

00:00;19;27 - 00:00;43;13

Stephen Gutowski

All right. Welcome, ladies and gentlemen, to another episode of the Weekly Reload podcast. I'm your host, Stephen Gutowski. I'm also a CNN contributor and the founder of theReload.com, where you can head over and sign up for our free newsletter today. If you want to keep up to date with what's going on with guns in America from a sober, serious perspective focused on hard news reporting and analysis over, hot air and opinion.

00:00;43;15 - 00:01;02;09

Stephen Gutowski

This week we are going to be talking about the first week of the Trump administration, the new administration. So some of the stuff that's happened, or maybe the lack of things that have happened, as well as what's going on with the ATF. And to do that, I have, a guest back returning to the show.

00:01;02;09 - 00:01;19;10

Stephen Gutowski

Great writer, that I, enjoy reading quite a lot. Who knows a great deal on this topic. Kevin Williamson from The Dispatch and, the Competitive Enterprise Institute is back with us. Welcome to the show, Kevin. Thanks for coming on.

00:01;19;12 - 00:01;20;23

Kevin Williamson

Always a pleasure to be here.

00:01;20;25 - 00:01;25;08

Stephen Gutowski

Can you, tell people just a little bit more about yourself, before we get rolling here?

00:01;25;10 - 00:01;36;28

Kevin Williamson

Sure. Well, I was a newspaper editor for a long time. For most of the first part of my career. I grew up in West Texas. I worked in India and Texas and Philadelphia and rural Colorado for a while.

00:01;37;04 - 00:01;39;28

Stephen Gutowski

Go birds, by the way, just to read through them.

00:01;40;00 - 00:01;55;01

Kevin Williamson

I was, an editor and writer at National Review for about 15 years and, theater critic for The New Criterion. And, I'm probably one of the few people where there's a, a big overlap between theater critics and gun enthusiasts. But I, I'm, I'm that guy who.

00:01;55;01 - 00:01;57;14

Stephen Gutowski

Writes like you and Sonny Bunch. Probably.

00:01;57;16 - 00:02;15;11

Kevin Williamson

Yeah. I send you bunches. That's probably a good one. Yeah, yeah. And, anyway, and I currently work for the dispatch, which is a relatively new, center, right, publication started by Jonah Goldberg and Steve Hayes and, some of those folks. And I'm a writer in residence at the Competitive Enterprise Institute, where we work on regulatory issues.

00:02;15;11 - 00:02;37;05

Kevin Williamson

And I've just recently done a big piece for them. This was a six part series on the ATF and, its role as a regulator and raising some questions about whether it's the most appropriate one. And, and I also love to shoot and, I hunt some and, that stuff. So I, I live kind of out in the country, so I get a chance to shoot a lot and, that's me.

00:02:37:07 - 00:02:55:16

Stephen Gutowski

Yeah. And we will be getting into a little bit of that. That series you did on on the ATF here as well, because. And maybe sooner than later because I guess the big jumping off point for us this week is, you know, the new Trump administration came in, the president announced 33 executive orders on day one. Right.

00:02:55:16 - 00:03:24:03

Stephen Gutowski

Which is pretty, abnormal. That's a that's a lot for first day. So obviously intending to make a big splash, you know, throw his weight around, make a statement kind of thing, and, they also published a, a literal priorities list on the white House website and the noticeable aspect of both of those things was that, gun policy, gun rights did not make it into any of that.

00:03:24:06 - 00:03:48:12

Stephen Gutowski

So what was your takeaway from this when, you know, that was the first day there have been, we're on Friday. We're recording now. Obviously, usually you judge a president on the first 100 days rather than the first five days, but, you know, he's trying to come out swinging and, I don't know, what do you make of, how the, I guess, inaction on on guns through this first week.

00:03:48:18 - 00:04:12:14

Kevin Williamson

Trump's always a special case, I suppose. So he always has to be kind of judged on his own terms. Trump historically, in his last administration as a candidate, is someone who is very, very energetic when it comes to rhetoric and creating drama and this kind of performative politics, he is a lot less, active and dynamic when it comes to actually getting things done.

00:04:12:16 - 00:04:37:19

Kevin Williamson

And that's historically been just kind of his pattern. He likes to stir things up and have confrontations that play out in the media and, and conduct himself in this sort of histrionic way. And then you'll often see, lack of follow up on that. Part of that has to do with the fact that in spite of his self-proclaimed role as a great negotiator, he actually has a really hard time working with Congress.

00:04:37:21 - 00:05:01:00

Kevin Williamson

And there's only so much a president can do, on his own. So hence the flurry of executive orders and pardons and commutations and those things. So if you think about the main thing he did vis-a-vis gun rights on day one was restoring the gun rights of 1600 people who were felons and probably shouldn't have had their gun rights restored, including people who committed violent crimes and attacked cops and things like that.

00:05:01:02 - 00:05:03:00

Stephen Gutowski

You know, six people.

00:05:03:00 - 00:05:22:06

Kevin Williamson

He said that he was not going to, extend clemency toward, he had said he was going to do this on a case by case basis and look for people who were treated unfairly. J.D. Vance came out and said the same thing as recently as the Sunday before. And, of course, what he did was he took the lazy way out of it.

00;05;22;06 - 00;05;42;10

Kevin Williamson

He just made a categorical decision about all those people, rather than actually doing the work of reviewing the cases and saying, all right, well, maybe this guy was, you know, granddad who was there as a protester who got sort of swept up and carried into the capital by the crowd versus this guy who was obviously, you know, a malefactor with ill intent beforehand.

00;05;42;13 - 00;05;45;11

Stephen Gutowski

Yeah. I mean, beating the police over the head with the flagpole. That's right.

