

# Army Gives Definition Of Assault Rifle

Robert Trifiletti, Chief of the Army's Light Armament Division, has helped define "assault weapon" for the New Jersey Law Journal.

In a recent letter to the editor of the Journal, Nicholas Kiermiesky, of Millville, N.J., declared, "In your July 21, 1997 issue, you featured a guest opinion by Terry Diggs entitled "Lawmakers With A Cause" (149 NJLJ 249), in which the author appears to object to contemporary initiatives to make adolescents accountable for their misconduct".

Diggs wrote....beneath the congressional posturing on youth savagery is the political preoccupation with something else. Fearing 16 year olds with semi-automatics, we have resolved to lock up the adolescents, not the "assault rifles.

Diggs seems to believe that inanimate objects (firearms) should be the focus of our antipathy rather than the individuals who willfully, and illegally, misuse those objects.

Falsehoods: The Army's Trifiletti said "Two comments are in order.

First, that apparent belief reflects a habit in our society of failing to hold individuals responsible for their actions. That unhealthy habit has plagued our society for the past forty years or so and only serves to encourage misconduct. To the extent that Diggs argues that individuals should not be held responsible for their actions, she is contributing to the problem, not the solution".

Secondly, Diggs' commentary derogates semi-automatic rifles as "assault rifles". In response to my FOIA request, U.S. Army experts at Picatinny Arsenal were kind enough to categorically state that semi-automatic rifles are not "assault rifles". A copy of the response follows. "It is hoped that Diggs appreciates the superior expertise of the Army in the field of firearms and will, accordingly, defer hereto and avoid misleading terminology in the future.

Part of the memorandum received from the Army's Trifiletti stated: "SUBJECT: Freedom of Information Jay H. Greenblatt & Associates "Assault Rifle".

1. This office researched the definition of the term "assault rifle" by identifying and locating official Department of Defense (DOD) and Department of Army (DA) publications on ordinance technical terminology, DOD/DA technical small arms publications or definitions of military terms.
2. The definition of an "assault rifle" is "Assault rifles are short, compact, select-fire (i.e. both semi-automatic and full-automatic) weapons that fire a cartridge intermediate in power between submachinegun and rifle cartridges.

Selective fire is defined as a weapon, which at the user's selection, can fire semi-automatic or full-automatic fire. Semi-automatic is defined as a weapon designed to fire each time the trigger is pulled. Full automatic is defined as a weapon which will fire continuously as long as the trigger is pulled.

3. The origin of the term “assault rifle” comes from the German word “sturmgewehr” after the Sturmgewehr 44 German Army rifle from the Second World War. The rifle was a compact, selective fire weapon in an intermediate caliber cartridge.

Since 1944, military firearms that fit this general description and general design have sometimes been labeled as an “assault rifle. Some civilian versions of military look-alike rifle have been erroneously labeled as “assault rifles” because they generally fit the description, however, since the civilian rifles have been modified internally to eliminate the selective fire capability, they are not “assault rifles”.

The United States Army does not designate any of its infantry small arms with the term “assault rifle” (*Reprinted from Gun Week, October 1, 1997*)

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The Second Amendment’s language and historical and philosophical background demonstrate that it was designed to guarantee individuals the possession of certain kinds of arms for three purposes: (1) crime prevention or what we would today describe as self defense. (2) national defense. (3) preservation of individual liberty. (*Don Kates-Handgun Prohibition and the original meaning of the 2<sup>nd</sup> Amendment*)

For the point to be made with respect to Congress and the Second Amendment is that the essential claim advanced by the NRA with respect to the Second Amendment is extremely strong...the constructive role of the NRA today, like the role of the ACLU in the 1920’s with respect to the First Amendment, ought itself not to be dismissed lightly. (*William Van Alstyne, Professor of Law, Duke University School of Law. The Second Amendment And The Personal Right To Arms – 1994*)