

EXHIBIT 11

EXPERT WITNESS REBUTTAL REPORT OF STEPHEN HELSLEY

Background & Credentials

I am a retired peace officer from the California Department of Justice (DOJ). The bulk of that career was in drug enforcement. The last three positions I held were Chief of the Bureau of Narcotic Enforcement, Chief of the Bureau of Forensic Services and finally Assistant Director of the Division of Law Enforcement. As Assistant Director, I was responsible for the department's criminal, civil and controlled substance investigations as well as law enforcement training, intelligence gathering and our forensic laboratory system. In my executive level positions, I had occasion to review special agent-involved shootings and a wide range of homicides involving firearms. I have qualified as an expert in both criminal and civil matters. I was the department's principal firearms instructor for many years and am an FBI certified range master. I also participated in the firearm training that was part of the FBI National Academy Program in Quantico, Virginia. Additionally, I am a member of the American Society of Arms Collectors and a technical advisor to the Association of Firearm and Tool Mark Examiners. I have co-authored five books on firearms and have authored or co-authored more than fifty firearm-related articles for US and Russian journals. I was the "Rigby Historian"/archivist for 10 years. For twenty-seven years, I was first a state liaison and, then later, a consultant to the National Rifle Association. Throughout my adult life I have been an active participant in handgun, rifle and shotgun competitions. I have also been a firearm collector and ammunition reloader since the early 1960s. Finally, I am a collector of firearm related books – of which I have thousands. Included in my book collection are approximately 50 different issues of *Gun Digest*. It is a standard resource that is widely used by gun dealers and buyers alike. *Gun Digest* has traditionally provided a comprehensive overview of the firearms and related items available to retail buyers.

Prior Expert Testimony

Within the last five years, I have testified as an expert or been deposed as an expert in the following cases:

1. *Boland v. Bonta*, U.S. District Court for the Central District of California, Case No. 8:22-cv-01421-CJC
2. *Oregon Firearm Federation, Inc. v. Brown*, U.S. District Court for the District of Oregon, Case No. 2:22-cv-01815-IM
3. *Duncan v. Becerra*, U.S. District Court for the Southern District of California, Case No. 17-cv-1017-BEN-JLB

Compensation

I am not being monetarily compensated for my testimony in this matter.

Assignment

I was asked by the Plaintiffs in this matter to review the report prepared by Illinois's proffered expert witness, Professor Brian DeLay, discussing what he refers to as "the distinction between civilian and state arms (military or law enforcement) in the United States." (Delay ¶ 80). Because Prof. Delay appears to concede that the distinction between military and civilian arms was "permeable" prior to the twentieth century, my report focuses on responding to his report's discussion of the supposed distinction between military and civilian arms during the twentieth century. It is my opinion that Prof. Delay's claim that the supposed "tradition of inscribing that distinction into law became even more pronounced in the early twentieth century, when the dramatic technological change of automatic and semiautomatic weapons brought about unprecedented societal concerns," (Delay ¶ 94), is provably baseless and ahistorical; at least with respect to semiautomatic firearms. Indeed, there never was, and still is, no such distinction to be made that includes semiautomatic firearms. I base my opinions on my background with firearms described above; my decades of firearm study; my decades of experience as an avid shooter being exposed to the trends and culture of firearms; and the documents cited in this report that my experience and background allow me to properly evaluate and interpret.

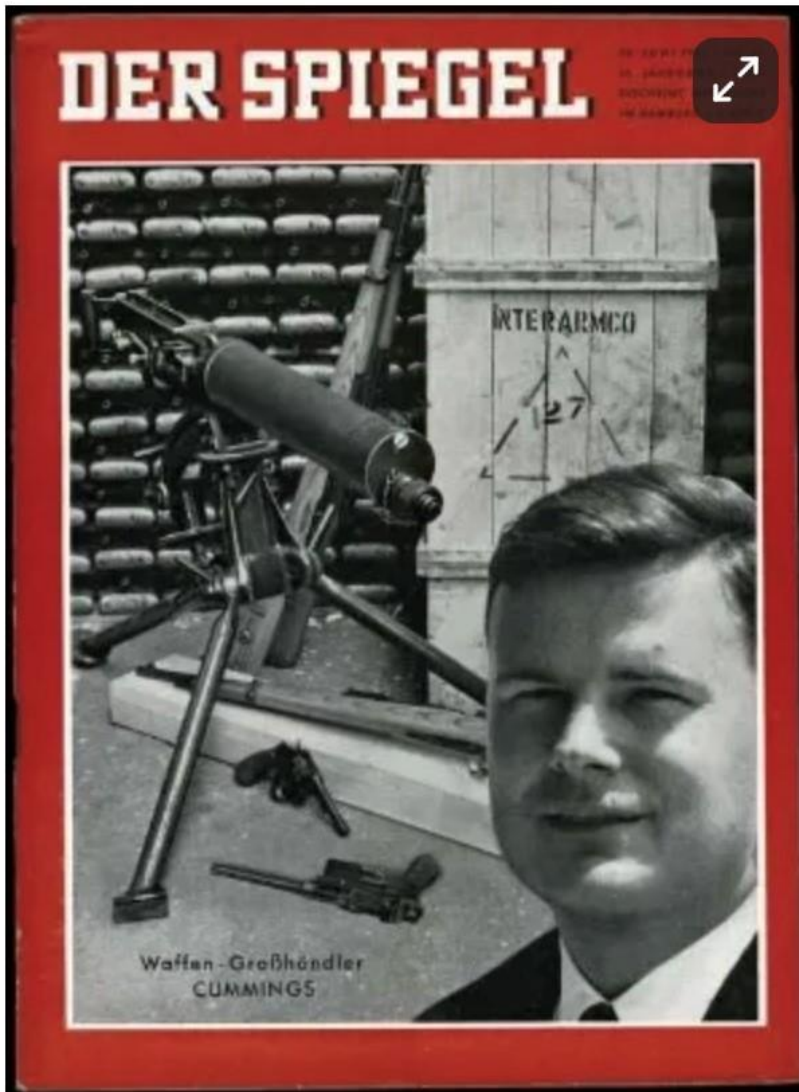
Opinions & Analysis

Two men – Francis Bannerman and Sam Cummings had an extraordinary impact on the civilian arms trade in the United States during the 20th Century. (Figs. 1 & 2).