00;05;45;12 - 00;06;08;06

Kevin Williamson

So, you know, the Q and on Shimon with his, bison horns, he took the time to do something for that guy on day one. But for ordinary people who care about their gun rights, not so much. And that's, that's typically, that's a pattern with him. There are things that, he could and should be doing short of working with Congress.

00;06;08;09 - 00;06;37;20

Kevin Williamson

Now, any of the big things that you can get done in terms of really reforming the ATF, reforming the way in which we go about, regulating firearms, investigating gun crimes, dealing with violent crime involving firearms is going to require, not only congressional buy in, but it's really going to require bipartisan buy in because no sort of big social policy that is a durable, lasting, you know, meaningful reform ever happens without bipartisan consensus.

00;06;37;21 - 00;06;55;18

Kevin Williamson

It just doesn't. And Trump right now is, of course, unintentionally, I think, illustrating the limits of his way of doing things, because Biden did a whole bunch of executive orders and, unilateral executive stuff, which can always be undone by the next guy, which is what Trump is doing right now.

00;06;55;18 - 00;06;57;07

Stephen Gutowski

Or blocked by the courts or blocked.

00;06;57;07 - 00;06;57;22

Kevin Williamson

By the courts.

00;06;57;22 - 00;06;58;04

Stephen Gutowski

I didn't have a.

00;06;58;04 - 00;06;59;02

Kevin Williamson

Lot of Trump fired on his.

00;06;59;02 - 00;06;59;24

Stephen Gutowski

Gun.

00;06;59;26 - 00;07;17;27

Kevin Williamson

Biden would do things that were patently unconstitutional, knowing they were patently unconstitutional. Of course, just

figuring he would either get away with it, or that at least it would signal to people that he cared about them in some way, that he was on their side. It would be politically useful. I think it's a very, very bad way for a politician, particularly a president, to behave.

00:07:17;29 - 00:07:47;03

Kevin Williamson

Trump obviously has some of the same instincts and, habits, which should be, resisted, I think. That being said, one of the things I worry about is that the gun rights movement is a little like the pro-life movement, in the sense that it's become a bit of a cheap date, for Republicans. So there was a time when the National Rifle Association, for example, was a genuinely bipartisan group, and they would work with people who were good on their issue, irrespective of whether they were Democrats or Republicans.

00:07:47;03 - 00:08:13;24

Kevin Williamson

Now, there aren't a lot of good Republicans on gun issues anymore. I mean, good Democrats are other Democrats on, gun issues anymore. So I'm not entirely their fault. But, when you become an extension of the Republican Party, as the NRA really has in some ways in this kind of, you know, full service culture war, kind of a Fox News adjacent sort of organization that doesn't just concentrate on its issue.

00:08:13;26 - 00:08:30;14

Kevin Williamson

When you're that partizan and you're that reliable and that much of a cheap date, well, why would your issues ever go to the top of the list? It's not like you're going to withhold your support or your donations or your vote. It's not like anyone over there is going to be openly critical of the administration. At least I would be very surprised if they were.

00:08:30;16 - 00:09:01;23

Kevin Williamson

So, the gun rights movement, I think requires, either a national Rifle Association or another organization that will be less, reflexively Republican and more open to being critical of Republicans in power when they deserve it and more focused on their issue. I mean, really, the main problem with the NRA is that they've, they just care about too many different things right now, including sort of building media careers for people who who work at the NRA, which is kind of a bad phase.

00:09:01;23 - 00:09:20;20

Kevin Williamson

They went to there for a while, but I guess they're sort of maybe, sorting out of that. But yeah, I wouldn't, I wouldn't expect the administration to move very quickly on very much having to do with gun rights, for one thing, because there's not much they can do unilaterally. But secondly, just because gun rights advocates are low on their on their priority list right now.

00:09:20;23 - 00:09:53;05

Stephen Gutowski

Yeah, you know that that's been my main takeaway from this first week. And really for I don't know, the whole 2024 campaign, the nominations that Trump has made, like Pam Bondi is a pretty, clear indication of this being down. The priority list. Not necessarily that these things mean Trump is going to, you know, pursue gun restrictions, though he could he has talked about doing it in the past, but but this this stuff is more in this seems to be more of a signal about where the priorities lie.

00:09:53;12 - 00:10:13;10

Stephen Gutowski

I mean, you know, they did again, they put out a literal priority list that just doesn't have the Second Amendment or gun rights on there at all. Yeah. And that that's the bigger takeaway to me then that we can guess exactly what he's going to do with the ATF or gun policy or the areas that he can have it impact.

00;10;13;12 - 00;10;31;14

Stephen Gutowski

Like, you know, I don't know from your point of view the fact that he hasn't done it this week or whatever. Does that. Do you think he's not going to try and rollback some of these rules that he said he made? Very frankly, on the specific policy front, he made very few promises, during the campaign.

00;10;31;19 - 00;10;58;25

Stephen Gutowski

In fact, they stripped out all of the previous promises from the 2016 platform in the 2024 platform, and it's much more, as you said, like rhetorically, he's very generically pro gun, talking about how much he values the Second Amendment and, and they'll protect it and they'll say very strong, but very generic promises. And then when it gets to actual specific policy, he's a lot less, prolific in talking about that.

00;10;58;27 - 00;11;21;14

Stephen Gutowski

And the only thing he really did, in my estimation at least, is, he has promised to sign some legislation, like the national reciprocity. But, you know, he's said this once or twice over the course of his political career. Now, whereas he made specific promises to the NRA at the speech he gave in February 2024.

00;11;21;14 - 00;11;33;07

Stephen Gutowski

But they were pretty much all about rolling back what Biden has done. It seems like maybe we should still expect that, even though it hasn't happened yet. What are you feeling?

