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2791

MEMORANDUM

NATIONAL SECURITY COUNCIL

April 15, 1985

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FG006-12

MEMORANDUM FOR RONALD K. PETERSON

FROM: ROBERT M. KIMMITT Bob

SUBJECT: DOD-Proposed Legislation Relating to Civilian
Marksmanship

NSC has no objection to DOD draft 99-73, amending certain sections of Titles 10 and 32 U.S.C. relating to the civilian marksmanship program.

NSC # 8502791

MEMORANDUM

NATIONAL SECURITY COUNCIL

ACTION

April 12, 1985

MEMORANDUM FOR ROBERT M. KIMMITT

FROM: MICHAEL DONLEY ^{MD}

SUBJECT: DOD-Proposed Legislation re Civilian Marksmanship

SIGNED

NSC views were requested by OMB concerning DOD-proposed legislation amending current law governing the National Board for the Promotion of Rifle Practice.

The proposed changes are, for the most part, technical in nature.

Recommendation

That you initial and forward the attached memo to Peterson at Tab I, indicating no NSC objection to the DOD proposal.

Approve K Disapprove

Linhardt, Fortier and C. Lehman concur.

Attachments

Tab I Memorandum to OMB
 Tab II Incoming Legislative Referral material from OMB

2791



**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503**

April 3, 1985

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer-

Department of Justice
Department of the Treasury
Office of Personnel Management
National Security Council ✓

SUBJECT: DOD draft 99-73, "To amend titles 10 and 32, U.S.C., to revise those sections relating to civilian marksmanship."

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

A response to this request for your views is needed no later than WEDNESDAY, MAY 1, 1985.

Questions should be referred to SueThau/Tracey Lawler (395-7300) the legislative analyst in this office.

Ronald K. Peterson
**RONALD K. PETERSON FOR
Assistant Director for
Legislative Reference**

Enclosures

cc: H. Schreiber
B. Howard
T. Stanners



GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE

WASHINGTON, D.C. 20301

28 MAR 1985

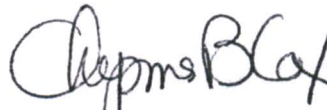
Honorable David A. Stockman
Director, Office of Management
and Budget
Washington, D. C. 20503

Dear Mr. Stockman:

The attached legislative proposal, DOD 99-73, "To amend titles 10 and 32, United States Code, to revise those sections relating to civilian marksmanship," is forwarded for review in accordance with Office of Management and Budget circular A-19.

Advice is requested as to the relationship of the proposal to the program of the Administration.

Sincerely,


Chapman B. Cox

Enclosure



DEPARTMENT OF THE ARMY

WASHINGTON, D.C. 20310

Honorable Thomas P. O'Neill, Jr.
Speaker of the House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

Enclosed is a draft of legislation, "To amend titles 10 and 32, United States Code, to revise those sections relating to civilian marksmanship."

The proposal is a part of the Department of Defense Legislative Program for the 99th Congress, and the Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this proposal for the consideration of the Congress. The Department of the Army has been designated the representative of the Department of Defense for this legislation. The Army recommends that this proposal be enacted by the Congress.

Purpose of the Legislation

This proposal would make technical changes to those sections of titles 10 and 32, United States Code, relating to activities of the National Board for the Promotion of Rifle Practice, to modernize the language of the current provisions, to include pistol practice within the civilian marksmanship training, to redefine the class that may purchase arms, and to increase the travel allowance for competitors in the National Matches.

Beginning in 1903, Congress recognized the need to promote civilian marksmanship in order to better provide for the National Defense. In 1924, it enacted legislation requiring the then Secretary of War to provide for instruction in the use of rifled arms, for construction of rifle ranges, and for other efforts intended to insure that citizens would be better prepared to defend their country, if necessary.

To this end, the National Board for the Promotion of Rifle Practice was established. Its statutory mission is to advise the Secretary of the Army concerning his responsibilities in developing civilian marksmanship.

One of the great talents of American forces in combat has been their marksmanship. This talent, although honed by military training, traditionally was developed and fostered by civilian marksmanship training. The increasing ability of hostile

governments to threaten the security of the United States greatly reduces the time for training available to our forces in the event of war or national emergency. The President recognized this problem and asked the Secretary of Defense to study ways to improve the civilian marksmanship program. The President supports the sale of obsolete military rifles to participants and instructors in high-powered rifle marksmanship training programs. In his May 6, 1983, speech to the Members of the National Rifle Association in Phoenix, Arizona, the President publicly praised the civilian marksmanship program as an effective means of providing citizens training in the safe and proper use of firearms.

The statutes concerning civilian marksmanship, codified as sections 4308 through 4313 of title 10, United States Code, contain archaic language and outdated references. In addition, although given various statutory responsibilities, there is no direct legislative authority creating the National Board for the Promotion of Rifle Practice. The proposed legislation would revise the relevant sections of title 10, United States Code, to conform to current usage and statutory convention. It includes a new section establishing the National Board for the Promotion of Rifle Practice.

The proposal also would repeal the provision in section 4308 limiting sales of weapons and ammunition to members of the National Rifle Association. Instead, the proposal would authorize such sale to all citizens and other persons subject to induction into the Armed Forces of the United States who are qualified members of clubs affiliated with the civilian marksmanship program established by the Secretary of the Army.

Additionally, it would amend section 4313, which currently authorizes subsistence and travel allowances for competitors in the National Matches, an annual marksmanship competition, at the rate of only \$1.50 per day for subsistence and five cents per mile for travel. The Senate Committee on Appropriations, in its report on the Fiscal Year 1981 budget (Senate Report 96-1020), requested the Department of Defense to prepare legislation establishing reasonable and equitable per diem and travel allowance for competitors at the National Matches not to exceed the rate established for members of the uniformed services in section 404 of title 37.

Finally, the draft bill would amend section 316 of title 32, United States Code, by expanding the authority of the President to detail members of the Army National Guard to serve as instructors for the training of civilians in the use of military arms at pistol as well as rifle ranges.

Cost and Budget Data

The proposed legislation will cause no increase in the budgetary requirements of the Department of Defense.

Sincerely,

A B I L L

To amend titles 10 and 32, United States Code, to revise those sections relating to civilian marksmanship.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the "Civilian Marksmanship Training Revisions Act of 1985."

