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ID Numbers: Begin - 049999

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WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name WHITE HOUSE OFFICE OF RECORDS MANAGEMENT
(WHORM): SUBJECT FILE

Withdrawer

DLB 12/9/2009

File Folder CM010 (BEGIN-049999)

FOIA

S10-0298/01

Box Number 13

SYSTEMATIC

7

DOC NO	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
1	CASE FILE	RE: CORRESPONDENCE FROM GLADYS SMITH 023110	5	4/13/1981	B6

Freedom of Information Act - [5 U.S.C. 552(b)]

- B-1 National security classified information [(b)(1) of the FOIA]
- B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- B-3 Release would violate a Federal statute [(b)(3) of the FOIA]
- B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

014949

014943

5300

CM 010

CO 167

PU

PR 003

PP

March 23, 1981

MG.]

Dear Sonny:

It was wonderful to hear from you, and I appreciate the clipping. The problem of increasing violent crime is, of course, of great concern to me, and I will share what you have sent with my people here. As you know, I support capital punishment and tougher sentences for criminals who use a gun during the commission of a crime and feel both these measures act as a deterrent.

Thank you and, from both of us, our best wishes to you and Marylou.

Sincerely,

RON^a

X
Mr. C. V. Whitney
Post Office Box 890
Lexington, Kentucky 40501

RR:Livingston:lrc

cc: H. vonDamm/D.Livingston/CF

Re Gun Control in Britain

810323

WHITNEY

FNF

Dear Sonny:

It was wonderful to hear from you, and I appreciate the clipping. The problem of increasing violent crime is, of course, of great concern to me, and I will share what you have sent with my people here. As you know, I support capital punishment and tougher sentences ~~for criminals who use~~ for criminals who use a ~~weapons~~ gun during the commission of a crime and feel both these measures act as a deterrent.

~~Again,~~ Thank you and, from both of us, our best wishes to you and Marylou.

OK
HP

s/ Ron

Mr. C.V. Whitney
Post Office Box 890
Lexington, Kentucky 40501

No Record FNF

RR:Livingston:
cc: H. von DAMM/D.Livingston/CF

Personal Friend 3.2.81



C. V. WHITNEY FARM
P. O. BOX 890
LEXINGTON, KENTUCKY 40501

March 3, 1981

The President
The White House
Washington, D. C. 20500

Dear Mr. President:

I am enclosing a very interesting article which appeared in our Lexington newspaper on the subject of regulations in Britain regarding gun controls.

Inasmuch as we are suffering in the United States now from so many crimes, more efficient control of guns in the home might be one step towards improvement of this problem.

I wish to congratulate you on the spirit of confidence you are giving the American people in looking into our futures. I am very proud to feel that you and Nancy are friends of Marylou and me. We recollect with pleasure your visits to us in Kentucky.

With my sincere good wishes,

As ever,

C. V. Whitney

C. V. Whitney

CVW:j

ID # 015544

CMS/O

WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

- O - OUTGOING
- H - INTERNAL
- I - INCOMING

Date Correspondence Received (YY/MM/DD)

8/103/11

Name of Correspondent:

Marshall Hyde Incorporated

MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject:

DoTreasury/BATF hindering distribution of their product; ~~for~~ shotgun cartridge.

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response Code	Completion Date YY/MM/DD
<i>Co SORG</i>	ORIGINATOR	<i>8/103/25^{MG}</i>		<i>1 1</i>
<i>Treasury/BATF</i>	<i>D</i>	<i>8/103/20^{MG}</i>	<i>C</i>	<i>8/104/09^{TR}</i>
<i>DOT</i>	<i>R</i>	<i>8/104/21^{TR}</i>	<i>A</i>	<i>8/105/05^{TR}</i>
		<i>1 1</i>		<i>1 1</i>
		<i>1 1</i>		<i>1 1</i>

ACTION CODES:

- A - Appropriate Action
- C - Comments
- D - Draft Response
- F - Fact Sheet
- I - Info Copy/No Action Necessary
- R - Direct Reply w/Copy
- S - For Signature
- X - Interim Reply

DISPOSITION CODES:

- A - Answered
- B - Non-Special Referral
- C - Completed
- S - Suspended

FOR OUTGOING CORRESPONDENCE:

- Type of Response = Initials of Signer
- Code = "A"
- Completion Date = Date of Outgoing

Comments:

Please check status and draft response.