00;11;33;10 - 00;11;53;21

Kevin Williamson

Yeah. That seems likely. He's going to want to undo pretty much everything that Biden did, through unilateral executive power until the extent that he can. You one of the things and it's a strange thing to say about someone who is now starting his second term as president of the United States of America. But one has to make some allowances for the fact that Trump is new at this.

00;11;53;24 - 00;12;18;21

Kevin Williamson

You know, he is not someone who has, a lifelong interest in gun rights. As you alluded to earlier, for a long time, he was someone on the other side of the issue functionally, in the same way that he was someone who was on the pro-choice side of the abortion debate for a long time. And on the opposite side of a lot of issues from where he's landed, when he decided he needed the Republican Party as a vehicle for his, personal ambitions.

00;12;18;24 - 00;12;39;14

Kevin Williamson

So Trump's commitment to gun rights is, I think, questionable. And it certainly transactional, I think is a fair way to put it. But, another way, another thing to keep in mind, though, is that his his knowledge of the issue is not very great. He is not someone who has spent a lot of time thinking about this stuff.

00;12;39;17 - 00;13;07;17

Kevin Williamson

You know, gun rights for him is just one more, interest group, demanding his attention and his favor. And gun advocates have generally supported him pretty, pretty consistently and pretty vigorously. So he's going to pay attention to that. And, but it's not something that he cares about the way he's cared about the trade, an issue he's been talking about since the 1980s through immigration, an issue he's been talking about for a long time.

00;13;07;19 - 00;13;13;29

Kevin Williamson

He doesn't have that kind of personal conviction about it the way he has some other issues. So.

00;13;14;04 - 00;13;46;01

Stephen Gutowski

And is that, you know, because you talk about the you think you've you his commitment to gun rights from a transactional point of view. And then, as you mentioned, it seems like the gun rights movement has less to offer him than it used to, especially his first time around. The NRA spent upwards of \$50 million in the 2016 election, and was one of the only major outside groups to really forcefully back him with, both rhetorically and with money, with spending and organizing and campaigning.

00;13;46;03 - 00;14;06;25

Stephen Gutowski

But, certainly there that aspect of what they've been able to do for Trump really waned the last eight years. Right. So do you think that's at play here? Why this is not coming up on the priority list? Why? You know, we don't see a big gun, even even something fairly symbolic that might not hold up.

00;14;07;01 - 00;14;25;00

Stephen Gutowski

I mean, like, like you mentioned, a lot of the Biden stuff was questionable from day one, that it would hold up in court when he went and did it, but he did it because he wanted to show favor to the gun control groups that were backing him in. Same for the office, white House Office of Gun Violence Prevention.

00;14;25;00 - 00;14;46;07

Stephen Gutowski

That was mainly a symbolic thing to the gun control, groups that it backed him. But we're not seeing so far as something like that. I mean, we're not even sure what's going on with the white House. That that office. Yeah. It's the website doesn't work anymore, but no one said anything from the administration about whether they actually shut it down or if that's a glitch or, we don't know.

00;14;46;07 - 00;14;49;02

Kevin Williamson

We don't even know who's in charge or with the ATF right now. So it's.

00;14;49;05 - 00;14;49;21

Stephen Gutowski

Right.

00;14;49;24 - 00;15;06;15

Kevin Williamson

It's a lot going on. I think that for some people, you gun rights has really been subsumed into the broader kind of culture war stuff. So they're satisfied simply by having a president who says, I'm on your side and I'm not on the other side, and I don't like these people, and that's all they want. Now, there are other people who have a more detailed policy agenda.

00;15;06;17 - 00;15;36;12

Kevin Williamson

And, they're essentially there are two competing groups, right? Or at least two distinct groups. So there are people who are gun rights advocates who care very deeply about, both legislation and regulation and how that affects your ability to exercise your Second Amendment rights. There's also the industry, the manufacturers, importers and retailers, firearms. And they generally, of course, support gun rights as well, too.

00;15;36;17 - 00;15;57;13

Kevin Williamson

But they also have a very strong interest in having a stable policy environment. They want to be able to predict what their business environment is going to look like going forward. So if you take something like, you know, the old arm race issue that came and went and came and went and came and went, a lot of these companies, if you talk to their

executives and I've spoken to a lot of people about this, they would have been okay with a decision either way.

00;15;57;15 - 00;16;13;06

Kevin Williamson

But what they wanted was the things sorted out. They wanted to have some, they wanted some knowledge on it. And this is particularly true of retailers, of course, and some of the smaller ones, you know, who don't have lawyers on staff, who don't have compliance guys on staff, and they get stuff in and they say, can I sell this?

00;16;13;06 - 00;16;46;13

Kevin Williamson

Can I not sell this? Can I sell it six weeks from now? Can I not sell it six weeks from now? You know, there there are gun shops that are passing up business, you know, in terms of doing work on firearms, you modifications and things like that, but also just in terms of what they sell because of regulatory uncertainty and because they don't want to get themselves into a position where they're even close to having to think about, can I do this or can I not do this because they're gun guys and businessmen and retailers and they're not lawyers and regulatory analysts, and they don't have people on their staff to do that for

00;16;46;13 - 00;17;00;08

Kevin Williamson

them because they're not, you know, they're not the national shooting Sports Federation. They're you know, Bob, who's got a gun shop in Kentucky. And it's a different sort of, you know, business environment. He just wants to know what he can do and what he can't do.

00;17;00;10 - 00;17;24;08

Stephen Gutowski

Right. And so you, I guess, you know, the question here, going back to, to something you mentioned a moment ago and, and like the ATF, right. Which you just did a series on. And I want to get to that. But first it's you mentioned that we don't have any clarity on who's even running the ATF today like we haven't.