ESTABLISHMENT OF BOARD

UPGRADE OF TRAVEL EXPENSES

Sec. 2. Chapter 401 of title 10, United States Code, relating to training generally, is amended--

(a) by adding after section 4307 the following new section:

"§4307a. National Board for the Promotion of Rifle
Practice: establishment; duties

"There is a National Board for the Promotion of Rifle Practice to operate under regulations prescribed by the Secretary of the Army concerning civilian marksmanship training, and to perform such other duties as required by law."; and

(b) by amending section 4313 of such chapter to read as follows:

"§4313. National rifle and pistol matches: travel
expenses

"(a) The Secretary of the Army is authorized to pay subsistence and travel allowances in advance to competitors in National Matches held under the provisions of section 4312 of this title. Such allowances shall not exceed those payable to a member of the uniformed services under section 404 of title 37."

DELETION OF LIMITATION OF SALES
TO NATIONAL RIFLE ASSOCIATION

Sec. 3. Section 4308 of title 10, United States Code, is amended to read as follows:

"§4308. Civilian marksmanship: rifle and pistol ranges; instruction

"(a) The Secretary of the Army, under regulations approved by him shall provide for--

"(1) the construction, reconstruction, equipment maintenance, and operation of indoor and outdoor rifle and pistol ranges and their accessories and appliances;

"(2) the instruction of citizens and other persons subject to induction into the Armed Forces of the United States in marksmanship and the employment of necessary instructors for that purpose;

"(3) the promotion of practice in the use of rifled arms, the maintenance and management of marksmanship training and competitions, and the issue of the arms, ammunition, targets, and other supplies and equipment for those purposes;

"(4) the award to competitors of firearms from existing stocks, or of trophies, prizes, badges, and other insignia;

"(5) the sale, at cost, to members of clubs enrolled in a civilian marksmanship program established by the Secretary of the Army and the issue to such clubs, arms, ammunition, targets, and other supplies and equipment necessary for target practice;

"(6) the support of the National Board for the Promotion of Rifle Practice, including necessary expenses for the Board and its members;

"(7) the procurement of necessary supplies, appliances, trophies, prizes, badges, and other equipment, clerical and other service, and labor; and

"(8) the transportation of persons to give or receive instruction or to assist or engage in marksmanship practice, and the transportation and subsistence of members of teams authorized by the Secretary to participate in marksmanship competitions.

"(b) There is authorized to be appropriated the sum of \$14,000 annually for the incidental expenses for members of the National Board for the Promotion of Rifle Practice."

TECHNICAL AMENDMENTS

Sec. 4. Chapter 401 of title 10, United States Code, is amended as follows:

(1) The catchline for section 4309 is amended to read:

"§4309. Civilian marksmanship: ranges; establishment and use".

(2) Strike out "rifle" each time it appears in section 4309(a) and insert in place thereof the second time such term is struck out "civilian marksmanship".

(3) Section 4309(b) is amended to read--

"(b) Pursuant to regulations prescribed by the controlling authority that are approved by the Secretary of the Army, all ranges established or constructed pursuant to this section or, with Federal funds, may be used by members of the Armed Forces, persons liable for induction in the Armed Forces, and citizens of the United States."

(4) Section 4310 is amended to read as follows:

"§4310. Civilian marksmanship: detail of members of the Army as instructors

"The Secretary of the Army may detail members of the Army to train civilians in the use of military arms at rifle and pistol ranges or at other locations. Such training may be provided to organized rifle and pistol clubs."

(5) Section 4311 is amended to read as follows:

"§4311. Civilian marksmanship: issue of arms and
ammunition

"The Secretary of the Army may provide for the issue of a reasonable number of standard military rifles and pistols and for such quantities of ammunition as may be available for use in conducting the marksmanship practice contemplated by this chapter."

(6) Insert "and pistol" after "rifle" in section 4312(b).

(7) Strike out "shall" in section 4312(d) and insert in place thereof "may".

(8) The table of sections at the beginning of such chapter is amended--

(A) by inserting after section 4307 the following new item--

"4307a. National Board for the Promotion of Rifle
Practice: establishment: duties.";

(B) by amending the items relating to sections 4308, 4309, 4310, and 4311 to read as follows:

- "4308. Civilian marksmanship: rifle and pistol ranges; instruction.
- "4309. Civilian marksmanship: ranges; establishment and use.
- "4310. Civilian marksmanship: detail of members of the Army as instructors.
- "4311. Civilian marksmanship: issue of arms and ammunition.";
and

(C) by amending the item relating to section 4313 to read:

"4313. National rifle and pistol matches: travel expenses."

Sec. 5. Section 316 of title 32, United States Code, relating to detailing members of Army National Guard for civilian rifle instructors, is amended by inserting after "rifle", "and pistol".

Sectional Analysis

Section 1 of the bill terms the bill, if enacted, "The Civilian Marksmanship Training Revision Act of 1985."

Section 2(a) adds a new section 4307a to Chapter 401 of title 10, United States Code. It provides a specific statutory basis for the National Board for the Promotion of Rifle Practice. The Board would operate under regulations prescribed by the Secretary of the Army, and would advise the Secretary concerning promotion of rifle practice and perform other functions prescribed by law (10 U.S.C. 4308).

Subsection (b) revises the catchline of section 4313 to reflect current usage and amends section 4313 as requested by the Senate Committee on Appropriations in Senate Report 96-1020, to authorize the payment of per diem and travel allowances to competitors at National Matches held annually under provisions of section 4312, at rates not to exceed those paid to members of the uniformed services under section 404 of title 37.

Section 3 amends section 4308 by revising the language of the section to reflect current usage. It also expands the scope of this civilian marksmanship program to include pistol ranges, authorizes the award of firearms to promote the program, and increases the amount of incidental expenses of the National Board for the Promotion of Rifle Practice from \$7,500 to \$14,000 annually.

Section 4 provides technical amendments that amend the catchlines of section 4308, 4309, 4310 and 4311 to conform with the style of chapter 401. It deletes the limitation of the use of rifle ranges to members of the armed forces and other able-bodied males and authorizes the use of such ranges by any United States citizen or any person subject to induction in the Armed Forces of the United States. Section 4310 is amended to allow the Secretary of the Army rather than the President to detail Army members to serve as civilian marksmanship instructors on rifle and pistol ranges. Sections 4311 and 4312 are amended to include pistol competition and practice within the civilian marksmanship program. Finally, the table of sections at the beginning of chapter 401 is amended to reflect the addition of the catchline for the new section 4307a and revision of the catchlines for sections 4308, 4309, 4310, 4311, and 4313.