Keep this worksheet attached to the original incoming letter.

Send all routing updates to Central Reference (Room 75, OEOB).

Always return completed correspondence record to Central Files.

Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

MAY 9 1981

Mr. Marshall Hyde
Marshall Hyde Incorporated
Box 497
Port Huron, Michigan 48060

Dear Mr. Hyde:

I have been asked to review the circumstances of the problem which you related to President Reagan in your recent letter.

To reduce the hazard to the public which results any time explosives are transported, the Department of Transportation (DOT) and its predecessors have regulated the shipment of explosives beginning with the passage of Bill S313 by the 39th Congress on July 3, 1866. The Bureau of Explosives of the Association of American Railroads has assisted the United States Government in the testing and classification process in an official capacity since 1918. The most recent change in these regulations (Section 173.86, Title 49, CFR) was published on May 19, 1980, in the Federal Register under Docket Number HMM-163D. This change placed the classification responsibility with DOT while continuing to require testing and recommendation for classification by the Bureau of Explosives. The classification function is performed by the Approvals Branch of the Materials Transportation Bureau of the Research and Special Programs Administration.

I understand that Mr. James E. Jones, Chief of the Approvals Branch, discussed the "shotgun cartridge" with you on April 27, 1981, and made suggestions as to how you should proceed in this matter. This device incorporates an explosive projectile; therefore, the potential hazard is greater than that of a conventional shotgun shell. This office has been informed of two deaths resulting from a failure to recognize the lethal capability of this type of device. While we understand the importance of this device in the industry you serve and will make every effort to resolve this difficulty, we must assure that safety will not be compromised.

It is my understanding that your request for classification, and the supporting data, were received in the Approvals Branch on April 29, 1981, and are presently being reviewed. If I can be of further assistance in this matter, please let me know.

Sincerely,

HOWARD DUGOFF

Howard Dugoff

JEJones:DMT-232:cb:25982:4/29/81

cc: DRP-1, DRP-10(2), I, DMT-1, DMT-20, DMT-23, DMT-232

Control Nos. DMT-97
 408676

DOT Answered
5/5/81

No response to date (harassment continue)

81 APR 25 P 3: 32

WHA032(1526)(4-021737S115)PD 04/25/81 1524

ICS IPMMTZZ CSP

6092342900 IDMT MOORESTOWN NJ 48 04-25 0324P EST

PMS THE PRESIDENT

WHITE HOUSE DC

DUPE OF TELEGRAM FROM MTWN NJ (1-005278D115) 4-25-81 1402

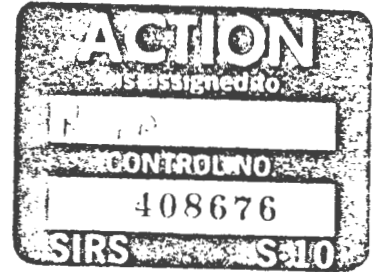
ON MARCH NINE ON ADVICE OF YOUR OFFICE WE WROTE A LETTER ADDRESSED TO YOU OUTLINING THE HARASSMENT DIRECTED AT US BY YOUR BATF AND DOT. NO ACKNOWLEDGEMENT HAS BEEN RECEIVED HARASSMENT CONTINUES UNABATED AND OUR RUIN IS IMMINENT

MARSHALL HYDE (HURON MI) TLX 230708 HYDE INC PTHU

NNNN

THE WHITE HOUSE OFFICE
REFERRAL

APRIL 22, 1981



TO: DEPARTMENT OF TRANSPORTATION

ACTION REQUESTED:

DIRECT REPLY, FURNISH INFO COPY

DESCRIPTION OF INCOMING:

ID: 015544

MEDIA: LETTER, DATED MARCH 9, 1981

TO: PRESIDENT REAGAN

FROM: MR. MARSHALL HYDE
MARSHALL HYDE INCORPORATED
BOX 497
PORT HURON MI 48060

SUBJECT: DEPARTMENT OF TREASURY / BATF HINDERING
DISTRIBUTION OF THEIR PRODUCT; SHOTGUN
CARTRIDGE

APR 23 11 13 33
FBI - WASHINGTON

PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN
TAKEN WITHIN 9 WORKING DAYS OF RECEIPT, PLEASE TELEPHONE THE
UNDERSIGNED AT 456-7486.