00;17;24;10 - 00;17;52;20

Stephen Gutowski

There's a lot of ass out there in the gun rights community around specifically the ATF. Right. Some people want to see it dissolved. Some people want to see kind of a splashy flash, you know, flashy appointment of somebody like, gun, popular gun tuber or, you know, Brandon Herrera, Blake Masters, you know, more ideological, but pro gun had, you know, sort of the opposite of what Biden did.

00;17;52;22 - 00;18;12;21

Stephen Gutowski

And then there's others who want to have, you know, more somebody like an administrative law expert put to that position and, you know, try and reform the agency from within. You know, with more expert eye on how it with knowledge of how it works in practice. And then there's some people, it seems, there was some reporting.

00;18;12;21 - 00;18;41;18

Stephen Gutowski

I haven't independently verified this, but the New York Times reported that Pam Bondi, for instance, Trump's attorney general PAC, who seems like she's going to sail through to be confirmed, reportedly wants, a more just traditional law enforcement official pick somebody like a career ATF official. That's how the agency has mostly been run since, we got into the period where directors were supposed to be Senate confirmed.

00;18;41;20 - 00;19;05;19

Stephen Gutowski

And so right now, with that, Obama having resigned ahead of Trump, then to be fair, you had mentioned this on the other show. We've heard of Donald Trump. In this regard, he one of the things he promised to do was fire. Steven Del Bosque, the ATF director, and he he may well have had an executive order written up to do that on day one, but he

couldn't do it because that'll be resigned ahead of him coming in.

00;19;05;19 - 00;19;37;28

Stephen Gutowski

So, you know, we don't know for sure the administration is not, you know, talking about why they aren't doing certain things. They're obviously focused on talking about why they have done, lots of other stuff. But, you know, Marvin Richardson now appears to be back in charge of the ATF. He was the acting director at the beginning of the Biden administration that kind of got, pretty rudely pushed aside for the more political nominees that, that Biden wanted to get through.

00;19;38;00 - 00;20;05;20

Stephen Gutowski

And, he was demoted at one point, even. And now he's he's technically the acting deputy director, but there's nobody above him in the agency leadership pyramid at this point. But the ATF isn't talking. The administration is and talking about any of this stuff. So there's a lot of uncertainty around it. And I'm interested in both. What do you think Trump is going to do with this position, and what do you think he should do?

00;20;05;20 - 00;20;08;12

Stephen Gutowski

I guess from your point of view, what would you like to see him do?

00;20;08;15 - 00;20;22;19

Kevin Williamson

Well, and that really you raise the issue and, not to hijack stuff to talk about the series, but, this was kind of the question that I wanted to get into when I first started looking at doing this piece. Sorry. My lights just went off. Mia. No, no, because I'm starting to.

00;20;22;26 - 00;20;24;16

Stephen Gutowski

Get the notion that.

00;20;24;19 - 00;20;43;28

Kevin Williamson

You that I just had a stroke one or the other, but, so the ATF is a weird agency, right? Because we have, some legit issues related to firearms and violence in the United States. We have much higher violent crime in most other countries. Rich countries like ours do, guns.

00;20;43;28 - 00;20;47;00

Stephen Gutowski

Both guns and and without guns. Right. Yeah.

00;20;47;00 - 00;21;02;05

Kevin Williamson

So I mean much higher rates of non gun crime too. Yeah. So guns are a part of that to the extent that violent crime in the United States has a different character than it does in, say, Japan, where it's very, very hard to get a gun. Sure. You know, irrespective of what you think about gun rights is just the facts.

00;21;02;05 - 00;21;27;28

Kevin Williamson

Right? But it has to do with, you know, we've got these issues related to mental health in public places and, you know, psychiatric, deinstitutionalization, which has been a thing for for years and years and years where we just don't deal with sort of lawlessness in our streets. We've got issues related to organized crime and to kind of non organized career criminals, you know, people who commit the vast majority of violent crimes in the country.

00;21;28;00 - 00;21;55;24

Kevin Williamson

And we've got other issues related to, other contributors to that kind of violent crime. The United States. And our main thing we've been trying to do is deal with this through an agency whose main task is regulating sporting goods stores and, and regulating a handful of small to medium sized manufacturing companies. The link between the one and the other, of course, is just not very strong.

00;21;55;27 - 00;22;27;07

Kevin Williamson

You know, the whole premise of, our model of regulation is that we can deal with these things by dealing with the point of sale at licensed firearms dealers, which is where the vast majority of ATF's effort is, is focused. And, this has very, very little intersection with violent crime in the United States. As you know, most people who commit violent crimes with firearms do not buy them from stores, because they can't because they're already criminals who are disbarred from buying firearms for one reason or another.

00;22;27;09 - 00;22;46;03

Kevin Williamson

The last time I checked. And these numbers are maybe 3 or 4 years old, of the people currently incarcerated for crimes in the United States, the ones who had a firearm on them at the time of their crime, which is only about half of criminals to start with who were incarcerated. The number who got that firearm from a retail source is like 2.5% or something like that.

00;22;46;03 - 00;22;48;02

Kevin Williamson

It's a very, very low number.

00;22;48;05 - 00;22;56;17

Stephen Gutowski

So the numbers crimes are also felon in possession crimes and not even necessarily connected to a specific separate crime.

00;22;56;23 - 00;23;10;14

Kevin Williamson

Sure. I'm not talking about gun crimes that are much crimes in general, and people who had a firearm on them at the time of their crime. So some of those may be felon possession, some of them may be armed robbery. Some of them may be something that didn't have anything to do with the gun at all, but they just don't have a firearm on them when they when they committed the crime.

00;23;10;14 - 00;23;10;22

Kevin Williamson

Right.

