are buying guns and learning how to use them," Maguire said.

The nine-hour VPFP course covers a wide range of subjects including shooting and firearm safety; handgun basics; and the care, cleaning and storage of guns. Additionally, local experts in the fields of law enforcement and self-protection teach classes in firearms and the law, and avoiding criminal attacks.

More than 10,000 classes are conducted annually by 5,000 NRA-certified instructors throughout the country. The cost of the course ranges from \$5 to \$10 to cover the cost of the materials and it is not necessary to own a gun to attend the course.

For further information, contact Kathleen Maguire, NRA Education and Training, 1600 Rhode Island Avenue, N.W., Washington, D.C. 20036 (202) 828-6259.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 2, 1986

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Handgun Control, Inc.
1400 K Street, N.W.
Washington, D.C. 20005

Re: MUR 2115

Dear Gentlemen:

This letter is to notify you that on December 23, 1985, the Federal Election Commission received a complaint which alleges that the Handgun Control, Inc. may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2115. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against the Handgun Control, Inc. in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Maura Callaway, the staff person assigned to this matter at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

Kenneth A. Gross (Signature)

By Kenneth A. Gross
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION

1125 K STREET NW
WASHINGTON, D.C. 20463

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THIS IS THE BEGINNING OF MUR # 2142

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