Figure 1



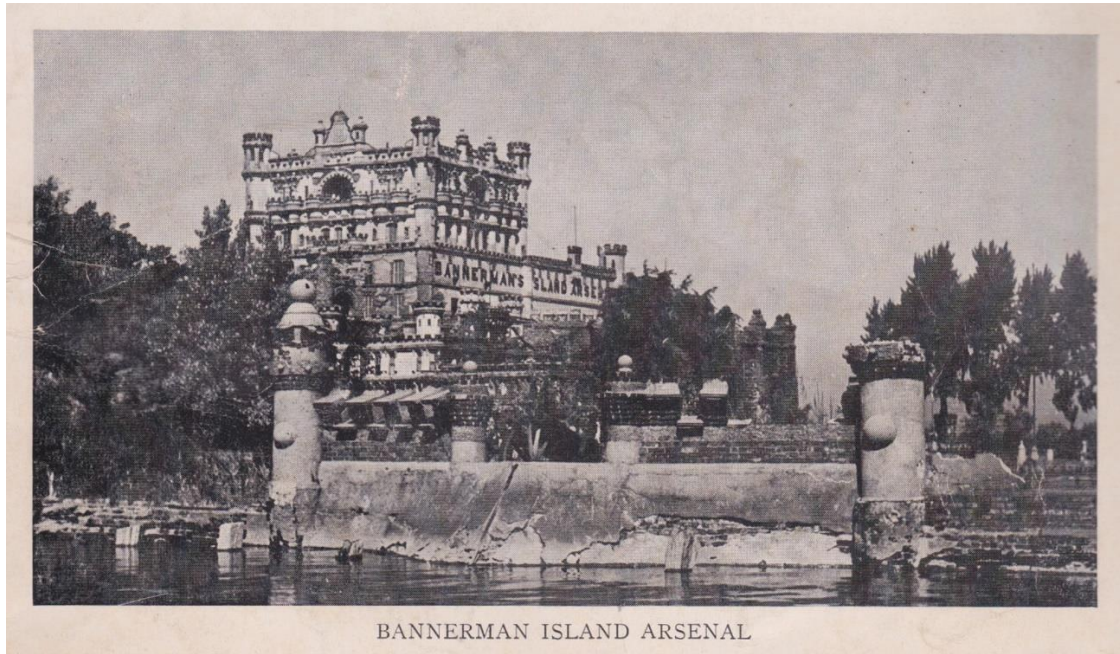
Figure 2



Der Spiegel's cover boy in 1961

The Bannerman family had operated a family business since they immigrated from Scotland during the mid-19th Century. Eventually, Francis took over the business and specialized in bulk surplus items, as well as making “shopping” trips to Europe where he purchased fine antique arms. In 1897, Francis purchased Pelopel Island in the Hudson River where he constructed docks and built storehouses - this was in addition to his facilities in New York city. (Fig. 3). After the war with Spain, that ended in December 1898, Bannerman’s 1907 catalog reported he had purchased 18,200 Spanish Mauser rifles and seven million cartridges from the U.S. War Department. (Fig. 4). The specific Mauser rifles were most likely the Model M1892 and 1893 – both of which were superior to the US service rifles at the time.

Figure 3



BANNERMAN ISLAND ARSENAL

Figure 4

38 **Captured Spanish Mauser High Power 7mm. Rifles, Carbines and Cartridges**

TAKE NOTICE Sale of Spanish War Mauser Rifles.

18,200 Spanish Mauser Rifles and Carbines, with seven million (7,000,000) ball cartridges sold by the U. S. War Department to FRANCIS BANNERMAN, dealer in Military Goods and War Relics, 501 Broadway. NEW YORK.

This is one of the largest sales of Government Arms made in many years. In 1899 the Mauser rifles and carbines together with the cartridges captured in Cuba were first offered for sale at public auction. Almost 2,000 guns were sold, mostly those that were damaged or had parts missing. The prices ranged from \$3.00 up to \$17.00 for complete first-class guns. At this sale upward of 1,500 guns were secured by our firm. The large lot of rifles which the Government Inspectors had classified as first-class were withdrawn from the sale, the Government thinking the bids insufficient. After the auction we made the War Department an offer for the whole entire lot of the first-class captured Mausers and ammunition stored at all the arsenals in the United States. After due deliberation our offer was accepted, and we became the owners of these first-class valuable historical rifles with the ammunition.