00;23;10;22 - 00;23;11;10

Stephen Gutowski

Exactly.

00;23;11;10 - 00;23;41;21

Kevin Williamson

So, you know, the notion that by leaning on Dick's Sporting Goods just a little harder, that we're going to get crime down in places like Philadelphia and Saint Louis and these other American cities that have enormous crime problems in some rural areas, of course, a very serious crime problems as well, just doesn't make any sense. So what the administration needs to do before it can even begin to enact some sort of ATF reform agenda is answer that question that I've been trying to get you, which is why do we do it this way?

00;23;41;21 - 00;24;02;21

Kevin Williamson

Why do we have someone who's basically a business regulator also doing organized crime, or an organization that really is going to be focused on organized crime, but also as a regulator of sporting goods stores? It's a kind of, you know, it's a split personality that doesn't make a lot of sense. So you need to figure out what it is you want the ATF to do.

00;24;02;23 - 00;24;38;12

Kevin Williamson

And to figure that out, you have to really think, take a step back further from there and say, what should be the goal of our regulation of firearms at the federal level? I think this is a question that could be devolved, in part, I think, that state and local authorities are almost certainly better positioned in the long term to be the lead regulators, on this than the federal government is, the federal government sort of fell into it because it's a, partly because it's a relic of the Progressive ERA, which had a lot to do with the centralization of, of power in the federal government.

00;24;38;17 - 00;24;57;08

Kevin Williamson

And also because we use federal taxes as pretext for the regulatory effort. As you know, you know, if you're getting certain kinds of firearms yourself, the the certificate that you need is a tax stamp, which again, just goes back to, you know, another early administrations trying to make and runs around what their actual constitutional powers are.

00;24;57;10 - 00;24;57;25

Stephen Gutowski

Right.

00;24;57;27 - 00;24;58;28

Kevin Williamson

I think that.

00;24;59;01 - 00;25;02;12

Stephen Gutowski

Yeah. Because the NFA is a tax. Yeah. Firearms Act. Yeah.

00;25;02;15 - 00;25;19;22

Kevin Williamson

Tax. And I depart with some, some more orthodox, you know, gun rights advocates in this much that I think there's a real good case to be made for having a good deal of variety in, how firearms are regulated. I take the First Amendment as a point of comparison on this. So First Amendment rights, your First Amendment rights.

00;25;19;22 - 00;25;40;10

Kevin Williamson

You have first, you have a First Amendment right to free speech wherever you are in the United States of America. That's just that's that's bedrock constitutional stuff. But the rules for organizing a parade or a rally or a public event in Manhattan are different from what they are in rural Wyoming. And there's a good reason for that. No, we don't say that.

00;25;40;10 - 00;26;09;20

Kevin Williamson

One of these models of regulating, public events is consistent with the First Amendment. And the other one is and they're both consistent with First Amendment, one's more restrictive than the other. There's a good case for having a more restrictive version in midtown Manhattan in there is for rural Wyoming and I think it would be a perfectly sensible thing to have, appreciably different, regulatory regimes, not only for purchasing, but also particularly for carrying firearms in different states and even down to the municipal level.

00;26;09;22 - 00;26;25;01

Kevin Williamson

I think there's a real good reason, if you were going to say, yeah, in the state of Nevada, you generally can carry a gun wherever you want, but maybe not in the Las Vegas Strip, or maybe not between 8 p.m. and 8 a.m. on the Las Vegas Strip. There's that. I don't think that would be an unreasonable model of regulation.

00;26;25;01 - 00;26;42;04

Kevin Williamson

Now, may not actually be that effective because we've seen places like Florida move to, you know, so-called constitutional carry with essentially no effect on gun crime. So I'm not sure that that kind of regulatory thing actually ends up mattering very much when it comes to violent crime. But as a matter of principle, there's room, I think, for some variety there.

00;26;42;07 - 00;27;17;17

Kevin Williamson

And I think we probably would be better off in the long term, both in terms of developing a stable policy environment that's closer to the people who are actually regulated by it. And, one that it's more likely to be responsive to actual local conditions when it comes to crime and lawlessness. By having these decisions devolved somewhat to the states and the municipalities and having the federal government there essentially as, controller of exports and imports and, and a few other maybe inherently federal, items in the portfolio like interstate commerce and, interstate.

00;27;17;20 - 00;27;18;29

Stephen Gutowski

Interstate gun trafficking, things.

00;27;18;29 - 00;27;21;03

Kevin Williamson

Like, yeah, gun dropping in, that sort of thing.

00;27;21;06 - 00;27;33;10

Stephen Gutowski

That's interesting, but so, and, you know, that's obviously a pretty big picture. Look at what you think would make sense for ATF reform. I imagine a lot of that stuff is going to require Congress to buy.

00;27;33;10 - 00;27;34;08

Kevin Williamson

In and, yes.

00;27;34;10 - 00;27;57;10

Stephen Gutowski

Know, change the laws. Do you, do you. So I guess, short of that, what what, would be ideal then, in your mind, for Trump to do with the ATF director position or with things like federal rulemaking? You know, obviously Biden tried to do that, really to very little effect because most of his rules were blocked by the courts.

00;27;57;10 - 00;28;21;04

Stephen Gutowski

You know, to this point. And Trump is likely to go through the process of rolling them back. But, you know, maybe there's other things that you could do through rulemaking or through policy setting at the ATF. What what are those kind of things that you would, you know, if you were going to advise the president on what to do, whether it's Donald Trump or not.

00;28;21;07 - 00;28;28;03

Stephen Gutowski

What what do you think the ideal approach would be on that front from a, executive branch? Yeah.