Section 5 amends section 316, title 32, United States Code, relating to the detailing of members of the Army National Guard for instruction of civilians in the use of military arms, to authorize National Guard members to perform such duty at pistol, as well as, rifle ranges.

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National Security Council
The White House

System #

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Package #

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	SEQUENCE TO	HAS SEEN	DISPOSITION
Bob Pearson	_____	_____	_____
Bob Kimmitt	1	K	_____
John Poindexter	_____	_____	_____
Paul Thompson	_____	_____	_____
Wilma Hall	_____	_____	_____
Bud McFarlane	_____	_____	_____
Bob Kimmitt	_____	_____	_____
NSC Secretariat	2	15 APR 1985	D
Situation Room	_____	_____	_____

I = Information A = Action R = Retain D = Dispatch N = No further Action

cc: VP Meese Regan Deaver Other _____

COMMENTS Should be seen by: _____
(Date/Time)

RECEIVED 08 APR 85 11

TO KIMMITT

FROM PETERSON, R

DOCDATE 03 APR 85

KEYWORDS: DEFENSE POLICY

LEGISLATIVE REFERRAL

SUBJECT: DOD DRAFT 99-73 / TO AMEND TITLES 10 & 32 USC TO REVISE SECTIONS RE TO CIVILIAN MARKSMANSHIP

ACTION: MEMO KIMMITT TO PETERSON DUE: 30 APR 85 STATUS S FILES WH

FOR ACTION

FOR CONCURRENCE

FOR INFO

DONLEY

FORTIER

LEHMAN, C

MAHLEY

SABLE

COMMENTS

REF# LOG NSCIFID (HW)

ACTION OFFICER (S)	ASSIGNED	ACTION REQUIRED	DUE	COPIES TO
Kimmitt	X 4/12 C 4/15	For Signature Kimmitt	4/13	DO 'RL' CC- RIC

DISPATCH 27. 4/15

W/ATTCH FILE

27.

Ag

Mrs. James S. Brady
2706 South Hayes Street
Arlington, Virginia 22202

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FG 033-13

November 7, 1985

PY

The Honorable Donald T. Regan
Chief of Staff and Assistant to the President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. Regan:

I wanted you to have a copy of my recent testimony before the House Judiciary Committee so you would know what I was up to these days.

While the 1968 gun law may not be perfect, the McClure-Volkmer bill is certainly not the answer -- every major law enforcement organization in the country is opposed to it. I feel confident good legislation can be hammered out that protects the rights of good, law-abiding citizens to purchase guns for sporting or other legitimate purposes but still has enough teeth in it to make it difficult for known felons and other irresponsible people to purchase handguns. Any legislation must reflect the views of our law enforcement officers who are out there in the streets trying to protect us.

I'd love to talk to you about this sometime soon.

Sincerely yours,

My very best -
Sandra

Testimony Before
the
Judiciary Committee
U.S. House of Representatives
by Sarah Brady
October -28, 1985
New York, N.Y.

My name is Sarah Brady. I live in northern Virginia with my husband, Jim, and our six year-old son, Scott. Jim and I met through politics and our lives -- very much like yours -- have been on a campaign-to-campaign basis -- hectic, and filled with many ups and downs. We, in fact, both worked on Capitol Hill for awhile -- Jim in the Senate and me in the House.

Let me ask you to think back to the day you won your first election -- the exhilaration -- the culmination of your many days of hard work and handshaking. January 2, 1981, was a day like that for Jim Brady. After many years of toiling in the vineyards, he was called by President-elect Reagan asking him to be his Press Secretary. This was a dream come true for Jim. The top job in his profession. Jim was on a high like you've never seen.

The next two-and-a-half months were almost a blur, with the excitement of the Inaugural and Jim's new job. He was at the height of his career. We would watch him on TV nearly every night before he got home, talking about the President's positions. Even Scott was beginning to catch on that his daddy had an important job, although he couldn't quite keep Ronald Reagan and Ronald McDonald straight.

I remember telling my good friend Stephanie I had everything I ever wanted -- a darling little boy -- a husband I loved who in turn had the job of his choice. We were at the top of the heap.

Then on the morning of March 30, 1981, as Jim was leaving for the White House at about 5:30 in the morning, he decided to go upstairs and get our two year-old son for a romp. It was almost a portent. He saw so little of Scott in those days. It was to be the last time Jim would climb those stairs or to see Scott's bedroom. For at 2:30 p.m. on that day our lives would change forever. On that day my husband was shot through the head by a deranged young man. He nearly died. The President nearly died, and two of his security men were seriously wounded.

It has been more than four and a half years now, and Jim gets better every day, but it has been a long, slow recovery for him, and at times it has been painful. Jim's strong character, his determination and the support of a great many loving, caring people are pulling him through. Still, there have been many times over these years that I have found myself thinking, "Oh, God, why it is possible for the John Hinckleys of this world to walk into a store, buy a handgun and go out and shoot people because they hear voices or have strange visions?"

I've thought it, but I haven't said anything about it until now. Some things happened this summer that resulted in my being here today. I got angry, very angry, because the United States Senate passed S.49, the McClure-Volkmer bill which is opposed by every major law enforcement organization in the country. This bill would make it even easier for the kind of tragedy that struck down my husband to happen again. Now, the same bill is under consideration by the House of Representatives.

After the bill passed the Senate, I began to think about speaking out about the need to keep handguns out of the hands of irresponsible people. The memory of an incident a year ago kept coming back to me. We were in Centralia, Illinois, Jim's hometown, for a visit. A friend invited my son Scott and I to go for a ride in his pickup truck. We got in. Scott picked up what looked like a toy pistol and pointed it toward himself. My father was an FBI agent and taught us from an early age to have a very healthy respect for guns, so I said, "Scott, don't ever point a gun at anyone, even if it's only a toy." Then, to my horror, I realized it was no toy. It turned out to be a fully-loaded "Saturday Night Special" that our friend kept on the seat of his truck for what he called "safety" reasons.

The memory of that incident in Centralia, combined with the Senate action, did it for me. I wondered how many other careless adults left handguns laying around for children to pick up. My mind went back to the day Jim was shot, then further back to the day one of my best friends was murdered -- with a handgun -- by her enraged boyfriend. I decided the time had come for me to join the movement to keep handguns out of the wrong hands and to ensure that people who have handguns for legitimate reasons know how to keep them safely. Recently, I became a member of the Board of Directors of Handgun Control, Inc., a citizens organization whose purpose is to pass legislation to keep handguns out of the wrong hands.