It is almost unnecessary to say here anything about the Mausers. They have proved to be the best and most powerful rifle in the world. The initial velocity of the Mauser is claimed to be greater than that of the U. S. Magazine Rifle commonly called the Krag-Jorgensen. The range of the Mauser is upward of 3 miles; for 500 yards no elevating sight need be used. The bullet will penetrate a steel plate 1/2 inch in thickness or through hard wood 4 feet in thickness, with little or no recoil. No Sporting Rifle in the market to-day will equal the Mauser. The mechanism is simple and strong; by pressing the thumb-latch the bolt can be withdrawn from the gun, thus allowing thorough cleaning and inspection of barrel. A neat and simple safety lock is on each gun, and when locked the trigger cannot be pulled off nor the bolt mechanism operated until unlocked. With some inferior make guns, in rough riding it has happened that the breech bolt dropped from the gun; this is impossible with the Mauser when locked. The rifles have a barrel 28 1/2 inches in length; the total length of the gun is 49 inches, and the weight 8 1/2 pounds. The Carbine measures 37 inches, weight 7 1/2 pounds. The Mausers are made in Berlin, Germany, by the famous gunmakers Loewe & Co., and bear the name of the inventor, whose invention in guns have been used by the German Government for over 20 years.

The opportunity to purchase one of these historical and most powerful rifles in the world to-day for its weight and calibre, is the chance of a lifetime. Every gun is a genuine souvenir; in better order today than when the Spanish Soldier stopped shooting and handed his gun over to the American Officers at the surrender in Santiago, July, 1898. Our bill for the purchase of these Arms from the U. S. Government bears in writing: "Captured Spanish Mauser Rifles, Carbines, Bayonets and Cartridges." 21,154 Mausers were captured. A few more years and they will, according to all precedents, have doubled in value as relics. The Mauser leads as the Best Rifle in the World. (The Boers paid for their Mausers delivered about 200 German Marks, equal to \$50.00 each.) We purchased this large lot of guns expecting to export. Any day our Agent may send us Cablegram ordering shipment of the whole lot. If you contemplate purchasing a good rifle, do not put it off, but send your order at once. Every one is pleased with the Mauser. A member of an organization that purchased first one lot of 20 Mausers and then sent us a second order for 20 more, says that he took one of these Mausers and Cartridges and made 5 consecutive Bull's-eyes at 500 yards. A great many Sportsmen are using these Mausers for big game shooting.

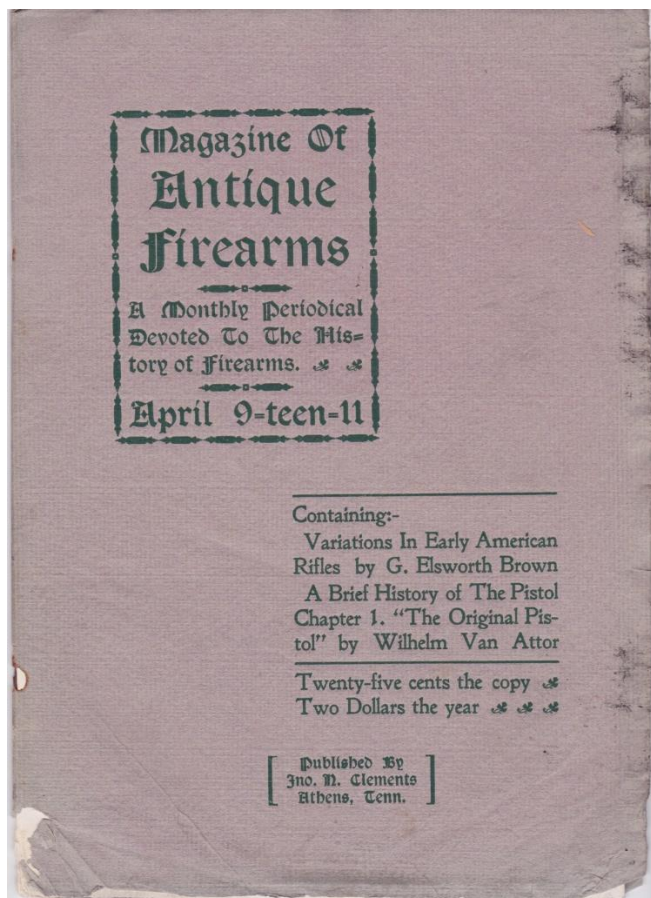
In ordering guns, do not forget to order whatever quantity of cartridges you need, as our prices are one-half what the Cartridge Companies ask. Do not get impatient if your order does not go forward the same day it is received. Our shipment department is just rushed and we are doing our best to fill all orders as promptly as possible.

Bannerman's catalogs (the 1931 edition contained 354 pages) were designed for mail order sales. (Fig. 5). Guns available for sale spanned the 16th to the 20th Century and included military arms from most major nations. His business and catalogs were a boom for the then-budding firearm collecting world as exemplified by a 1911 edition of the *Magazine of Antique Firearms*. (Fig. 6).

Figure 5



Figure 6



This was not just the private sector exploiting some loophole to the government's chagrin. To the contrary, the government supported the public policy goal of getting military surplus firearms into the public's hands.

In February, 1903, an amendment to a War Department appropriations bill established the National Board for the Promotion of Rifle Practice. Civilian Marksmanship Program Brochure, available online at <https://thecmp.org/wp-content/uploads/CMPBrochure-w.pdf?ver043020> (last accessed June 10, 2024). It also provided funding for certain civilian teams traveling to the National Matches. Shortly thereafter, in 1905, Congress passed Public Law 149, which among other things authorized the sale, at cost, of surplus military rifles, ammunition and other equipment to members of rifle clubs. Garty Anderson, *A BRIEF HISTORY OF THE CMP The NBPRP, National Matches, DCM, the new CMP and America's Quest for Better Marksmanship*, at 2 (2021), available at <https://thecmp.org/wp-content/uploads/2021/11/A-Brief-History-of-the-CMP.pdf> (last accessed June 10, 2024). Management of the program was assigned to the Director of Civilian Marksmanship ("DCM"). Through that office, civilians were able to purchase the M1903 Springfield – the principal US battle rifle at the time, until it was replaced by the semiautomatic M1 Garand in the middle of WW2. During the decades that followed, the DCM additionally sold to the public in large numbers 1903 Springfields; .30-40 Krag's (), which the '03

Springfield replaced; M1917 Enfields; and a rifle variously known as the M91Mosin Nagant, the M91 Three Line, and the US M1916. Civilian Marksmanship Program Rifle Sales, available online at https://thecmp.org/cmp_sales/rifle-sales/ (last accessed June 10, 2024). The Mosin Nagant had been made by Remington and Westinghouse for the Russian Tsar’s military. When Russia left World War I and the Tsar abdicated, the United States was left with a huge number of Mosin Nagants. Some were used for training while others were issued to the US troops who participated in the ill-fated 1918/19 invasion of Russia.

