



Presented By:

John Paavo Tengström



A Well Regulated
★ *Militia* ★

The Founding Fathers and the
Origins of Gun Control in America

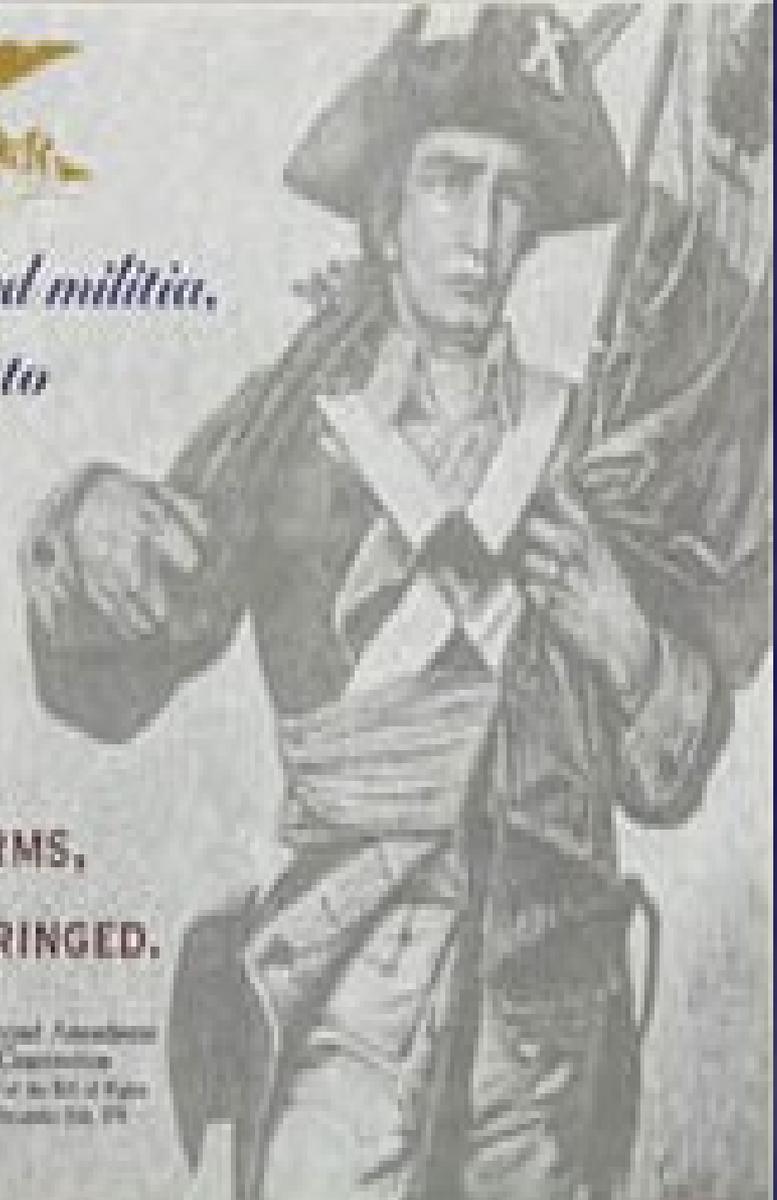
SECOND AMENDMENT



*A well-regulated militia,
being necessary to
the security of
a free state,*

**THE RIGHT OF
THE PEOPLE TO
KEEP AND BEAR ARMS,
SHALL NOT BE INFRINGED.**

The Second Amendment
to the Constitution
reads: That the right of the
people to keep and bear arms



Unites States:

- Hunting and need for defence led to armament
- In **1623** Virginia forbade its colonists to travel unless they were “well armed”!
- **1658** every household in Virginia had to have a firearm



1673 those who were too poor to buy one, were given a firearm by the government of Virginia

- In Massachusetts not only free men may own firearms
- When England sent more military to the colonies, the American responded by arming themselves in defence
- Before drafting the bill of rights there were great discussions whether being armed shall only be allowed for militia or if it shall be an individual right



• Till today it is controversial whether the Second Amendment is a right of the state or of the individual citizen



The **RIGHT** of the
people **TO** keep and
BEAR ARMS
shall not be infringed.