Politically, I am a Republican and a conservative. A good many people whose political views are similar to mine say they are against what they call "gun control." As they define it, so am I. Their definition would include more controls on hunting weapons, gun bans or gun confiscation. I am against these things, too.

What I am for is keeping handguns out of the wrong hands. By "the wrong hands," I mean the hands of the mentally incompetent; the hands of small children; the hands of someone who has just had a fierce argument with a relative, friend or neighbor; the hands of drunks, drug users and criminals.

The National Rifle Association's leadership wants legislation that would weaken the few controls we now have to keep handguns out of the wrong hands. But, I can't believe that their several million members across America would want to make it easier than ever for handguns in the wrong hands to cause death and injury.

Certainly, the case of John Hinckley, who shot the President and my husband, is as vivid reminder as any of how easy it is for a handgun to get into the wrong hands. He walked into a pawnshop, purchased a cheap Saturday Night Special -- no questions asked; no waiting period to see if he had a criminal or mental illness record -- and a few minutes later he was on his way, ready to shoot the President of the United States -- and anyone around him

because he thought it would make a popular actress fall in love with him!

Had a waiting period and background check for handgun purchasers been in effect, John Hinckley could have been stopped. He lied about his address and used an old Texas driver's license to purchase that handgun. He was not a Texas resident. Had there been a Federal law requiring a waiting period police would have stopped him from buying a handgun in Texas. In fact, by lying on the Federal form John Hinckley might well have been in jail instead of on his way to Washington.

Who in Congress thinks that a John Hinckley should be able to buy a handgun? Surely there can be none, yet, under present law, this could all happen again tomorrow, and the Senate passed the McClure bill that would make it even easier. Now, the House is being asked to do the same thing. To pass it would be sheer madness.

I am here to ask you to do something different; something that will help make it possible for tragedies such as my husband's to not happen again.

I believe, as many do, that government should play a limited role in our lives; to leave us, as individuals and families, alone to pursue those opportunities which will let us reach our full potential. Yet, if government's role is to protect for us "life, liberty and the pursuit of happiness," it must provide a framework in which we can be safe on our streets, in our homes and in our

neighborhoods. Keeping handguns out of the wrong hands is an essential part of such a framework.

Many people who share my political outlook say that the way to keep handguns out of the wrong hands is to add mandatory long sentences to those who are convicted of crimes involving handguns. That helps, and I am for mandatory sentences in such circumstances, but it addresses only part of the problem. And, in any case, locking up John Hinckley did not take back the bullet that nearly killed Jim Brady, nor did it spare him years of pain.

What is needed, beyond mandatory sentencing, is a series of steps that, together, will keep handguns out of the wrong hands. Among these would be licensing of handgun owners so that law enforcement agencies can trace the owner as easily as they can the owner of an automobile. Another would be safety training for new handgun owners and safety locks on all new handguns. Another step would be to halt the manufacture and sale of snub-nosed handguns -- the Saturday Night Specials -- that are favored by criminals.

Perhaps the most important single step would be to require a reasonable waiting period between the time one walks into a store to buy a handgun and the time one takes possession of it. Law enforcement wants such a law. It would allow time for a check of criminal records and would provide a cooling-off period for the person who, on the spur of the moment, wanted to buy a handgun to "settle" an argument.

I firmly believe that if a reasonable waiting period and a provision for background checks had been in effect when John Hinckley walked into that Dallas pawnshop, my husband Jim would be spending his days pursuing a successful career and, in his spare time, climbing trees with our six year-old, rather than in hours of painful and rigorous physical therapy.

You are being asked by the leaders of the National Rifle Association to turn the clock back; to make it easier for handguns to get into the wrong hands. I am one wife and mother who hopes the day will come when no American family has to go through what we have been through and who asks that you provide the leadership that will finally begin to make it possible for us to keep these terrible weapons out of the wrong hands.

Thank you.

#

THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

INCOMING

CMO10

MAR 5 1986

DATE RECEIVED: MARCH 04, 1986

NAME OF CORRESPONDENT: THE HONORABLE WAUSITA HINTON

SUBJECT: URGES SUPPORT FOR SENATE BILL S. 49, THE
FIREARMS OWNERS PROTECTION ACT, SUPPORT FOR
A STRONG DEFENSE AND ABOLISHING INCOME TAX
AND IMPOSE TAX ON LUXURIES

7

ROUTE TO: OFFICE/AGENCY (STAFF NAME)	ACTION		DISPOSITION	
	ACT CODE	DATE YY/MM/DD	TYPE RESP	C COMPLETED D YY/MM/DD

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ATTN: IGA

ADDITIONAL CORRESPONDENTS: MEDIA:L INDIVIDUAL CODES: 2500

IA MAIL USER CODES: (A) (B) (C)

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*ACTION CODES:          *DISPOSITION          *OUTGOING          *
*                       *                       *CORRESPONDENCE:  *
*A--APPROPRIATE ACTION *A--ANSWERED        *TYPE RESP=INITIALS *
*C--COMMENT/RECOM      *B--NON-SPEC-REFERRAL *           OF SIGNER *
*D--DRAFT RESPONSE     *C--COMPLETED      *           CODE = A   *
*F--FURNISH FACT SHEET *S--SUSPENDED      *COMPLETED = DATE OF *
*I--INFO COPY/NO ACT NEC*                       *           OUTGOING *
*R--DIRECT REPLY W/COPY *                       *                       *
*S--FOR-SIGNATURE      *                       *                       *
*X--INTERIM REPLY      *                       *                       *
*****

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REFER QUESTIONS AND ROUTING UPDATES TO CENTRAL REFERENCE
(ROOM 75, OEOB) EXT-2590
KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING
LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS
MANAGEMENT.

THE WHITE HOUSE

WASHINGTON


April 2, 1986

Dear Mayor Hinton:

On behalf of the President, I would like to thank you for your recent correspondence.

Your views on these matters will be shared with the appropriate officials within the Administration for their benefit and consideration. Your input is highly valued and we appreciate your taking the time to write.

Sincerely,



Mitchell E. Daniels, Jr.
Assistant to the President
for Political and Intergovernmental Affairs

The Honorable Wausita Hinton
Mayor of Foreman
Post Office Box 10
Foreman, Arkansas 71836

27.
C. Bach

384277

City of Foreman

P. O. BOX 10
FOREMAN, ARKANSAS 71836

PHONE 542-6234
February 27, 1986

The Honorable Ronald Reagan
President of the United States
The White House
Washington, D.C. 20510

Dear Mr. President:

~~I am writing to urge you to support Senate Bill S.49,
the Firearms Owners Protection Act (FOPA).~~

I strongly believe that when arms are taken from the citizenry we will have more problems with crimes that are committed with guns.