At this time, while semiautomatic and even automatic technology was available, the military was still issuing bolt-action rifles to its infantrymen.

After WWII, DCM sales were restarted. Figures 7 & 8 document the sale and transfer in 1947 of a M1917 rifle for the princely sum of \$7.50 – a rifle that was in my collection for many years. I have also owned two National Match 1903A1 Springfields (1936 and 1938) and an M1 Garand that I purchased from DCM. In 1984, I competed in a qualification match so that I could buy a semiautomatic M1Garand.¹ General Patton had observed in a 1943 letter to Major General Levin Campbell (Chief of Ordnance) that “In my opinion, the M1 rifle is the greatest battle implement ever developed.” By the late 1950’s, while still the official US “battle rifle,” the M1 Garand was being sold by private surplus arms dealers in retail outlets and by mail order.

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¹ Note: the rifle I successfully used was my 1944 Inland (General Motors) manufactured M1 carbine.

Figure 7

DEPARTMENT OF THE ARMY
WAR DEPARTMENT J
 Office of
DIRECTOR OF CIVILIAN MARKSMANSHIP
 Washington 25, D. C.

ODCM Form 5
7-1-46

26 Feb 48
(date)

PURCHASER:
 Gilbert D. Judy
 4572 Date Avenue
 La Mesa, Calif.
 (NRA Card Expires Nov '48)

TO: COMMANDING OFFICER
 Mt. Rainier O. D.
 Tacoma, Wash.

Sale of items listed below, to above named purchaser, is approved for encouragement of marksmanship practice, under authority of Act of June 7, 1924.

REFERENCE:
 OFSD 4058.5 - Ammunition
 OFSD 4392 - Ord. Gen'l.

T. F. Wesels
T. F. WESSELS
 Colonel, Infantry
 Director

To be completed by Ordnance Depot

Item Stock No.	Drwg. No.	Quantity & Description	Qty. to be shipped	Unit Price	Total cost
B001-0041276		Rifle, U.S., cal. 30, M1903 SERVICEABLE			
B001-0041276		Rifle, U.S., cal. 30, M1903 UNSERVICEABLE <i>To Winfield</i>	1	\$15.00	\$15.00
B001-0041288		Rifle, U.S., cal. 30, M1903 A3			
B001-0041299		Rifle, U.S., cal. 30, M1917 UNSERVICEABLE 343190	1	\$ 5.00	\$ 5.00
B4-1-90		Barrel, stripped, M1917			
*ONLY THE ITEMS PRICED ARE TO BE SHIPPED				Cost	20.00
Shipment of rifle will be delayed pending inspection				P & H	3.85
				Total	\$23.85

APR 21 PAID

(Purchaser See Reverse Side)

Gilbert D. Judy
 (Purchaser's Name in Full)

La Mesa, California
 (Shipping Address)

Go Railway Express

FOR THE COMMANDING OFFICER:
J. P. Gleason
JAS. P. GLEASON
 Major, Ord Dept
 Assistant

DATE 12 April 1948

Recd. May 1948

ORIGINAL (1)

Figure 8

N.R.A. MEMBERS' PURCHASE REQUEST

O.D.C.M. Form No. 44
1 February 1947

July 7, 1947
(Date)

DIRECTOR OF CIVILIAN MARKSMANSHIP
WAR DEPARTMENT
WASHINGTON 25, D. C.

Dear Sir:

I desire to purchase the ordnance items listed below for my own use and not for resale. My National Rifle Association membership card is inclosed, herewith.
(LIST ONLY ITEMS THAT HAVE BEEN DECLARED AVAILABLE TO NRA MEMBERS)

<u>STOCK NO.</u>	<u>DRAWING NO.</u>	<u>QUANTITY AND DESCRIPTION</u> ^(*)
B1-1-240		1 only Rifle, U.S. caliber .30. M 1917 (Enfield) \$7.50

Mailing address: 4572 Date Avenue, La Mesa, California
(Street Address) (City) (State)

Enclosed: N.R.A.
Membership Card

Gilbert D. Judy
(Sign name in full)
Gilbert D. Judy

(*) On orders for ammunition be certain to include applicable code letters, i.e., T1EDA, T1VDX, T4CAX, T4CBX, etc.

Sales of the M1 carbine, a .30 caliber semiautomatic rifle that accepts a detachable box magazine (with capacities exceeding 10 rounds) that was widely issued to military personnel, soon followed. Advertisements for the M1 carbine in the *American Rifleman* (the official magazine of the National Rifle Association) began appearing in late-1961. Advertisers included Sloan's Sporting Goods, Kleins, Century Arms, P&S Arms, Seaport Traders, Alpine Sales, Kaufman Surplus & Arms, Eastern Firearms, Charles Daly, Inc. and others. (Fig. 9). It is worth noting that the M1 carbine came in configurations that would make it an "assault weapon" under Illinois's challenged law; primarily ones with folding stocks. Gunbroker.com, "Nice Inland Division Paratrooper Carbine M1A1 July 43 .30 Carbine", available online at <https://web.archive.org/web/20240611002948/https://www.gunbroker.com/item/1053910084> (last accessed June 10, 2024).