RETURN BASIC CORRESPONDENCE, CONTROL SHEET AND COPY OF RESPONSE
(OR DRAFT) TO:
AGENCY LIAISON, ROOM 33, THE WHITE HOUSE

BY DIRECTION OF THE PRESIDENT:
LESLIE SORG
DIRECTOR OF AGENCY LIAISON
PRESIDENTIAL CORRESPONDENCE

Joe Ware - Room 3419

Department
of the Treasury

Bureau of Alcohol,
Tobacco and
Firearms

April 9, 1981

The attached should be
referred to the Department
of Transportation for reply.



Director,
G. R. Dickerson
Room 4000
Phone: 566-7511

THE WHITE HOUSE OFFICE

REFERRAL

MARCH 30, 1981

TO: DEPARTMENT OF THE TREASURY

ACTION REQUESTED:

DRAFT REPLY FOR SIGNATURE OF ANNE HIGGINS

REMARKS: ATTN: BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
CHECK STATUS AND DRAFT RESPONSE

DESCRIPTION OF INCOMING:

ID: 015544

MEDIA: LETTER, DATED MARCH 9, 1981

TO: PRESIDENT REAGAN

FROM: MR. MARSHALL HYDE
MARSHALL HYDE INCORPORATED
BOX 497
PORT HURON MI 48060SUBJECT: DEPARTMENT OF TREASURY / BATF HINDERING
DISTRIBUTION OF THEIR PRODUCT; SHOTGUN
CARTRIDGEPROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN
TAKEN WITHIN 9 WORKING DAYS OF RECEIPT, PLEASE TELEPHONE THE
UNDERSIGNED AT 456-7610.RETURN BASIC CORRESPONDENCE, CONTROL SHEET AND COPY OF RESPONSE
(OR DRAFT) TO:
AGENCY LIAISON, ROOM 94, THE WHITE HOUSEBY DIRECTION OF THE PRESIDENT:
DIRECTOR OF AGENCY LIAISON
PRESIDENTIAL CORRESPONDENCE

Marshall Hyde

INCORPORATED

March 9, 1981

The President
White House
Washington DC 20500

015544

My Dear Mr President,

We are in desperate need of your help.

The Bureau of Alcohol, Tobacco and Firearms, working through the Department of Transportation, is hard bent on making it impossible for us to distribute our product.

We have developed the first successful shotgun cartridge to deliver a report charge some 75 yards distant. Its purpose, as mandated by the Consumer Product Safety Commission, is "For the Control of Bird and Wildlife Depredation ONLY and Not Intended for Any Other Use". We very carefully control its distribution to that end.

The US Fish & Wildlife Service, State Game Commissions, the Armed Forces, airports, other governmental agencies, waste disposal facilities and certain qualified agricultural operations comprise our market.

In the last four years we have sold over one million units without experiencing a single accident in transport or use.

We respectfully request that you stay the hands of the BATF and DOT until we can dispose of our inventory of \$150,000. This sum represents the entire capital accumulation of our life.

With kindest personal regards, we remain

Sincerely yours,
Marshall Hyde
MARSHALL HYDE INCORPORATED

018272

1270

MG

CM 010

JL 003

April 8, 1981

Dear Mr. Glenn:

Pursuant to our conversation of yesterday, I would like to pass the following information on to you regarding gun control.

The President believes that mandatory sentences for commission of armed felonies are the most effective means to deter crimes committed with a gun.

As Governor of California, Ronald Reagan signed a law requiring additional imprisonment of not less than five years for a criminal who uses a firearm in the commission of a robbery, murder, rape, burglary, kidnapping, or assault with a deadly weapon. (Note--the gun need not be fired to qualify as being "used"; showing it--or threatening to use it--is enough.)

The President has not released any further statements with regard to gun control.