Guns politics in the US addresses 3 questions



„Does the Constitution allow federal, state, or local regulation of individual firearms ownership?“

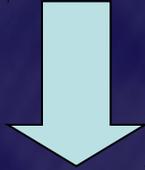


„Do such laws effectively and materially reduce violent crime?“



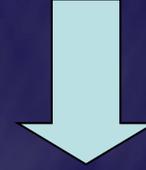
„What regulations are needed?“

2 Interpretations



Supporters of guns:

Interpreted
as preserving
an individual
right.



Supporters of Gun control:

It refers to a
right of the
people to arm
themselves
only in case of
communal
defense



Most federal gun laws are described in one of the following:

- National Firearms Act (1934)
- Omnibus Crime Control and Safe Streets Act (1968)
- Gun Control Act (1968)

• Firearms Owners' Protection Act (1986)

• Brady Handgun Violence Prevention Act (1993)



But each of the 50 states has its own constitution and laws regarding guns.

Some of the States' constitutions allow to bear firearms, and some do not.





**Florida Department of Agriculture & Consumer Services
CHARLES H. BRONSON, COMMISSIONER**

Division of Licensing

**AN ADVISORY REGARDING OTHER STATES WHERE
YOUR CONCEALED CARRY LICENSE IS VALID**

YOUR FLORIDA CONCEALED WEAPON OR FIREARM LICENSE IS CURRENTLY VALID IN THE FOLLOWING 34 STATES:

Alabama^{1, 3, 5}
Alaska¹
Arizona⁶
Arkansas¹
Colorado^{1, 4}
Delaware
Georgia¹
Idaho^{3, 6}
Indiana^{1, 3, 6}
Kansas¹
Kentucky
Louisiana¹

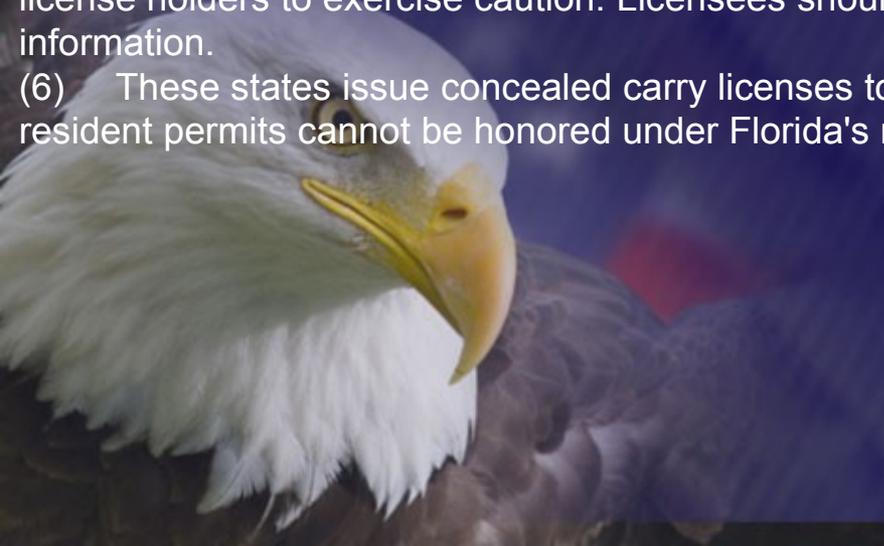
Michigan^{1, 4}
Mississippi¹
Missouri
Montana³
Nebraska¹
New Hampshire^{1, 3, 4, 6}
New Mexico¹
North Carolina¹
North Dakota^{3, 6}
Ohio¹
Oklahoma¹
Pennsylvania^{1, 6}

South Carolina^{1, 4, 6}
South Dakota^{1, 3}
Tennessee^{1, 6}
Texas^{1, 3, 6}
Utah^{1, 6}
Vermont²
Virginia^{1, 6}
Washington^{1, 6}
West Virginia¹
Wyoming^{1, 3}