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Figure 9

BRAND NEW U.S. .30 CALIBER M1 CARBINES!



FIRST OFFERING . . .
of the most popular U.S. firearm in two wars! The only U.S. military small arm made with the lines and weight of a modern sporter. The only NEW late model military weapon ever placed on the U.S. market!

SPECIFICATIONS: 18" barrel length. Weight: 5½ lbs. Gas operated, semi-automatic. Adjustable sights.

\$79⁹⁵
COMPLETE WITH ONE MAGAZINE

EVERY ACCESSORY!

The following is the most complete list of U.S. Carbine accessories ever before offered and with the exception of the 5 shot magazine, all are official U.S. Army, Marine Corps., etc., standards and are in new or excellent condition throughout. Many in extremely short supply.

30 Caliber Carbine Ammunition,	
100 rounds	\$5.00
30 Caliber Carbine Soft Nose Hunting,	
50 rounds	7.00
Cleaning rod	1.00
Sling with oiler	2.00
Cleaning kit (patches, oil, bore cleaner) . .	.75
Carrying case (with zipper and carrying strap)	2.00
15 shot magazines, 3 for	1.00
30 shot magazine pouches, holds 2 magazines	2.00
Special arsenal issue accessory kit	4.95
5 shot magazinesea.	2.50
Piston Nut Wrench	1.00
Spare parts for your carbine:	
Carbine bolts complete with firing pin, extractor, etc.	2.00
Slides, complete	2.00

Flash hider, ea. \$3.95

Muzzle brake and compensator, ea. \$3.95

Special grenade launching sight (attaches on side of stock) ..\$2.00

Bayonet and scabbard, official, \$4.95

30 shot magazines \$2.95

15 shot magazine pouches, belt type, holds 2 magazines, 2 for \$1.00

SPECIAL ARSENAL ISSUE ACCESSORY KIT
Consisting of (6) 15-shot magazines, (6) rubber ammo and magazine protectors, (1) Carbine Cleaning Rod, swivel handle, two piece and tip, (1) cleaning brush, (1) container Lubri-Plate (all-weather lubricant), (1) heavy duty web belt-type carrying case for rod, oil and brush.
Complete \$4.95

TO ORDER: Enclose check, cash or money order. For C.O.D. enclose deposit of \$10 or more per carbine. Shipped railway express collect. F.O.B. Hollywood. California residents only, add 4% state tax. Minimum Order \$5.
10-day money back guarantee.

ALPINE SALES, INC.
101 Craft Building
5880 Hollywood Blvd., Los Angeles 28, Calif.

My M1 carbine may have served on Okinawa, the Hurtgen Forrest or at the Chosin Reservoir but it is also served in a less hostile, non-combat role. It was one of the firearms I used to teach my son marksmanship and safe handling. He's about 6'4" now but, when he was 12 years old, he was skinny and recoil averse. That made the relatively small and light-recoiling carbine the perfect vehicle. It also served as an excellent "plinker." Plinking is defined as "informal target shooting done for leisure, typically at non-standard targets such as tin cans, logs, bottles, ballons, fruits or any other man-made or naturally occurring object." It's quite possible that more rounds are expended "plinking" than any other shooting activity. For those who want 'something more', CMP offers M1 carbine specific matches.

Our family would gather each Thanksgiving for dinner and the following day the "men folk" would travel to property I own to "plink." Figure 10 is a group photo from one of those sessions c.1985. My son is kneeling and holding a Sharps 'buffalo rifle' while immediately behind him is a young lad with my M1 carbine.

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Figure 10



M1 carbines became available via the NRA in a July 1963 ad (Fig. 11). But not via the DCM – rather the vendor was none other than the Department of the Army (DOA). The NRA was merely the “broker” of the sales to its members. Bruce Canfield author of *A Collector’s Guide to the M1 Garand and the M1 Carbine* stated that the July 1963 ad ultimately resulted in the sale of 240,000 carbines. The M1 carbine would serve in an official military capacity (albeit greatly reduced later on) into the 1970s. A nice touch was that DOA was selling for \$20 the same M1 carbine that retailers were offering for \$80. Consumers were happy and dealers were grumpy. Approximately 6.1 million carbines were produced - not counting those made by more than a dozen commercial manufacturers including Iver Johnson, Plainfield Machine Co. and Universal Firearms in the 1960s and beyond.

Figure 11



THE Department of the Army has authorized the sale of M1 cal. .30 carbines to NRA adult members. These carbines are used, unserviceable arms, unclassified as to the degree of unserviceability and completeness. Inspection at depot level is limited to a "safe to fire" condition with conventional ammunition normally associated with this arm. They are shipped "as is", without any rework, maintenance, or further preservation being accomplished by the shipping installation. Carbines will be furnished without magazines, slings, or oilers. Carbines will sell for \$20, including packing and handling. Shipping charges will be collect. Magazines are available from commercial sources, some of which advertise in THE AMERICAN RIFLEMAN.

Description of carbine — The U. S. Carbine, Cal. .30, M1, commonly known as the M1 carbine, is a gas-operated shoulder arm capable only of semi-automatic fire, using a detachable box-magazine of 15- or 30-shot capacity. It weighs about 5½ lbs., is 35.6" long with an 18" barrel. The carbine is chambered for the cal. .30 carbine cartridge. This cartridge does not interchange with that used in the M1903 or M1 rifles. Spare parts for the M1 carbine are not available through the Director of Civilian Marksmanship.