I hope the above is helpful, and with best wishes,

Sincerely,

Fran Dickey
Office of Legislative Affairs

×
Mr. Harry Glenn
Office of Congressman Bill Young
2266 Rayburn House Office Building
Washington, D. C. 20515

FRD:fd

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Ronald Reagan Library

Collection Name

WHITE HOUSE OFFICE OF RECORDS MANAGEMENT
(WHORM): SUBJECT FILE

Withdrawer

DLB 12/9/2009

File Folder

CM010 (BEGIN-049999)

FOIA

S10-0298/01
SYSTEMATIC

Box Number

13

7

DOC Document Type

NO Document Description

No of Doc Date Restric-
pages tions

1	CASE FILE	5	4/13/1981	B6
	RE: CORRESPONDENCE FROM GLADYS SMITH			
	023110			

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C. Closed in accordance with restrictions contained in donor's deed of gift.

CM 010

**WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

- O - OUTGOING
- H - INTERNAL
- I - INCOMING

Date Correspondence Received (YY/MM/DD) 1 1 81

Name of Correspondent: N.T. Shields, Chairman
Development Control

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Request to meet with President

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response Code	Completion Date YY/MM/DD
<u>DC/RAWL</u>	<u>ORIGINATOR</u>	<u>81,05,19</u>	<u>NAN</u> ^{CH}	<u>81105T19</u> ^{CH}
<u>DL Wayne Valis</u>	<u>A</u> ^{CH}	<u>81105T19</u>		<u>81106101</u>
<u>CSCAMALIER</u>	<u>R</u>	<u>810518</u> ^{CH}	<u>KC</u> ^{CH}	<u>810518</u> ^{CH}
<u>SC Rawl</u>	<u>A</u> ^{TR}	<u>8106101</u>	<u>MN</u> ^{MG}	<u>810618</u> ^{MG}
<u>Blackwell</u>	<u>A</u>	<u>810610</u> ^{MG}	<u>NAN</u>	<u>8106120</u> ^{MG}

ACTION CODES:

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- F - Fact Sheet
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- R - Direct Reply w/Copy
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- C - Completed
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FOR OUTGOING CORRESPONDENCE:

- Type of Response = Initials of Signer
- Code = "A"
- Completion Date = Date of Outgoing

Comments: See Katherine Camalier letter to Mr. N.T. Shields dated May 18, 81

Keep this worksheet attached to the original incoming letter.
Send all routing updates to Central Reference (Room 75, OEOb).
Always return completed correspondence record to Central Files.
Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

RECORDS MANAGEMENT ONLY

CLASSIFICATION SECTION

No. of Additional Correspondents: _____ Media: 2 Individual Codes: 4.800 4.900 4.200

Prime Subject Code: MD 010 Secondary Subject Codes: JL 003 _____
JL 003-01 _____

PRESIDENTIAL REPLY

Code	Date	Comment	Form
C		Time: _____	P- _____
DSP		Time: _____	Media: _____

SIGNATURE CODES:

- CPn - Presidential Correspondence**
- n - 0 - Unknown
- n - 1 - Ronald Wilson Reagan
- n - 2 - Ronald Reagan
- n - 3 - Ron
- n - 4 - Dutch
- n - 5 - Ron Reagan
- n - 6 - Ronald
- n - 7 - Ronnie

- CLn - First Lady's Correspondence**
- n - 1 - Nancy Reagan
- n - 2 - Nancy
- n - 3 -

- CBn - Presidential & First Lady's Correspondence**
- n - 1 - Ronald Reagan - Nancy Reagan
- n - 2 - Ron - Nancy

MEDIA CODES:

- B - Box/package
- C - Copy
- D - Official document
- G - Message
- H - Handcarried
- L - Letter
- M - Mailgram
- O - Memo
- P - Photo
- R - Report
- S - Sealed
- T - Telegram
- V - Telephone
- X - Miscellaneous
- Y - Study

June 8, 1981

Dear Mr. Shields:

Thank you for your message which was forwarded to me by Mr. Baker.

The President appreciates your interest in seeing him, but regrettably, a meeting cannot be arranged in view of the President's busy schedule. However, your letter has been brought to the attention of Mr. Morton Blackwell of the White House Staff.

Please know that the President appreciates your thoughtfulness in writing and sends you his best wishes.

Sincerely,

Gregory J. Newell
Special Assistant
to the President

Mr. N. T. Shields
Hangun Controls, Inc.
810 18th Street, N.W.
Washington, D.C. 20006

Inf cc: Mr. Baker
cc & inc: Morton Blackwell
GJN: eaa: emb-15a

Ack to Mr. Shields that Mr. Baker forwarded
and regret P will be unable to meet with
him in view his busy schedule but his
letter has been brought to the attention
of Mr. Morton Blackwell of the WH Staff

inf copy to Mr. Baker
cc and incmg to Morton Blackwell

THE WHITE HOUSE
WASHINGTON

THE WHITE HOUSE
WASHINGTON

Red:

Per our conversation.