I would hope that there will be some type of mandatory sentencing for crimes that are committed with fire arms. That these will be made federal offenses, similar to the stolen vehicles and kidnapping cases.

I support you on a strong defense. I believe that young people should not be on welfare. That jobs should be created for them. Jobs at least keep them busy and off the streets, and they will not look all their lives to being on welfare. At least we will be getting something for our money.

I believe that income taxes should be abolished and a tax be imposed on luxuries similar to what we had during the war years. If we are to have income taxes, I believe that all deductions should be cut out and just a percent or certain percent of everyones income should go for income taxes. If I make a lot I pay a lot, if I don't, I don't pay a lot. That is the fairest. We seem to value our love for our country by what we make, so let those who love it the most pay the most. They have the most to gain, lose and to be protected.

Again I appreciate you and your fine leadership.

Sincerely yours,
Wausita Hinton
Wausita Hinton
Mayor

THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

INCOMING

CMO10

DATE RECEIVED: MARCH 12, 1986

MAR 20 1986

NAME OF CORRESPONDENT: MR. DENNIS W. QUIRK

SUBJECT: OPPOSES THE MCCLURE-VOLKMER BILL BY REVERSING
CURRENT BAN ON INTERSTATE HANDGUN SALES

ROUTE TO: OFFICE/AGENCY (STAFF NAME)	ACTION		DISPOSITION	
	ACT CODE	DATE YY/MM/DD	TYPE RESP	C COMPLETED D YY/MM/DD

MERLIN BREAUX	ORG	86/03/19		C 861031 20 AB
REFERRAL NOTE:		__/__/__		__/__/__
REFERRAL NOTE:		__/__/__		__/__/__
REFERRAL NOTE:		__/__/__		__/__/__
REFERRAL NOTE:		__/__/__		__/__/__
REFERRAL NOTE:		__/__/__		__/__/__

COMMENTS: _____

ADDITIONAL CORRESPONDENTS: MEDIA:L INDIVIDUAL CODES: 4900 _____

MI MAIL USER CODES: (A) _____ (B) _____ (C) _____

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*ACTION CODES:          *DISPOSITION          *OUTGOING          *
*                       *                       *CORRESPONDENCE:  *
*A-APPROPRIATE ACTION  *A-ANSWERED          *TYPE RESP=INITIALS *
*C-COMMENT/RECOM       *B-NON-SPEC-REFERRAL *           OF SIGNER *
*D-DRAFT RESPONSE      *C-COMPLETED        *           CODE = A   *
*F-FURNISH FACT SHEET  *S-SUSPENDED         *COMPLETED = DATE OF *
*I-INFO COPY/NO ACT NEC*                       *           OUTGOING *
*R-DIRECT REPLY W/COPY *                       *                       *
*S-FOR-SIGNATURE       *                       *                       *
*X-INTERIM REPLY       *                       *                       *
*****

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REFER QUESTIONS AND ROUTING UPDATES TO CENTRAL REFERENCE
(ROOM 75, OEOB) EXT-2590
KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING
LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS
MANAGEMENT.

53

385758

New York State Court Officers Association

LOCAL 598 S.E.I.U. - AFL-CIO

M. Braut

OFFICE OF THE PRESIDENT



321 BROADWAY, NEW YORK, N.Y. 10007
SUITE 200
PHONE: (212) 608-1124

2
encl

March 7, 1986

President Ronald Reagan
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Mr. President:

I would like to express the New York State Court Officers Association's opposition to the McClure-Volkmer Bill (S-49/4R-945). This legislation, in our opinion, would jeopardize the safety of the people of New York and its law enforcement personnel, by reversing the current ban on interstate handgun sales.

New York's law enforcement personnel can ill afford any relaxation of legislation that helps stem the flow of illegal firearms across state's borders.

We strongly urge you to oppose this bill.

Yours truly,

Dennis W. Quirk
President

DWQ/ajm



The Legislature

In Senate

In Assembly

LEGISLATIVE RESOLUTION memorializing Congress to
oppose weakening of existing federal handgun
legislation as proposed in the McClure-Volkmer
bill

Introduced by Sen. _____

Introduced by M. of A. _____

The Senators whose names are circled below wish to join me in the sponsorship of this resolution:

- | | |
|------------------|-------------------|
| s51 Anderson | s21 Markowitz |
| s17 Babbush | s58 Masiello |
| s20 Bartosiewicz | s46 McHugh |
| s33 Bernstein | s23 Mega |
| s43 Bruno | s30 Mendez |
| s25 Connor | s22 Montgomery |
| s40 Cook | s42 Nolan |
| s61 Daly | s27 Ohrenstein |
| s47 Donovan | s14 Onorato |
| s06 Dunne | s36 Oppenheimer |
| s44 Farley | s11 Padavan |
| s60 Floss | s29 Paterson |
| s35 Flynn | s54 Perry |
| s31 Galiber | s56 Present |
| s13 Gold | s55 Quattrociochi |
| s37 Goodhue | s50 Riford |
| s26 Goodman | s41 Rolison |
| s18 Halperin | s32 Ruiz |
| s48 Hoffmann | s39 Schermerhorn |
| s10 Jenkins | s09 Skelos |
| s04 Johnson | s52 Smith |
| s53 Kehoe | s19 Solomon |
| s15 Knorr | s57 Stachowski |
| s02 Lack | s45 Stafford |
| s01 Lavalle | s12 Stavisky |
| s28 Leichter | s03 Trunzo |
| s38 Levy, E. | s07 Tully |
| s08 Levy, N. | s59 Volker |
| s49 Lombardi | s16 Weinstein |
| s24 Marchi | s34 |
| s05 Marino | |

Senate Introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the sponsorship of this resolution:

- | | | | | |
|---------------|----------------|--------------------|------------------|----------------------|
| a032 Abramson | a068 Del Toro | a101 Hinchey | a135 Nagle | a031 Seminero |
| a047 Barbaro | a074 Diaz | a144 Hoyt | a016 Newburger | a073 Serrano |
| a089 Barnett | a052 Dugan | a042 Jacobs | a037 Nolan | a142 Shetter II |
| a007 Barraga | a081 Engel | a029 Jenkins | a043 Norman | a066 Siegel |
| a021 Becker | a141 Eve | a145 Keane | a114 Nortz | a062 Silver |
| a002 Behan | a071 Farrell | a100 Kelleher | a128 Nozzolio | a130 Slaughter |
| a096 Bennett | a045 Feldman | a080 Koppell | a112 O'Neil | a083 Spano |
| a003 Bianchi | a049 Ferraro | a020 Kremer | a150 Parment | a060 Straniere |
| a055 Boyland | a039 Fink | a127 Kuhl | a014 Parola | a069 Sullivan, F. C. |
| a118 Bragman | a009 Flanagan | a034 Lafayette | a061 Passannante | a087 Sullivan, P. M. |
| a051 Brennan | a079 Friedman | a102 Lane | a091 Pataki | a124 Lallo |
| a086 Brodsky | a015 Frisa | a095 Larkin | a018 Patton | a129 Laiomie |
| a084 Burrows | a004 Gaffney | a046 Lasher | a147 Paxon | a107 Fedisco |
| a119 Bush | a133 Gantt | a090 Leibell | a138 Pillittere | a085 Tocci |
| a036 Butler | a030 Goldstein | a050 Lentol | a146 Pordum | a105 Tonko |
| a113 Casale | a143 Gorski | a023 Lipschutz | a025 Prescott | a056 Vann |
| a054 Catapano | a064 Gottfried | a053 Lopez | a103 Proskin | a059 Vitaliano |
| a117 Chesbro | a148 Graber | a125 MacNeil | a131 Proud | a033 Waldon |
| a008 Cochrane | a065 Grannis | a022 Madison | a122 Rappleyca | a149 Walsh |
| a093 Colman | a057 Green | a035 Marshall | a010 Rettahata | a099 Warren |
| a058 Connelly | a076 Greene | a027 Mayersohn | a077 Rivera | a041 Weinstein |
| a104 Connors | a040 Griffith | a111 McCann | a134 Robach | a024 Weprin |
| a092 Connor | a011 Halpin | a106 McNulty | a116 Ruggiero | a006 Wertz |
| a132 Cooke | a017 Hannon | a094 McPhillips | a097 Saland | a136 Wesley |
| a098 Coombe | a005 Harenberg | a121 Miller, H. M. | a063 Sanders | a126 Wanner |
| a019 D'Amato | a109 Harris | a044 Miller, M. H. | a001 Sawicki | a013 Yevon |
| a108 D'Andrea | a137 Hawley | a123 Miller, R. H. | a140 Schimminger | a088 Young |
| a070 Daniels | a012 Healey | a139 Murphy | a038 Schmidt | a120 Zimmer |
| a078 Davis | a028 Hevesi | a072 Murtaugh | a082 Seabrook | a026 |
| a075 Deane | a048 Hikind | a067 Nadler | a115 Sears | a110 |

Assembly Introducer's signature

INTRODUCTION OF ALL RESOLUTIONS

To introduce this resolution:

Sign one covered copy, circle co-sponsors and hand it up at the desk of the house with six other copies

1-21

If the resolution is to be offered in the other house:

Sign the remaining covered copy and give that to the sponsoring member of the other house together with six other copies

M. of A. SANDERS

LBDC(P)

2/11/86

ECM

WHEREAS, Handguns have been associated with numerous acts of violence against prominent Americans and are often the weapon of choice for criminal acts of assault, robbery, and murder directed at thousands of average United States citizens each year; and

WHEREAS, Federal Law as outlined in the Gun Control Act of 1968 established measures to limit the purchase and transportation of handguns across state lines as well as many other provisions concerning the sale of firearms; and

WHEREAS, The Assembly and Senate of the New York State Legislature have taken a firm stand against gun crime by establishing mandatory sentences for illegal possession of a handgun. This legislation, passed in nineteen hundred eighty, is considered to be the most stringent policy of its kind in the country; and

WHEREAS, Professional law enforcement organizations support rational policies that address the issue of handgun control without impeding the right of any qualified citizen to legally obtain a firearm or hunting rifle; and

WHEREAS, The United States Senate has passed the McClure-Volkmer Bill, S. 45/H.R. 945, which, if enacted, would dramatically alter many of the guidelines of the Gun Control Act of 1968. This proposed legislation does contain certain positive changes to existing federal law but is seriously flawed on two major counts; the legislation would reverse the current federal ban on handgun sales to out-of-state purchasers and would also limit the ability of federal authorities to investigate gun dealers or importers; and

WHEREAS, The McClure-Volkmer Bill S. 49/H.R. 945, is currently being considered by the Judiciary Committee of the United States House of Representatives; now, therefore, be it

RESOLVED, That this Legislative Body urge its legislative colleagues in the United States House of Representatives to oppose the passage of the McClure-Volkmer Bill as it is currently drafted. Such legislation would result in additional opportunities for handguns to illegally enter the state thus creating greater hazards for the general public and law enforcement officials. The passage of S. 49/H.R. 945 would be counterproductive to the efforts of New York State to control handgun crime; and be it further

RESOLVED, That copies of this Resolution, suitably engrossed, be transmitted to The Honorable Thomas P. O'Neil, Speaker of the House of Representatives and The Honorable Peter J. Rodino, Chairman of the House Judiciary Committee.

RESOLEG

SHORT TITLE: Memorializing Congress to oppose passage of the McClure-Volkmer Bill

THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

CMO10

INCOMING

MAR 12 1986

DATE RECEIVED: MARCH 12, 1986

NAME OF CORRESPONDENT: MR. ROBERT E. VAN ETEN

SUBJECT: THE LAW ENFORCEMENT STEERING COMMITTEE
AGAINST S.49 GIVES FULL SUPPORT TO H.R.4332,
GUN LEGISLATION

ROUTE TO: OFFICE/AGENCY (STAFF NAME)	ACTION		DISPOSITION	
	ACT CODE	DATE YY/MM/DD	TYPE RESP	C COMPLETED D YY/MM/DD
MERLIN BREAUX	ORG	86/03/12		C 86/03/14 ^{TR}
<i>Carl Anderson</i> REFERRAL NOTE: PLANDE	A	86/03/18 ^{TR}	NAN	C 86/4/7 ^{AB}
REFERRAL NOTE:		/ /		/ /
REFERRAL NOTE:		/ /		/ /
REFERRAL NOTE:		/ /		/ /
REFERRAL NOTE:		/ /		/ /