Detailed information on the M1 carbine, including functioning, takedown and assembly, and reloading data is available in AMERICAN RIFLEMAN Reprint #11 at 50¢ per copy.

Purchase of ammunition—Cal. .30 car-

bine ammunition may be purchased by NRA members or NRA-affiliated clubs from certain Army Depots at \$.04 per round, in minimum sale quantities of 600 rounds.

Item Stock No. 1305-028-6509-A182
Description: Cartridge, Cal. .30, Carbine, Ball, M1 10-round clip, minimum sale, 600 rds.

Price: \$.04 each round

Purchase requests and instruction forms are available upon request from NRA Headquarters.

How to order—The NRA will process all M1 carbine orders for its members. Use the purchase request below, or obtain a purchase request from NRA.

If you are a member— Send your purchase request to:

Government Equipment Section,
 National Rifle Association,
 1600 Rhode Island Ave., N.W.,
 Washington 6, D. C.

Include with your request:

(a) A complete address label from a recent AMERICAN RIFLEMAN magazine, or your NRA membership card, or a photocopy of it.

(b) Mailing address if different from shipping address.

If you are not a member— Send your purchase request, along with your endorsed membership application and your membership dues, to the National Rifle Association at the above address.

Do not send payment for carbine with membership dues.

The NRA will certify that you are a member so your purchase request may be processed. Your NRA membership credentials will be sent directly to you.

Please do not send membership application or dues to government depots.

Present members plus new members eligible — The privilege of purchasing an M1 carbine applies to members who have just joined the National Rifle Association as well as present members. Present members can invite sportsmen to join the NRA now and take immediate advantage of all benefits.

New membership applications should bear the endorsement or nomination signature of a present NRA member, public official, or officer of the Armed Forces so that new membership cards can be issued promptly. A membership application blank appears on page 121.

Payment for carbines — Do not send payment for carbine with the purchase request. Wait for detailed instructions to be sent to you.

Shipping information — Shipment will be made by express or motor freight and shipping charges will be collect. Shipping charges will be in addition and will be collected by the carrier when the carbine is delivered.

The Army wishes to emphasize the following information:

(a) Depots will cancel all purchase authorizations if the purchaser's money has not been received within 30 days from the date of authorization.

(b) Carbines must be examined immediately upon receipt, preferably in the presence of the carrier's agent, to ascertain if any damages have occurred in shipment. Claims for damage in shipment must be filed by the purchaser against the carrier.

U. S. M1 CARBINE PURCHASE REQUEST

Government Equipment Section • National Rifle Association • 1600 Rhode Island Ave., N.W. • Washington 6, D. C.

I desire to purchase for my own use and not for resale:

ONE U. S. M1 Carbine in condition "Unclassified-Unserviceable"

I have not previously purchased an M1 Carbine from the U. S. Government. I am a citizen over 18 years of age and a member of the National Rifle Association, as evidenced by the enclosed membership card, or photocopy, or a mailing label from a recent "American Rifleman" magazine. I understand the condition of this firearm is "Unclassified-Unserviceable", having received a limited inspection to determine that it is "safe to fire", and that the U. S. Government implies no warranty of the firearm covered by this document. Acceptance of this carbine by me relieves the U. S. Government of all responsibilities as regards malfunctions or accidents that may occur from it being fired by the original purchaser, subsequent purchaser, or any other party, and that final inspection is the sole and total responsibility of the purchaser.

Shipping address (Street) (City) (State)

(Print name in full) (Sign name in full)

Mailing address if different from shipping address.....

NOTE: Send no money with this purchase request. You will be notified when your order has been approved and instructions for making remittance will be sent to you.

The M1 carbine is in no way a restricted firearm under Federal Law. Members are cautioned that

Meanwhile, Sam Cummings's International Armament Corporation, the company he founded in 1953, was on a surplus military arms juggernaut. He profited from every war as the winner usually didn't want the loser's equipment. Cummings had warehouse storage in England and the United States - and most likely many other locations. By the early 1960s, he had a retail outlet at 11029 Washington Blvd.in Culver City, California. It was there that I would visit whenever I could amass \$10 plus 4% sales tax to purchase a sticky cosmoline-packed military rifle from Russia, England, or some other far-off land. Note: such rifles are still being used by militaries in Afghanistan, Iran, and other countries. A 2016 article by Robert Adair in the Unblinking Eye entitled Interarms and Sam Cummings suggested that his warehouses in the United State had been filled with 700,000 guns in anticipation that the 1968 Gun Control Act would pass.. Among the items he offered were British anti-tank rifles that could be purchased by mail for \$79.95 (Fig.12.jpg). British anti-tank rifles certainly weren't as available as the M1 Garand or the M1 carbine but they were available enough that I passed-up an opportunity to purchase a Finnish Lathi 20mm anti-tank rifle from a liquor store in Fresno, California in 1968. The passage of the 1968 federal Gun Control Act caused Cummings to redirect his efforts toward commercial firearms. In his Washington Post obituary of May 1, 1998, he was described as "...one of the world's leading arms merchants . . ."

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Figure 12

Only \$79.95

**"THE ULTIMATE" — WORLD'S MOST POWERFUL
R. B. MARK I ANTI-TANK RIFLE**



1. Made in England by E.S.A. with round muzzle-brake and monopod. Slightly used specimen—a bargain at only \$79.95.

Only \$125.00

**THE WORLD'S GREATEST COLLECTORS ITEM!
RARE MODEL MARKED "U.S. GOVT. PROPERTY"**



2. Brand new, never fired, with special blind and sights that insure hits. AMMUNITION for R.B. Mark I .50 Cal. per 10 rounds in clip\$7.45.