00;28;28;05 - 00;28;59;15

Kevin Williamson

So I am, I'm a gun rights guy. And theoretically and philosophically, I'm a pretty, pretty radical libertarian on a lot of issues. But temperamentally, I'm basically an Eisenhower Republican and short of some very intelligent reform agenda, the best thing the ATF could do is nothing. Right. And to have someone in there who said, we're not going to be doing any substantive rule changes, we're not going to be changing anything, really about the way we do our administrative law work here.

00:28:59;18 - 00:29:19;24

Kevin Williamson

What we have right now is what we have. And, what we're going to do is execute the laws that we've been entrusted to execute by Congress, and we're going to follow our mandate. We're not going to try to go beyond it. And we're just going to do what we are legally asked to do by Congress. And that has two virtues, I think.

00:29:19;24 - 00:29:43;00

Kevin Williamson

One is that, you know, just sort of radical change driven by the executive branch, tends to be disorderly and often not to produce the kinds of results that we want. But secondly, you really are ultimately just mucking about at the edges of the issue in a temporary, tenuous kind of way. If you are not going to go to Congress and ask them to change the law.

00:29:43;02 - 00:30:02;23

Kevin Williamson

Now, if Trump has people that he wants to put together a team and go to Congress and say, look, we need to reform the way we regulate firearms at the federal level in the United States, including how the ATF is organized or even whether there is an ATF where this could be better done by some other agency in because the ATF moved around, of course, through the government tubes in the Treasury Department at one point.

00:30:02;25 - 00:30:23;18

Kevin Williamson

And Homeland Security, it's one of those, kind of redheaded stepchildren of the federal bureaucracy that's been pushed around a bit. But that's a much, you know, it's big in depth project. It's going to require a lot of old fashioned, kind of laborious political work of the kind that the Trump administration the last time around did not show itself very much inclined to do.

00:30:23;21 - 00:30:42;17

Kevin Williamson

And I don't know that it is this time or either. Yeah, it wouldn't be terrible if they would pick a good, smart senator and say, this is going to be our guy on this issue. We want him to put together a bipartisan, gun reform bill that would, address some of the questions about why the ATF is the way it is.

00:30:42;19 - 00:31:00;17

Kevin Williamson

It is a bit of a problematic agency, I think, from a lot of people's point of view. And they're progressives. You feel this way, too. I mean, people on the right really are missing an opportunity here. Where there are a lot of people on the left who think of the ATF as being, you know, an abusive, heavy handed agency and also one that's generally ineffective.

00:31:00;20 - 00:31:12;02

Kevin Williamson

And I think that there are some opportunities to maybe work with some of those people, too, and, and, and produce something that would be a little more of a sensible bipartisan piece of legislation, but I don't expect it to happen.

00:31:12;05 - 00:31:29;15

Stephen Gutowski

Yeah. So given that you don't, that's what you think would be ideal, I guess. Now, what do you expect will actually, happen? Do you have any idea? I mean, it's hard to say, right? There's the Trump has not tipped his hand on this very

much at all, or even shown that he's really thought much on it.

00;31;29;21 - 00;31;51;02

Kevin Williamson

And I would expect the administration to put someone in charge at ATF who's going to make a lot of bombastic speeches and, who is going to pick a couple of highly emotional, symbolic fights that will play out on social media and not have a lot of effect about how this stuff is done in the long term. That's what I expect the administration will do, because.

00;31;51;08 - 00;31;56;22

Stephen Gutowski

You think he's actually going to try to get a confirmed, confirmed director in there, then?

00;31;56;24 - 00;31;59;25

Kevin Williamson

Well, he does love having those acting directors. And,

00;31;59;27 - 00;32;07;08

Stephen Gutowski

Because it does cost political capital to try and do that, regardless of who the president is or who you pick. Right? Yeah.

00;32;07;10 - 00;32;32;09

Kevin Williamson

That's what we see there. Is that, I think that there's enough political juice in the gun issue, that he might want to, to avail himself of whatever kind of benefits there are to be had of, some cultural confrontations there. But in terms of a large, meaningful regulatory and legislative reform agenda, I think if they had won, we would have seen it already.

00;32;32;12 - 00;32;39;14

Kevin Williamson

You know, I remember the last Trump administration where they were there were three weeks away from unveiling their health care program for four years.

00;32;39;17 - 00;32;41;24

Stephen Gutowski

Well, he says he's got a concept, the.

00;32;41;27 - 00;32;42;18

Kevin Williamson

Whole concept.

00;32;42;18 - 00;33;15;03

Stephen Gutowski

All this time later. Yeah. Yeah. I mean, well, look, he tried this the last time around, and I would categorize. He picked the former president of the FOP Fraternal Order Police. Chuck Canterbury, I think, was his name, if I'm hopefully getting that correct. And and he was sunk by Republicans. I mean, Ted Cruz was one of the people who, was upset because the Fraternal Order of Police is an organization that supported stricter gun control, in the past.

00;33;15;03 - 00;33;36;09

Stephen Gutowski

And that that kind of blew up the whole possibility of him becoming the director. So Trump lost that fight. He didn't try to put up another director after that. And it seemed I mean, I would call that maybe more of a transactional pick and definitely more in the law enforcement, you know, career law enforcement by, category of directors.

00;33;36;12 - 00;34;03;26

Stephen Gutowski

So you kind of wonder if he's, you know, what is he going to do this time? Obviously, we've heard a lot of rumors about, you know, the guy who ran in Arizona, Blake Masters, who's, you know, has a lot of backing from Peter Thiel, who has influence with the vice president. Right. Pam Bondi again, who has said she wants somebody more of a career law enforcement official calling the New York Times.

