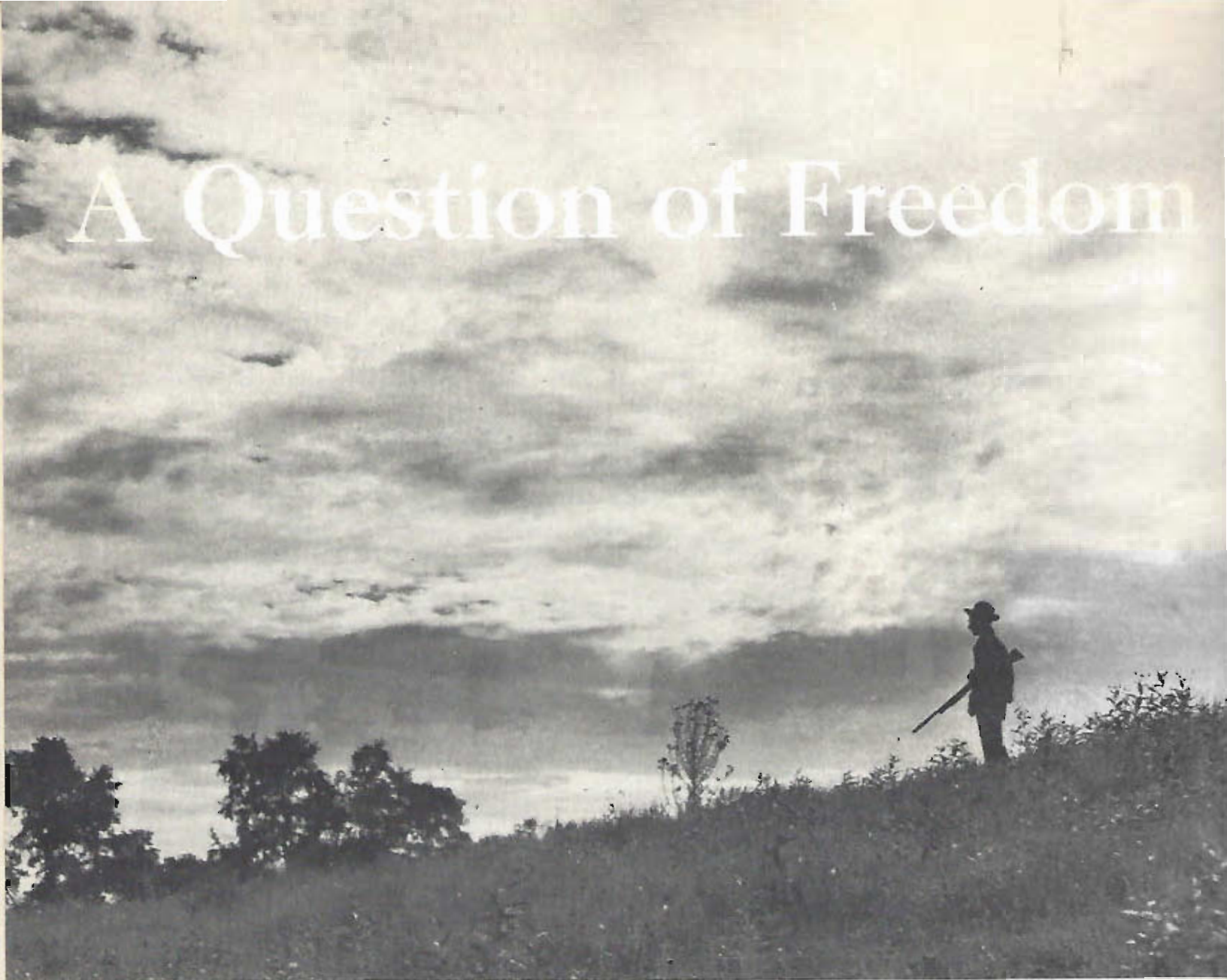


A Question of Freedom



On August 27 and 28, 1957, there was a public hearing held in Washington, D. C. It was presided over by the Deputy Director, United States Internal Revenue Service, with counsel and the chief of the Alcohol and Tobacco Tax Unit in attendance. The hearing was held in the Department of Commerce Auditorium with between 400 and 500 persons in attendance.

The hearing was held to give individuals and organizations an opportunity to present their ideas and opinions of certain proposed firearm regulations.

Nineteen United States Senators and Representatives spoke at the hearing, and all but one opposed the regulations. Due to the action of Attorney General William Saxbe, the State of Ohio was represented at the hearing by Assistant Attorney General William M. Vance, who spoke against the regulations. Numerous organizations were represented, such as the National Association of Police Chiefs, the National Association of Sporting Goods Dealers, etc. All but the police organization were opposed to the regulations.