ACCESSORIES: Special kit of special accessories. (no rifle complete without these valuable items.) Contains brass cover, disassembling tool, cleaning rod, magazine carrying case and 7 extra 5-shot magazines. Per kit, complete\$9.50

CALIBER .50 CONVERSION KITS\$39.95
As the result of popular demand, we now again offer Cal. .50 Conversion Kits, thereby enabling your favorite gunsmith to convert the R.B. Mark I rifle to fire U.S. .50 caliber ammunition. These kits consist of set of sights, brass cover, .50 Caliber barrel, muzzle-brake cover and cheek-piece.

ORIGINAL FACTORY LOADS — WHY PAY MORE ELSEWHERE? — All Ammo Must Be Shipped E.R. Express Collect.

CAL. 30-06, per 100 rounds\$5.50
Unbelievably beautiful 150-gr. SP ball ammo in commercial type 20-round boxes. Factory loads from America's finest manufacturers. Chance of a lifetime at world's cheapest price. Even DCM can't touch this bargain!

CAL. 44-40 WINCHESTER, per 100 rds.\$4.00
Killing both's supreme could be heard in Ft. Laramie when the first field eyes on this fabulous original lot of UMC 44-40. And you'll scream too, when you see what you get for your money in these marvelous old cartridges for these favorite Colts and Winchester.

**CAL. 7.35MM (.300") ITALIAN MANNLICHER
per 96-rds.\$6.00**
Finest quality recent date issue ball ammo in ORIGINAL clip at the lowest price ever offered. Others sell the clip alone for more than we sell the ammo loaded in them. 128-gr. original issue ball retained — the first of the new short cartridges and still among the finest!

CAL. 7MM MAUSER, per 100 rds.\$3.00
Indestructible ammo for the plinker, traveler and soldier. SP bullets and rounds combine up with precision mellowing for an "As Is" bargain of the moment. Some may not fire, but at this price, what can you lose?

CAL. 303 BRITISH, per 100 rds.\$4.00
Commercial Export ammo, ball type. Full weight bullet. Manufactured in beautiful brass cases and the late to end the war Max. American Ammunition.

CAL. 8MM MAUSER, per 100 rds.\$5.00
Beautiful original German issue—in original 15-rd. boxes from Germany's greatest factories—KWS, DWM, others. True 8.223 diameter bullets alone worth more than our giveaway price for these extra rds. The Price of the Nazi Warhead! Per original 1500 rd. case\$75.00

AMERICA'S BEST 30-06 BARREL BUY!
U.S. GOVT. CAL. 30-06 BARRELSOnly \$3.98
You may have seen these advertised at tremendous prices elsewhere, but now buy them at prices that pays you to reload!—NOW! 24" BRAND NEW, 6-GROOVE, U.S. Govt. manufactured to highest Govt. specs. Will fit receivers with under 1-3/16" tank—4130 Precision steel. Buy them by the case of 30 barrels for only \$35.00. Ship or order; And 75¢ for packing and shipping charges per barrel! Another unbelievably OLD HUNTER Special!

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WASHINGTON AREA GUN BUGS! Now Ye Old Hunter announces the world's most fantastic GUN SHOP at 128 S. Strand, Alexandria, Va. Come one, come all —and load up on the world's greatest gun giveaways!

THE OLD HUNTER has moved to Washington, so don't send me more Reb money!
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In sum, throughout the twentieth century, not only did the federal government allow private companies to sell to the public countless thousands of semiautomatic rifles (M1 Garands and M1 carbines) that were actually used in combat by the U.S. military, but the government itself had a program to promote and perform sales of those same semiautomatic rifles, resulting in countless thousands more in civilian hands, which program continues to this day, albeit by a private 501(c)(3), but one that has the blessing of Congress to sell military surplus rifles to the

public. That Prof. Delay does not even mention the DCM or the CMP in his report in opining on a supposed “distinction” between military and civilian arms in the twentieth century that includes semiautomatic firearms renders his report on that topic meaningless.

Handguns

There is no difference between military and civilian handgun models in the twentieth century. The .45acp Colt M1911 and 1911A1 (Fig. 13) were the principal military handguns from the year 1911 until the mid 1980s when replaced by the 9mm Beretta. CMP currently has M1911s for sale on its website (www.thecmp.org). The M9 Beretta was widely popular in the civilian market before its adoption by the military. (Fig.14). The Beretta was then replaced by the Sig Sauer P320-M18 (Fig.15), which likewise was popular among civilians before the military adopted it.