COMMENTS: INCOMING LETTER WAS HAND DELIVERED -- NO ADDRESS GIVEN

ADDITIONAL CORRESPONDENTS: 10 MEDIA:L INDIVIDUAL CODES: _____

PL MAIL USER CODES: (A) _____ (B) _____ (C) _____

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| *ACTION CODES: | *DISPOSITION | *OUTGOING | * |
| * | * | *CORRESPONDENCE: | * |
| *A-APPROPRIATE ACTION | *A-ANSWERED | *TYPE RESP=INITIALS | * |
| *C-COMMENT/RECOM | *B-NON-SPEC-REFERRAL | * OF SIGNER | * |
| *D-DRAFT RESPONSE | *C-COMPLETED | * CODE = A | * |
| *F-FURNISH FACT SHEET | *S-SUSPENDED | *COMPLETED = DATE OF | * |
| *I-INFO COPY/NO ACT NEC* | | * OUTGOING | * |
| *R-DIRECT REPLY W/COPY * | | | * |
| *S-FOR-SIGNATURE * | | | * |
| *X-INTERIM REPLY * | | | * |
- *****

REFER QUESTIONS AND ROUTING UPDATES TO CENTRAL REFERENCE
(ROOM 75, OEOB) EXT-2590
KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING
LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS
MANAGEMENT.

5/1
M. Stewart

385760



LAW ENFORCEMENT
Steering
Committee
AGAINST S.49

March 11, 1986

The President
The White House
Washington, D.C. 20220

Dear Mr. President:

We believe it is important that you know that the Law Enforcement Steering Committee Against S.49 gives its full support to HR.4332, gun legislation unanimously approved Tuesday by the full House Judiciary Committee.

HR.4332 substantially addresses the concerns of law enforcement for fair, effective gun legislation. It strikes a reasonable balance among the public safety needs of American citizens, the concerns of law enforcement, and the legitimate interests of the nation's sportsmen and hunters.

The Steering Committee notes that HR.4332 emerged as a result of the normal congressional hearing process where all points of view on gun legislation were heard. In contrast, S.49, the McClure/Volkmer bill, was rushed through the Senate last July without hearing. Thus, the concerns of law enforcement went unheard.

The Law Enforcement Steering Committee continues to oppose S.49 and HR.945 in their present form because these proposed measures would endanger the safety of citizens and law enforcement officers alike.

The Committee requests that Congress move quickly to bring HR.4332 to the floor for a vote and passage and to reject the discharge petition maneuver through which proponents of S.49 seek that bill's passage.

We strongly urge that you join us in supporting HR.4332.

Page Two

Respectfully,



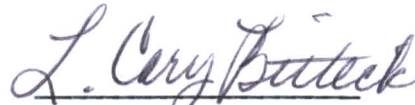
ROBERT E. VAN ETTEN
President
Federal Law Enforcement Officers
Association



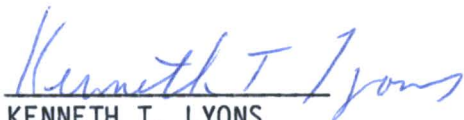
MARTY M. TAPSCOTT
President
National Organization of Black Law
Enforcement Executives



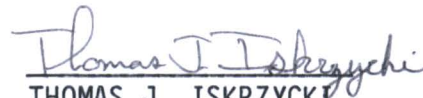
JERALD R. VAUGHN
Executive Director
International Association of
Chiefs of Police



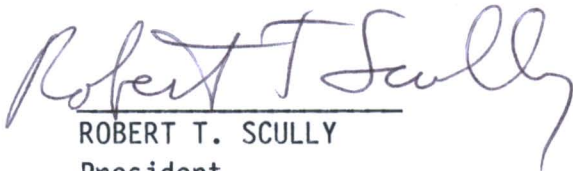
L. CARY BITTICK
Executive Director
National Sheriffs' Association



KENNETH T. LYONS
National President
International Brotherhood of
Police Officers



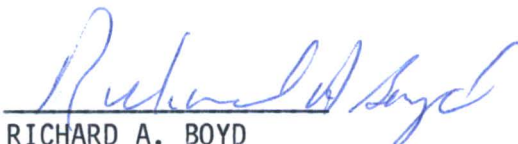
THOMAS J. ISKRZYCKI
Chairman
National Troopers Coalition



ROBERT T. SCULLY
President
National Association of Police
Organizations



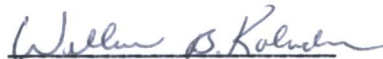
CORNELIUS J. BEHAN
President
Police Executive Research Forum



RICHARD A. BOYD
National President
Grand Lodge, Fraternal Order
of Police



HUBERT WILLIAMS
President
Police Foundation



WILLIAM B. KOLENDER
President
Major Cities Police Chiefs

THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

INCOMING

CM010

DATE RECEIVED: APRIL 10, 1986

NAME OF CORRESPONDENT: THE HONORABLE RAUL L. MARTINEZ

SUBJECT: REQUESTS A MEETING TO CONSIDER HIS PROPOSAL
FOR THE DISPOSITION OF CONFISCATED AND
FORFEITED WEAPONS, WHICH ARE OTHERWISE
DESTROYED

ROUTE TO: OFFICE/AGENCY (STAFF NAME)	ACTION		DISPOSITION	
	ACT CODE	DATE YY/MM/DD	TYPE RESP	C COMPLETED D YY/MM/DD
MARY RAWLINS	ORG	86/04/10		C 86/04/17
REFERRAL NOTE:				
CRISTY BACH	RSI	86/04/10	CB A	86/04/10
REFERRAL NOTE:				
Cecé Cole - McIntyre	02	86/04/18		86/7/11
REFERRAL NOTE:				
REFERRAL NOTE:				
REFERRAL NOTE:				

COMMENTS: wants to meet with staff to discuss

ADDITIONAL CORRESPONDENTS: MEDIA:L INDIVIDUAL CODES: 2500

IA MAIL USER CODES: (A) (B) (C)

- *****
- | | | | |
|--------------------------|----------------------|----------------------|---|
| *ACTION CODES: | *DISPOSITION | *OUTGOING | * |
| * | * | *CORRESPONDENCE: | * |
| *A-APPROPRIATE ACTION | *A-ANSWERED | *TYPE RESP=INITIALS | * |
| *C-COMMENT/RECOM | *B-NON-SPEC-REFERRAL | OF SIGNER | * |
| *D-DRAFT RESPONSE | *C-COMPLETED | CODE = A | * |
| *F-FURNISH FACT SHEET | *S-SUSPENDED | *COMPLETED = DATE OF | * |
| *I-INFO COPY/NO ACT NEC* | | OUTGOING | * |
| *R-DIRECT REPLY W/COPY * | | | * |
| *S-FOR-SIGNATURE * | | | * |
| *X-INTERIM REPLY * | | | * |
- *****

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(ROOM 75, OEOB) EXT-2590
KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING
LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS
MANAGEMENT.