00:34:04:02 - 00:34:28:25

Stephen Gutowski

They're reporting, I don't know, he Trump was pretty happy with keeping acting directors in a lot of positions last time around to avoid these kind of political fights. That his cabinet fights have gone. You know, considering I would say he's probably at the peak of his power right now, like, he's more powerful within the Republican Party today than he has been in any other point.

00:34:28:27 - 00:34:49:17

Stephen Gutowski

Given that he just won the popular vote and came back from the, you know, the nadir that he was at after January 6th. And, you know, he's there's less criticism internally in the Republican Party. Some still exist, but there's less of it now than ever before. And he's still kind of having some struggles with these, with these cabinet picks he's made.

00:34:49:19 - 00:34:54:00

Stephen Gutowski

I don't know, does he bother putting up a permanent director? It's sets.

00:34:54:00 - 00:35:18:07

Kevin Williamson

Well, I think he often, you know, there's this old you know, the czar can do no wrong. It's always his advisers. He's being poorly advised. I don't think that's the case about Donald Trump, but I think he often is poorly advised. So in his first administration, there were hundreds and hundreds of positions that went unfilled. And a few of those were he preferred to have acting directors and acting people in positions because he didn't want to go to the confirmation process.

00:35:18:07 - 00:35:46:07

Kevin Williamson

But in a lot of them, they just didn't know what they were doing. They didn't know how to find people for it. They took, you know, years to kind of figure out just the basics of how to put together an administration. Like their first two years were essentially lost. And, now this time around, they've they've had more time to think about it, more time to plan more people who are sort of policy entrepreneurs who think they can get something out of the administration, sort of taking some of that stuff off his plate and saying, look, we can think this through for you.

00:35:46:07 - 00:36:05:08

Kevin Williamson

Here's our ready made policy for this, that and the other. If something like that has happened with gun rights, it's been done very quietly because you haven't heard anything about it. And if anyone's going to hear anything about it, it would have been you. So that leads me to believe it just hasn't been something that's been real high on their agenda.

00:36:05:11 - 00:36:23:21

Kevin Williamson

And so not knowing what they want, they haven't put very much thought into, into, recruiting the sort of person you can put that in place. There's also they sometimes get this stuff backwards instead of saying, we need someone at ATF and who would be a good person to put in this role, they say, what can we do for Blake Masters, who's been a good soldier and supported us?

00:36:23:21 - 00:36:25:04

Kevin Williamson

Can we find a place for him?

00:36:25:06 - 00:36:27:19

Stephen Gutowski

And it feels like the Canterbury pick for right.

00:36:27:20 - 00:36:51:03

Kevin Williamson

They've got people they want to find jobs for, right. And jobs they want to find people for. And, when you start doing things that way, you often end up making some, some suboptimal appointments. So I don't have I don't have. I don't think that Trump will reverse himself and, and sort of, you know, stab the gun rights people in the back, unless he's got something in it for him.

00:36:51:03 - 00:37:00:16

Kevin Williamson

And there's not likely to be anything in it for him. Unless there's some, you know, horrible, high profile crime that changes the public tenor on that for a few minutes.

00:37:00:19 - 00:37:23:21

Stephen Gutowski

I think that's the key to watch those those moments. Because last time around, last time around, he seemed willing to go in on doing more, more gun restrictions. And, maybe there was some soft power at play, for sure. With the NRA. Had a much closer relationship with him back then. And he never other than the bump stock ban, which did happen, obviously.

00:37:23:21 - 00:37:56:09

Stephen Gutowski

And this has since been found unconstitutional, but also is this is a sort of restriction that doesn't impact your general gun voter, right? It didn't lead to a lot of political consequences for him, because I think you sort of articulated this, earlier in the show. But, you know, you've got like gun owners, which is a huge swath of American public that's, you know, includes a lot of people from a lot of different backgrounds and political persuasions and who have gun politics, maybe not anywhere near the top of their priority list for a lot of them.

00:37:56:16 - 00:38:26:11

Stephen Gutowski

Then you have gun voters who have it as an issue, but mainly seem mostly concerned with not having what they want to do with their firearms restricted. Right. You know, and that's that would be your base of gun like, the gun rights movement and your actual, you know, rank and file people who gun consider this as part of their vote, and they are, like you said, I think, fairly, placated by Trump's rhetoric on this issue.

00:38:26:13 - 00:38:40:10

Stephen Gutowski

And the fact that he hasn't done anything thus far that would actually impact the vast majority of them in their ability to buy guns or own guns. Yeah. Because the guy there weren't that many bomb stacks out.

00:38:40:10 - 00:38:51:04

Kevin Williamson

There, the guy with, you know, red, white and blue, God guns and Trump bumper sticker on his F-250. That guy does not know who the director of the ATF is and doesn't care. Right. He wants.

00:38:51:10 - 00:39:20:08

Stephen Gutowski

To get into the issue, the movement type, the activists name like that. You know, that's where you start to get people who care about the bump stock ban. But maybe but also they look at the other side of the choice and see people who are want to do even more than Donald Trump does. Yeah. And that's where it starts to not, you know, that maybe they

they're disabused of Donald Trump, but they're not going to hop on, and vote for Kamala Harris necessarily.

00:39:20;08 - 00:39:47;18

Stephen Gutowski

Not on this particular issue. Obviously, there's lots of other stuff to consider with these. With that choice. But but, but, you know, at the end of the day, if Trump does after one of these, you know, major mass shootings, there's certainly a possibility that he could actually go through with pushing some sort of gun control. And, and in that moment, I think you don't know what's going to happen.

00:39:47;20 - 00:39:48;01

Stephen Gutowski

Right.

00:39:48;04 - 00:40:00;00

Kevin Williamson

I think the worst case scenario is Trump being, you know, convinced by events and short term politics to, you know, re-embrace something like the, you so-called assault weapons ban. Yeah. Or, something like that.