It is Mr. Vance's opinion that in view of the overwhelming opposition sentiment of the hearing, the regulations will not be adopted and if they are, Congress will nullify them.

The proposed regulations are as follows:

1. Section 177.50 proposed that each manufacturer and importer of firearms identify such by stamping thereon the name and location of the manufacturer or importer and the serial number, caliber and model of the firearm. Most of this information is now being stamped on the weapons by the principal manufacturers for their own purposes and in their own interests.

2. Section 177.51 proposed that each licensed manufacturer or dealer maintain records reflecting the receipt and disposition of all firearms. These records would be required to be preserved permanently until the licensee or its successor in interest discontinues business. The present regulations provide for the maintenance of such records but only for six years. The statute itself (15 U. S. C. section 903 (d)) provides that "Licensed dealers shall maintain such *permanent* records of importation, shipment, or other disposal of firearms and *ammunition* as the Secretary of the Treasury shall prescribe." (Emphasis supplied)

3. Section 177.52 proposes that each manufacturer and dealer shall maintain records with respect to the production or receipt and disposition at wholesale or

retail of pistol and revolver ammunition, but not .22 caliber rim fire ammunition, shotgun shells or metallic rifle ammunition, including the identity of the persons from whom received and to whom sold. This requirement exists today with respect to manufacturers. It is now proposed to extend the requirement to dealers.

4. Section 177.54 proposes that over-the-counter sales of firearms and pistol and revolver ammunition to be acknowledged by the signature of the person to whom the firearm or ammunition is sold, delivered or distributed. At the present time the regulations require every dealer to make a record of the name of the person to whom a firearm is sold. The only additional requirement imposed by this section is the *signature of the purchaser* on the proposed firearm and ammunition records.

The statement presented at the hearing by Assistant Attorney William M. Vance regarding the proposed regulations is as follows:

Mr. Chairman, Ladies and Gentlemen:

I am here representing the State of Ohio—its government and its people, where the people love freedom more than they fear a gun.

The big majority of the people of my state are opposed to these regulations, or rather to the proposed insidious amendments to the regulations. I am here to tell you why.

The amended regulations, as you propose them, would make a million honorable, honest men suspected criminals to make it a questionable bit easier to catch one scoundrel.

They would substitute government by edict for government by law.

The proposed regulations are unconstitutional; they are an affront by an executive bureau on the functions of the legislative branch of our government; they impose impossible burdens on the businessmen of our nation; they make every American sportsman a presumptive criminal; and, wrap it all up, they are ill-conceived, ill-considered, unworkable and ineffective.

The businessmen of Ohio oppose your amendments because they put on their shoulders burdens and overhead expenses never intended or implied by the Act of Congress which you presume to implement.

Sportsmen oppose them because they imply that every owner of a shotgun is a potential gangster.

And, finally, many of our law enforcement agencies and officers, from the attorney general down, are against them. Why?

Because they believe that true law enforcement does not mean conviction, but the prevention of crime. And, facing the facts, they know that if a man is intent on committing crime—violent or otherwise—all the words written, in all the laws and regulations ever published, won't stop him.

If he needs a gun to commit the crime, a gun he will get. And if, in the getting it, he implicates an honest man who has registered his gun, so much the better.

But if, needing a gun he can't get it—which is most unlikely—why be restricted to a gun? A hammer, a knife, a sickle, or the Bishop's candlesticks will do! Do you propose to register these?



The proposed regulations would make a million honorable, bonest men suspected criminals.

I speak from the experience, not only of myself, but of mankind when I say that whatever we do, crime will go on. Laws are made expecting them to be violated, or there would be no penalty clause attached. And a certain proportion of criminal cases will be detected and solved—about the same proportion, regulations or no regulations.

I cannot speak with the authority of the eminent members of the Congress of the United States who spoke this morning. But I speak for a very considerable segment of the people of Ohio; and on their behalf I say this, and leave it to you to appraise its authority; if you want to become wholly unpopular and repudiated by them, just adopt, over their objection and against their will, these ill-considered and oppressive regulations!

The people of Ohio, let me tell you, big and little, of high and low estate, deplore bureaucratic invasion of their liberties. They just don't stomach it. And these regulations are bureaucracy at its worst.

Don't, I beg you, invite the ill-will of the people of my state. Because, believe you me, the ill-will of Ohio is a monstrous thing!

You certainly have good ideas. I know you have the good of our country at heart. But forget and cast aside these proposed regulations. Take your constructive ideas for a change in the law where they should be taken. Submit them to the Congress of the United States, where Ohio has far more able and vocal representation than she has here today.

Let Ohio speak through her elected representatives. Then Ohio will, as she has always done, accept and abide by the decision.