NOTES

- (1) While Florida's law allows licensees to carry stun guns, knives, and billy clubs in a concealed fashion, the laws in these states allow for concealed carry of handguns or pistols **ONLY, NOT WEAPONS IN GENERAL**. Florida license holders are prohibited from carrying other types of weapons while in these states.
- (2) **VERMONT** is unique in that it does not issue weapon/firearms licenses. Florida licensees may carry in Vermont. This presents a problem for reciprocity with Florida. However, Florida law specifies that an out-of-state resident must have in his or her immediate possession a valid license to carry a concealed weapon or firearm. Because Vermont residents have no such license, the right to concealed carry cannot be extended to them under Florida law.
- (3) Individuals qualify for concealed weapon licenses in these states upon reaching 18 years of age. **HOWEVER**, any licensee of these reciprocity states who is not 21 years of age or older **IS PROHIBITED** from carrying a concealed weapon or firearm in Florida.
- (4) These states will honor the Florida concealed weapon license **ONLY IF** the license holder is a legal resident of the State of Florida.
- (5) The Attorney General's Office of the State of **ALABAMA** has indicated that Alabama will honor **BOTH** resident and non-resident Florida licenses. However, the Alabama Attorney General notes that there is some uncertainty as to the limits of Alabama's reciprocity law as it pertains to non-resident licenses. Pending clarification by the Alabama Legislature or a decision by an Alabama court, he urges non-resident Florida license holders to exercise caution. Licensees should call authorities in Alabama to obtain the most current information.
- (6) These states issue concealed carry licenses to qualified individuals who are non-residents. These non-resident permits cannot be honored under Florida's reciprocity provision.



The **National Instant Criminal Background Check System (NICS)** is a point-of-sale system for determining eligibility to purchase a firearm in the United States of America. Federal Firearms License (FFL) holders are generally required by law to use the NICS to determine if it is legal to sell a firearm to a prospective purchaser. The NICS determines if the buyer is prohibited from buying a firearm under the Gun Control Act of 1968. It is linked to the National Crime Information Center and the Interstate Identification Index among other databases maintained by the FBI.

The National Instant Criminal Background Check System is applicable to sales from federally licensed dealers. Sales of firearms by private sellers are allowed to proceed without a background check unless required by state law. These regulations remain in place at gun shows, where no special leniency is granted to licensed sellers, and no additional requirements are placed upon private sellers.



Acquiring from dealers

Provided that federal law and the laws of both the dealer's and purchaser's states and localities are complied with:

An individual 21 years of age or older may acquire a handgun from a dealer federally licensed to sell firearms in the individual's state of residence[2].

An individual 18 years of age or older may purchase a rifle or shotgun from a federally licensed dealer in any state. However, the applicant may not purchase a pistol gripped long gun that does not have a shoulder stock until he or she is 21 years of age.



It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell, deliver, or transfer a firearm unless the federal firearms licensee receives notice of approval from a prescribed source approving the transfer.

Sale of a firearm by a federally licensed dealer must be documented by a federal form 4473, which identifies and includes other information about the purchaser, and records the make, model, and serial number of the firearm. Sales to an individual of multiple handguns within a five-day period require dealer notification to the Federal Bureau of Alcohol, Tobacco and Firearms. Violations of dealer record keeping requirements are punishable by a penalty of up to \$1000 and one year's imprisonment.

An individual holding a Curio and Relics License (officially a Type 03 Federal Firearms License (FFL); also called a C&R may directly purchase firearms that are 50 or more years old from anyone AND any firearm officially recognized by the BATFE as a Curio and Relic (C&R).



Collectors of Curio and Relic (C&R) Firearms

A special type of FFL is available to collectors of curio or relic (C&R) firearms. C&R firearms are defined in Title 27, Code of Federal Regulations, Part 478.11 as those "which are of special interest to collectors by reason of some quality other than is associated with firearms intended for sporting use or as offensive or defensive weapons." An application for a C&R FFL is filed using ATF Form 7CR.

To be recognized by ATF as a C&R firearm, a firearm must fall into at least one of the following three categories:

Firearms which were manufactured more than 50 years prior to the current date, but not including replicas thereof;



Firearms which are certified by the curator of a municipal, State, or Federal museum which exhibits firearms to be curios or relics of museum interest; or

Any other firearms which derive a substantial part of their monetary value from the fact that they are novel, rare, bizarre, or because of their association with some historical figure, period, or event. Proof of qualification of a particular firearm under this category may be established by evidence of present value and evidence that like firearms are not available except as collector's items, or that the value of like firearms available in ordinary commercial channels is substantially less.