Figure 13

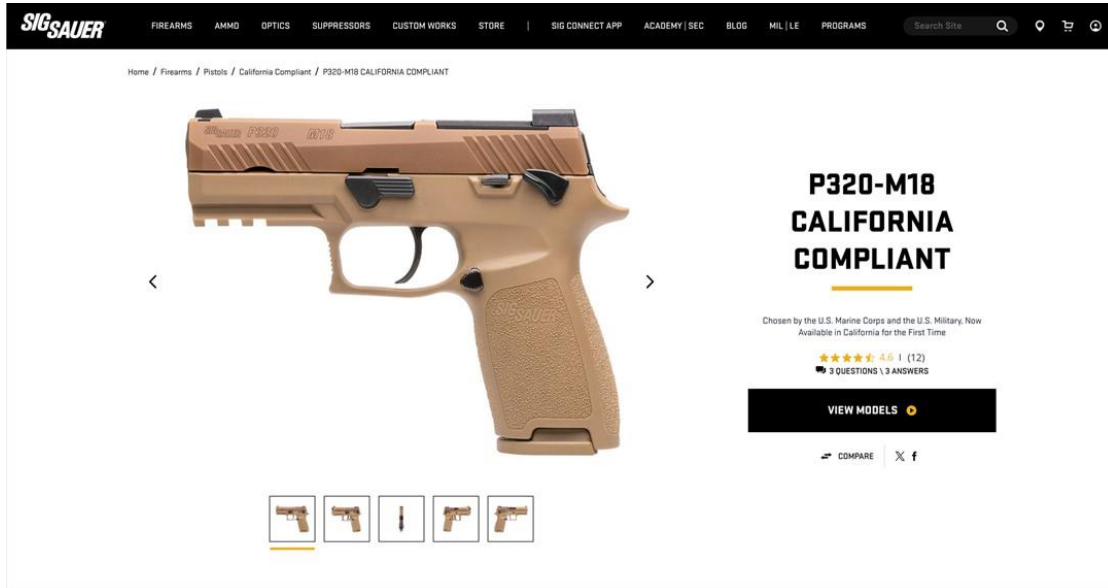


Figure 14

Beretta M9 Pistol



Figure 15



Shotgun

I believe the first military issue shotgun was the Trapdoor Forager – a cobbled-together single shot that was intended for hunting small game (birds, rabbits, etc.) to supplement the meager diet of soldiers in remote postings. When the US entered WW1’s “trench warfare” in 1917 a shotgun was needed for close-quarters combat. The Winchester M97 was the gun of choice. (Fig.16). The military slightly modified the standard sporting model of the M97, widely available to the public, by shortening the barrel and adding a heat shield on top of the barrel and a bayonet lug; features that were available to the public but not particularly desirable for civilian use. The shotgun solutions in WWII and beyond were the same – sporting shotguns became military combat arms. The most recent versions are the Mossberg 690 pump, (Fig.17), and the Benelli M1014 semi-auto, (Fig.18). As with handguns – there was no “distinction” between civilian and military shotguns.

Figure 16



Figure 17

THE 590A1 FIGHTING SHOTGUN – THE MILITARY’S PUMP-ACTION OPTION

GEAR & TECH

BY TRAVIS PIKE
MAY 5, 2022



Figure 18

The screenshot shows the Benelli website's product page for the M1014 Shotgun. The navigation bar includes the Benelli logo and links for SHOTGUNS, RIFLES, COMMUNITY, SUPPORT, FIND A DEALER, SHOP, RESOURCES, and SEARCH. Below the navigation bar are tabs for OVERVIEW, SPECS, FEATURES, and DOWNLOADS. The main heading is "M1014 Shotguns" with a "FIND A BENELLI DEALER" link. A high-resolution image of the shotgun is displayed with a "Click to Zoom" prompt. Below the image, it states "You have selected model #11701". The configuration options are as follows:

STOCK FINISH	GRIP	BARREL LENGTH	GAUGE	SIZE	HAND-DOMINANCE
<input type="checkbox"/> BLACK SYNTHETIC	<input type="checkbox"/> PISTOL GRIP	<input type="checkbox"/> 18.5"	<input type="checkbox"/> 12-GAUGE	<input type="checkbox"/> STANDARD	<input type="checkbox"/> RIGHT

SIGHT	STOCK CONFIGURATION	BARREL FINISH	RECEIVER FINISH
<input type="checkbox"/> GHOST-RING	<input type="checkbox"/> FIXED POSITION SKELETONIZED	<input type="checkbox"/> PHOSPHATE	<input type="checkbox"/> ANODIZED, BLACK

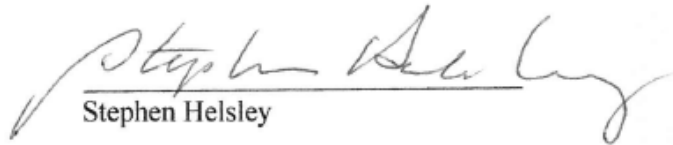
M1014 Shotguns

For more than a century, the federal government, first through its War Department and later the Department of the Army and Department of Civilian Marksmanship (DCM) has facilitated the sale of military firearms to both the general public and major small arms wholesalers. In 1996, Congress created the Civilian Marksmanship Program (CMP) to assume the functions of DCM. The CMP is a federally chartered 501 (c) (3) program designed educate US citizens in the responsible use of firearms and conduct competitions and authorizes the Corporation to sell surplus .30 and .22 caliber military rifles, parts and ammunition to qualified U.S. citizens “for marksmanship.”² Accordingly, the CMP sells government-surplus semiautomatic M1 Garands, .22 caliber target rifles and small quantities of other rifles to qualified purchasers.

Currently, CMP is offering for sale 1903/1903A3, M1917. Semiautomatic M1 Garands, M1 Carbines and M1911 pistols – all subject to availability. It is of significant importance that the M1 Carbine generally uses 15 and 30 round detachable magazines.

The DCM, CMP, Francis Bannerman, and Sam Cummings are, in large measure, the reason multiple millions of surplus firearms are in private hands. I have been a firearm collector, competitor, and firearm student for over 60-years. I joined the NRA in 1961 because I wanted an M1 carbine. It’s perhaps a bit of an overstatement but my impression is that firearms from DCM and CMP are ‘everywhere.’ The notion that there is a difference between civilian and semiautomatic military firearms is a delusion born from subject matter ignorance. All that I have presented in this report can be confirmed via a few keystrokes. Professor DeLay apparently did not bother to take those keystrokes.

Dated: June 10, 2024


Stephen Helsley

² https://thecmp.org/cmp_sales/