

H.R. 367/S. 59

Gutting Federal Regulation of Silencers

INTRODUCED BY Rep. Jeff Duncan (R-SC) and Sen. Mike Crapo (R-ID)

SUMMARY

H.R. 367/S. 59, the Hearing Protection Act of 2017, introduced by Rep. Jeff Duncan (R-SC) and Sen. Mike Crapo (R-ID), eliminates silencers from the requirements of the National Firearms Act. This legislation would make it easier for criminals to obtain these deadly weapons, escalating gun violence in American communities and allowing dangerous individuals to elude law enforcement.

Regulation of silencers under the National Firearms Act has worked for decades. Since the 1930s, Americans have been able to legally obtain silencers through the ATF after undergoing a thorough background check process and registering the silencer with federal law enforcement. As a result of these protections, silencers are rarely used in crime. H.R. 367/S. 59 would remove these heightened regulations, making it easy for individuals unable to pass a background check to obtain these dangerous weapons through unregulated private sales on the internet and at gun shows—and to use them in violent crime.

Silencers mask the sound of a gun being fired. Effective regulation has made silencers extremely difficult for criminals to obtain, but when they have, the results are devastating. Past criminal use of silencers has resulted in assassination-style murders where first responders cannot quickly identify the source of gunfire. *Example:* Christopher Dorner, a former police and naval officer, murdered four people and wounded several others using a silencer in February 2013. He targeted law enforcement officers in what the Police Foundation described as a bizarre act of vengeance—a “gang-style hit” on individuals while sitting in a car. Police were initially puzzled as to why no neighbors heard the 14 shots: it was because Dorner used a silencer.

Proliferation of silencers would increase the threat posed to law enforcement by these active shooter incidents by masking the location of the gunman. In the July 2016 mass shooting in Dallas, the sound of gunfire was critical to locating the shooter and limiting casualties. H.R. 367/S. 59 would also diminish the effectiveness of gunshot detection systems that rely on sound, such as ShotSpotter, used in nearly 100 cities nationwide. These systems alert police to illegal gunfire, enabling officers to respond to and investigate gun crime—whether they have been called or not.

Current U.S. law limits the danger posed by silencers without European-style regulations on guns. Proponents of this bill have cited Europe’s lack of regulation regarding silencers—yet European laws highly regulate guns, requiring most gun owners to be licensed and for their guns to be registered, ensuring that only the most responsible individuals can obtain firearms. This is not the case in the United States—and is thus an invalid comparison.

The claim that silencers protect hearing is bogus. If silencers truly enhanced the health of gun owners, they would have been issued to every member of law enforcement and member of the military—and they have not. ***The sole purpose to deregulate silencers is to increase the profits of the gun industry at the expense of public safety.***