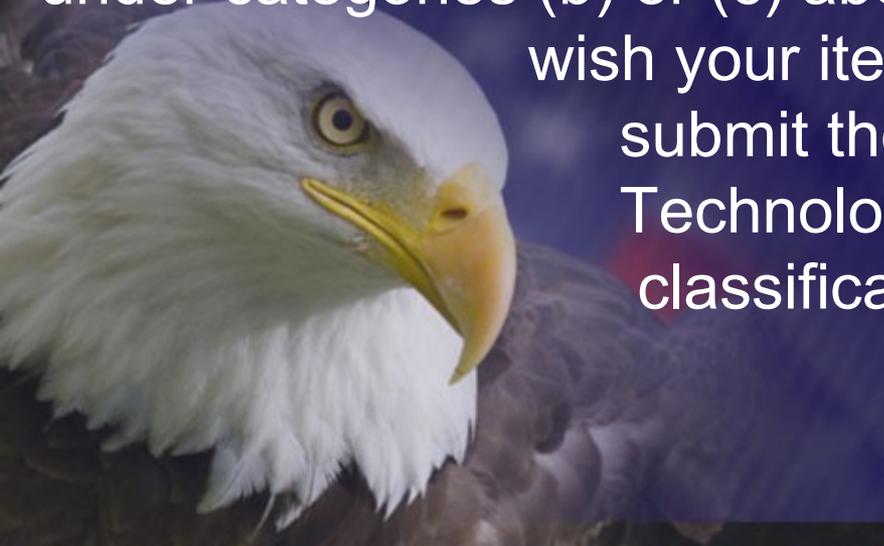
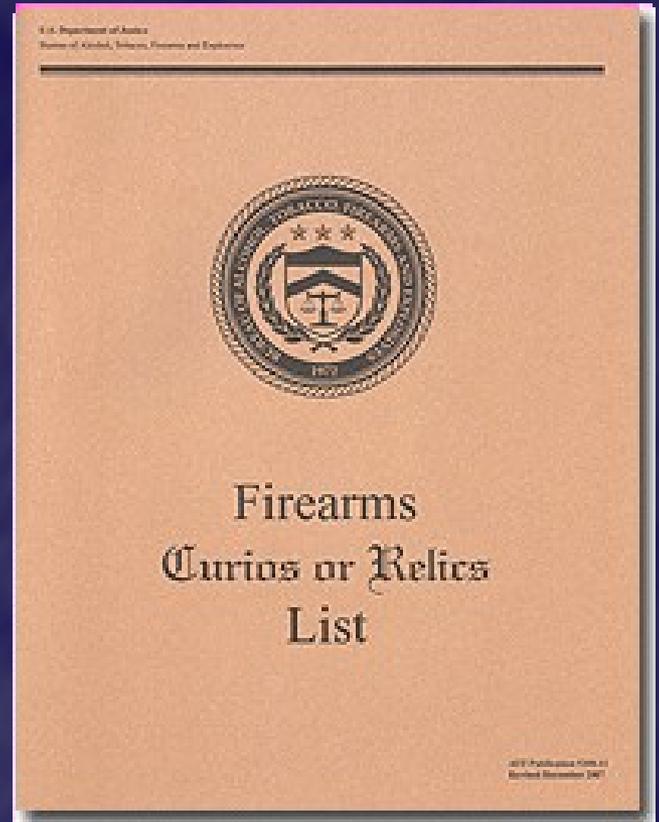
“It is also the opinion of FTB, however, that a minor change such as the addition of scope mounts, non-original sights, or sling swivels would not remove a firearm from its original condition. Moreover, we have determined that replacing particular firearms parts with new parts that are made to the original design would also be acceptable—for example, replacing a cracked M1 Grand stock with a new wooden stock of the same design, but replacing the original firearm stock with a plastic stock would change its classification as a C&R item.”



Firearms automatically attain C&R status when they are 50 years old. Any firearm that is at least 50 years old, and in its original configuration, would qualify as a C&R firearm. It is not necessary for such firearms to be listed in ATF's C&R list.

Therefore, ATF does not generally list firearms in the C&R publication by virtue of their age. However, if you wish for a classification of your particular firearm under categories (b) or (c) above and

wish your item to be listed, you may submit the weapon to the Firearms Technology Branch (FTB) for a formal classification.



Conditions of Application

ATF will approve the application if the applicant:

Is 21 years or older.