00:40:00;08 - 00:40:26;26

Stephen Gutowski

There's reporting that he considered doing that after the El Paso shooting first time around. Yeah. You didn't make public statements that effect. And I think there was, again, a soft power involved with the gun rights movement having more of a direct line to him in those days, especially the NRA in particular with, with, you know, Wayne Lapierre and especially Chris Cox, having a pretty close relationship with the actual they met with Donald Trump himself.

00:40:26;26 - 00:40:50;15

Stephen Gutowski

And I don't know that that still exists anymore for any of these big any of the gun rights groups. And that's where the concern comes, because I don't, you know, because I think, I don't want to get too far down into speculation with all this stuff. Yeah. Well, one of the things, like you said earlier, I think it's you're more likely this early stuff doesn't mean he's necessarily about to flip on his positions on gun restrictions.

00:40:50;15 - 00:40:53;19

Stephen Gutowski

It's just showing you where the priorities are in that gun.

00:40:53;19 - 00:41:21;20

Kevin Williamson

Yeah, it's just not the you know, it's very much I don't think. And Trump often has a tendency to, put a lot of weight on the views. The last person he talked to, and so it really will matter a great deal, you know, who has his year inside the white House and, gun rights. People should worry about that a little bit because, you know, the current administration is going to be really very heavily dominated by, well, there's about a dozen billionaires or something like that in a.

00:41:21;20 - 00:41:54;13

Kevin Williamson

Yeah, position. So these, you know, kind of CEO type people who, typically don't have very strong cultural ties to rural America or to, or to the, the sort of cultural milieu where, where gun rights is really lively and, heartfelt issue. So, you know, you're kind of Palm Beach retired CEO types. Yeah. I mean, maybe they're, you know, nominally, on the right place on these issues, but and I think you're seeing this in an administration revealing its character that it's just not a big issue for them.

00:41:54;13 - 00:41:58;16

Kevin Williamson

It's not something that's really personally felt for them.

00:41:58;18 - 00:42:17;23

Stephen Gutowski

Yeah. Well, look, we will have to see, like I said, normally you would wait till the first 100 days to make a determination about what direction an administration is going and what their priorities are. But, you know, Trump, I think, has intentionally the administration has intentionally tried to speed that up and be like, we're doing all this stuff right away.

00:42:17;26 - 00:42:29;04

Stephen Gutowski

We're flexing their muscles. And, and I think it's fair to at least get you on first glance here. Maybe the first glance matters a little more than even some of these previous administrations, because they're just putting so much emphasis on.

00:42:29;07 - 00:42:31;24

Kevin Williamson

We can always, we can always talk to the end and 96 days.

00:42:31;28 - 00:42:46;25

Stephen Gutowski

Yes. And I think we should, I'd love to have you back on the show again real soon. If people want to read, this series that you've done on the ATF, I'm. I'm going to ask, dispatch to see if they'll let us republish it, but would be great, you know, where can where can they find it today?

00:42:46;27 - 00:42:48;21

Stephen Gutowski

So we will have it in the Reload soon.

00:42:48;21 - 00:43:15;05

Kevin Williamson

But the dispatch, it's the dispatch.com is our website, and you can find it there. There'll probably be a link up at the Competitive Enterprise Institute at some point. I don't know that there's one there yet. But it's, Yeah, there's some news. There's some good stuff in it. I had some new, long conversations with you and kind of on the ground, people who run gun shops in, small towns and people at the, you know, national level who are working on the policy side and the industry side.

00:43:15;07 - 00:43:38;16

Kevin Williamson

So there's, there's a wide variety of, kind of points of view or perspectives in there. And it really does begin with the question of, you know, why do we have an ATF? What does it do? Why does why is it organized the way it is? And might there be some some better way to do this? And I'm trying not to lean too heavily into the sort of, you know, kind of orthodox, predictable gun rights stuff, although largely in my views on that.

00:43:38;18 - 00:43:56;21

Kevin Williamson

But to you, you know, keep it open in terms of not only be an issue about a constitutional question, but also a regulatory challenge about program structure, about how we go about actually organizing this thing that we are going to do one way or the other. We're not going to stop regulating firearms tomorrow. That's not going to happen and probably shouldn't happen.

00:43:56;23 - 00:44:18;10

Kevin Williamson

But, there are lots of different ways to go about getting this cat. And I think that, the more people that are involved in the conversation and the kind of more nuanced, intellectually committed and less emotional level, I think the more

likely we are to come up with a policy that's both useful and productive and acceptable to a broad range of people.

00:44:18;12 - 00:44:55;00

Stephen Gutowski

Yeah. And I think it was a very good series on trying to take, you know, a broader look at the ATF, like you said, from from its inception to how it's moved around to what exactly does it do mainly, and, and gives you, gives people a good perspective that isn't often discussed when we get when we're writing news stories about the ATF and that, you know, ins and outs of every day operation or the rulemaking stuff or what, like, this is, I think gives people a really good bird's eye view of, of the agency as a whole and raises, like you said, some core questions about why it operates the way it

00:44:55;00 - 00:45:21;00

Stephen Gutowski

does, whether there's better alternatives for some of the the ways that that the ATF works. And, and I think it's just a good read across you broken it up into a couple chunks that at the dispatch to make it pretty easily digestible. But, you know, people read through the whole series, I think they'll have a really good, understanding of, of the agency and, and some of the, the core questions around it.

00:45:21;03 - 00:45:38;00

Stephen Gutowski

So I appreciate you joining us. And I encourage people to read that. Hopefully we'll have it the, the Reload, if, we're able to do that. But, if not, go and check out the dispatch for it. And, and actually, I'm going to roll us into a member segment here at the Reload and then an ad for the dispatch.