THE WHITE HOUSE

WASHINGTON

July 10, 1986

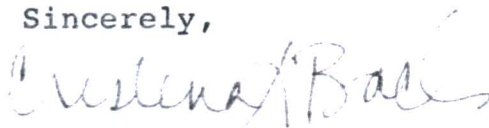
Dear Mayor Martinez:

On behalf of the President I would like to thank you for your recent correspondence concerning sending confiscated weapons to the Nicaraguan Freedom Fighters. As you know, sending confiscated weapons is not legal. All military aid to the Contras must be purchased and distributed by federal agencies.

I understand that Jayne Plank at the Department of State has communicated with you on this issue and will let you know if the situation changes.

It was through the support of people like yourself that we were able to secure funding for the Contras from Congress. Your support and concern is most appreciated.

Sincerely,



Cristena L. Bach
Special Assistant to the President
for Intergovernmental Affairs

The Honorable Raul L. Martinez
Mayor of Hialeah
501 Palm Avenue
Hialeah, Florida 33010



THE VICE PRESIDENT
WASHINGTON

May 15, 1986

**FOR YOUR
INFORMATION**

The Honorable Raul L. Martinez
Mayor
City of Hialeah
501 Palm Avenue
Hialeah, Florida 33010

Dear Mayor Martinez:

Thank you for your letter proposing the issuance of confiscated weapons to the Nicaraguan Freedom Fighters.

I appreciate your support for our policy in Nicaragua, and I am pleased that you share our concern for the dangers the Sandinistas pose to democracy in Central America. With respect to providing weapons to the Freedom Fighters, however, I regret that at the present time we are not in a position to arrange such donations. As I am sure you know, with the exception of final disbursement of a portion of the humanitarian assistance approved last Fall, current law effectively prohibits the Government from providing or expending funds to provide assistance to the Nicaraguan resistance. We are hopeful that Congress will approve further assistance to the Freedom Fighters in the near future, and that this assistance will remove the current restrictions.

Therefore, this Administration is unable to participate in any arrangements such as those you describe. Additionally, non-government export of weapons must be licensed before it may take place. If you are interested in pursuing this matter, the Office of Munitions Control in the State Department can advise you on the requirements for such a license.

President Reagan and I appreciate your continued support of our policies aimed at ending Sandinista aggression and supporting democracy in Nicaragua and throughout Central America.

With best wishes,

Sincerely,

George Bush

RECEIVED
MAY 19 1986
Mayor Raul L. M.



RECEIVED
MAY 1 1986
Mayor Raul L. Martinez

Dear Mr. Martinez:

Thank you very much for your letter to the Secretary of April 4, and for your generous offer to donate confiscated weapons to the Department for transfer to the armed resistance in Nicaragua.

As you know, we are currently prohibited by law from the provision of lethal equipment to the Nicaraguan resistance. We hope, however, that Congress will soon approve such aid. In the meantime, we are asking our legal advisors to review your proposal to determine the legality of accepting such weapons. We will be back in touch as soon as their study is completed.

Again, thank you for your support and concern. We know that those who are struggling for freedom in Nicaragua would deeply appreciate this gesture.

Sincerely,

Jayne H. Plank
Director, Intergovernmental Affairs
Office of Legislative and
Intergovernmental Affairs

The Honorable
Raul L. Martinez, Mayor,
City of Hialeah,
501 Palm Avenue,
Hialeah, Florida.

389238



Raul L. Martinez
Mayor

*Scheduling
(copy)
C.C. Beck*

THE HONORABLE RONALD W. REAGAN
President of the
United States of America
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

April 4, 1986

Dear Mr. President:

It has been proposed by the elected officials of the Government of the City of Hialeah, Florida, that firearms and other weapons confiscated and subsequently forfeited to the Hialeah Police Department be turned over to the Federal Government for shipment to the fighters for Liberty and Freedom in Nicaragua, commonly known as the "Contras".

As Mayor of the fifth largest city in Florida, I recognize the ever present threat of world communism and its destructive force on the nations of the world. It is my personal belief and the belief of my colleagues, that any effort, of a positive nature, to thwart the efforts of communism in Latin or South America should be considered by your office.

To this end I am willing to meet with your staff in order that you might favorably consider our proposal for the disposition of confiscated and forfeited weapons, which are otherwise destroyed. It is my personal feeling that large quantities of weapons are destroyed by the police departments throughout our nation, which in some way, could be used by those persons throughout the world in the front-lines of the war against communism.

My personal regards to you, Mr. President, and your family. I await your favorable response.

Respectfully yours,

CITY OF HIALEAH, FLORIDA

Raul L. Martinez
Mayor

RIM:bac

*City of Hialeah
501 Palm Avenue, Hialeah, Fla. 33010
305 / 883-5800*



STATEMENT OF ADMINISTRATION POLICY

March 5, 1986
(Senate)

CJ. 14

S. 104 - Armor Piercing Ammunition
(Thurmond (R) South Carolina and 64 others)

The Administration supports enactment of S. 104.

* * * * *

(Not to be Distributed Outside Executive Office of the President)

This draft position was developed by LRD in consultation with the Department of the Treasury (Stevenson, Deputy Assistant Secretary for Enforcement) and HTP (Hunn).

As reported by the Senate Judiciary Committee, S. 104 would make it a Federal criminal offense, with certain limited exceptions, to manufacture or import armor piercing ("copkiller") ammunition. The bill would also prohibit, again with certain limited exceptions, the sale of armor piercing ammunition by licensed dealers and would require distinctive marking of armor piercing ammunition and its packaging. Finally, the bill provides that, in addition to the punishment provided for the commission of a violent crime, an individual may be sentenced to imprisonment for not less than 5 years if armor piercing ammunition was in his possession or used during commission of the crime. Also, in such a case, the sentence could not be suspended and the individual would not be eligible for parole.

This legislation is similar to legislation that the Administration proposed during the 98th Congress, as well as legislation that passed the House in December 1985 (H.R. 3132). Treasury advises that S. 104 is preferable to H.R. 3132 in a few respects (e.g., in its definition of "armor piercing ammunition"). The Departments of Justice, State, and Defense either defer to the Treasury Department or have no objection to the legislation.

LEGISLATIVE REFERENCE DIVISION DRAFT
3/5/86