Is not prohibited from handling or possessing firearms or ammunition

Has not violated the Gun Control Act or its regulations

Has not failed to disclose information or facts in connection with his application

Has premises for conducting business or collecting



The applicant must also certify that:

The business to be conducted under the license is not prohibited by State or local law in the place where the licensed premise is located

Within 30 days after the application is approved the business will comply with the requirements of State and local law applicable to the conduct of the business

The business will not be conducted under the license until the requirements of State and local law applicable to the business have been met



The applicant has sent or delivered a form to the chief law enforcement officer where the premises are located notifying the officer that the applicant intends to apply for a license.

ATF F 5310.16 (Form 7CR)

Notice: Because of legal reasons, and the requirement of fingerprint cards and photographs, the Form 7CR cannot be posted on our site. To receive the application, along with the proper fingerprint cards, either go to the Distribution Center Order Form or call the Distribution Center at (703) 455-7801 and a packet will be sent to you via U.S. mail. If you e-mail your request, please provide your complete name and address address, the type of license you wish to apply for and a packet will be sent to you via U.S. mail.





APPLICANT		LEAVE BLANK	TYPE OR PRINT ALL INFORMATION IN BLACK				FBI	LEAVE BLANK			
			LAST NAME <u>NAM</u>	FIRST NAME	MIDDLE NAME						
SIGNATURE OF PERSON FINGERPRINTED		ALIASES <u>AKA</u>		OR I <u>CA0349400</u>		DATE OF BIRTH <u>DOB</u>					
RESIDENCE OF PERSON FINGERPRINTED		[REDACTED]		<u>BU OF ID & INFO</u>		Month Day Year					
[REDACTED]		CITIZENSHIP <u>CTZ</u>		<u>U.S.</u>	<u>SEX</u> <u>M</u>	<u>RACE</u> <u>W</u>	<u>HGT</u> <u>6'7"</u>	<u>WGT</u> <u>165#</u>	<u>HAIR</u> <u>Brun</u>	<u>EYES</u> <u>Brown</u>	PLACE OF BIRTH <u>POB</u>
DATE <u>32403</u>	SIGNATURE OF OFFICIAL TAKING FINGERPRINTS		YOUR NO. <u>OCA</u>		LEAVE BLANK						
EMPLOYER AND ADDRESS		FBI NO. <u>FBI</u>		CLASS <u>...</u>							
REASON FINGERPRINTED		ARMED FORCES NO. <u>MNU</u>		REF. <u>...</u>							
		SOCIAL SECURITY NO. <u>SOC</u>									
		MISCELLANEOUS NO. <u>MNU</u>									

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DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
LICENSE (18 U.S.C. CHAPTER 44)

Under the provisions of 18 U.S.C., 921-929, and 27 CFR Part 478, you are licensed to collect curios and relics, within the limitations set forth in the law and regulations, until the expiration date shown. See "WARNINGS" and "NOTICES" on reverse.

THE PRIVILEGES GRANTED BY THIS LICENSE APPLY ONLY TO FIREARMS CLASSIFIED AS CURIOS AND RELICS.

DIRECT ATF
CORRESPONDENCE
TO

Chief, Federal Firearms Licensing Center (FFLC)
Bureau of Alcohol, Tobacco, Firearms and Explosives
2600 Century Parkway NE Suite 110
Atlanta, Georgia 30345-3104

Telephone: 1-866-662-2750 Fax: 1-866-257-2749
E-mail: NLC@atf.gov ATF website: <http://www.atf.gov>

LICENSE
NUMBER



EXPIRATION
DATE

November 1, 2011

NAME

Premises Address CHANGES? You must notify the FFLC at least 30 days before the move

TYPE OF LICENSE

COLLECTOR OF CURIOS AND RELICS

CHIEF, FEDERAL FIREARMS LICENSING CENTER (FFLC)

Patricia Power
Patricia Power

PURCHASING CERTIFICATION

I certify that this is a true copy of a license issued to me to collect curios and relics.

[Signature]
(Original Signature of Licensee)

Mailing Address CHANGES? Mail is NOT forwarded. Notify the FFLC of any changes.

**THIS LICENSE DOES NOT AUTHORIZE THE HOLDER TO ENGAGE
IN THE BUSINESS OF DEALING IN ANY FIREARMS**

ATF F 8A (5310.17) (7-97)



Thank You !

Now your questions



