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President

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The Honorable Dianne Feinstein  
United States Senate  
331 Hart Office Building  
Washington, DC 20510

Dear Senator Feinstein:

I write on behalf of the American Bar Association and its nearly 400,000 members nationwide to commend you for your exemplary leadership in introducing the Assault Weapons Regulatory Act of 2013. We enthusiastically support the proposed act, which will carefully and rationally regulate the availability of military assault-type firearms and the large-capacity ammunition feeding devices they utilize.

These particular weapons and clips were designed for killing large numbers of persons quickly; they have no other use in civilian hands. The ABA believes that enactment of this legislation is an essential step, though only part of the answer, to keeping our nation's school children and all our citizens safe from future mass shootings.

It is not surprising that the public is demanding action by Congress following the horrific slaughter last month of young children and their teachers at the Sandy Hook Elementary School in Newtown, Connecticut. This event – following on the heels of mass killings at a movie theater in Aurora, Colorado, and mass killings in Tucson, Arizona, that also resulted in severe injuries to former Representative Gabby Giffords – has caused the nation to more fully recognize the danger to the public posed when the common components of these shootings come together: military firearms, high-capacity clips and their use by mentally disturbed persons who easily amassed the firepower capable of quickly killing many innocent citizens involved in everyday settings and activities. We do not need another such tragedy to give us incentive to improve and reenact the federal assault weapons ban that expired in 2004.

The expired 1994 federal assault weapons ban clearly reduced the incidence of assault weapons used in crime. In the five-year period (1990-1994) before enactment of the ban, assault weapons constituted 4.82 percent of the crime gun traces the Bureau of Alcohol, Tobacco and Firearms (ATF) conducted nationwide. When the ban was in effect, these assault weapons made up only 1.61 percent of the guns ATF traced to crime – a drop of 66 percent from the pre-ban rate. ATF data showed a year-by-year decline in the percentage of assault weapons, evidence that the longer the statute was in effect, the less

available these weapons became for criminal misuse. A report by the Department of Justice documented these findings along with a decline in the absolute number of assault weapons traced to crime during this period. Every major law enforcement organization in the country has long supported a strong assault weapons ban.

The ABA applauds your revisions to the 1994 Act that strengthen it in a number of important respects. The proposed Act protects the rights of existing gun owners by carefully defining the characteristics of assault weapons to distinguish them from the over 900 specifically named weapons used for hunting or sporting purposes. It grandfathers into legal status assault weapons currently owned rather than rendering them illegal, but requires more careful regulation of their transfer and sale by bringing them and large capacity ammunition devices under the provisions of the National Firearms Act, subject to the existing registration requirements long in effect for fully automatic firearms. We also strongly support the proposed act's ban on future transfer of grandfathered ammunition clips, as well as the proposed voluntary buyback of these clips, as we believe the public safety of everyone in our country will be best served by eventually eliminating these devices from civilian circulation.

We commend you for drafting a new assault weapons law that is clear and enforceable and that will commence the process of removing these weapons from our communities. The ABA stands ready to work with you and leaders in both parties in the Senate and the House so that the Assault Weapons Regulatory Act of 2013 will become law.

Sincerely,



Laurel G. Bellows  
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