Tricia
5/27

*Tricia -
Brown should be
no for me P. Morton
Blackwell for office
would be point of
contact!
MAY 27 1981*

6/1/81

Bertie -

On this one, Wayne Valis did not want to handle.

So, I am now to regret and tell Mr. Shields that Morton Blackwell will be in touch with him.

I thought I'd let you have first to ~~close~~^{connect} out the computer - OK?

Thanks

M Rawlins
M Rawlins

To
Wayne
Vallis (has in
handling letter + P

May 18, 1981

Dear Mr. Shields:

Thank you for your letter of April 29 and for the enclosed copy of your recent letter to the President.

Mr. Baker read with interest your concerns regarding the need for proper handgun control. He has asked me to forward your request for a meeting with the President to Greg Newell, Director of Presidential Scheduling, for his information and attention. Please be assured that serious consideration will be given to your request and that Mr. Newell will be in touch with you in the near future.

Mr. Baker thanks you once again for your interest in sharing your knowledge of this issue with the appropriate members of the White House staff.

Sincerely,

Katherine Camalier
Staff Assistant to
James A. Baker, III

Mr. N.T. Shields
Handgun Control, Inc.
810 18th Street, N.W.
Washington, D.C. 20006

✓ cc: Greg Newell--please route appropriately.



Handgun Control, Inc.

810 18th Street, N.W. • Washington, D.C. 20006 • (202) 638-4723

Board of Directors

- Mr. Nelson T. Shields, III
Chairman
- Mr. Charles J. Orasin
Executive Vice President
- Mrs. C. Minor Barringer
Chadds Ford, Pennsylvania
- Mr. David E. Birenbaum
Washington, D.C.
- Dr. Mark Borinsky
*Founder
Baltimore, Maryland*
- Mrs. Nancy Butler
*Founder of
Georgians for Handgun Control*
- Mr. Robert di Grazia
*Former Police Chief of
Montgomery County, Maryland*
- Hon. John Hechinger
*Former Chairman of District of
Columbia City Council*
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Baltimore, Maryland
- Mr. Harry Kahn
New York, New York
- Mrs. Lillian Kaplan
*Former President of the Chicago
Civic Disarmament Committee for
Handgun Control*
- Mr. Maurice Rosenblatt
Washington, D.C.
- Mr. Carlton Spitzer
Washington, D.C.
- Mrs. Odile Stern
New York, New York
- Mr. Edward O. Welles
Washington, D.C.

April 29, 1981

025653

Mr. James A. Baker, III
 Chief of Staff and Assistant
 to the President
 The White House
 Washington, D.C. 20500

Dear Mr. Baker:

I am aware of your and the President's concern over the attempted assassinations of the President and his staff, as well as the continued rise in violent crime in our country. As a victim of handgun violence I am equally concerned.

Attached is a copy of a letter I have just sent to the President. I look forward to private discussion of this issue with you and President Reagan.

Sincerely yours,

N. T. "Pete" Shields
 Chairman

National Advisory Committee

- (Partial Listing)*
- Mr. Steve Allen
 - Mr. Arthur Ashe
 - Mrs. Marjorie Benton
 - Mr. Leonard Bernstein
 - Hon. Edmund G. Brown, Sr.
 - Ms. Ellen Burstyn
 - Mrs. Julia Child
 - Mr. W. E. Chilton, III
 - Mr. William Dorman
 - Dr. Milton Eisenhower
 - Mayor Dianne Feinstein
 - Mayor Kenneth Gibson
 - Rabbi Joseph B. Glaser
 - Mayor Richard Hatcher
 - Mayor Janet Gray Hayes
 - Mr. Hal Holbrook
 - Mayor Maynard Jackson
 - Mr. Albert Jenner, Jr.
 - Mr. Arthur C. Kaufmann
 - Dr. Martin Luther King, Sr.
 - Mrs. Shirley Knight
 - Ms. Ann Landers
 - Mr. Peter Lawford
 - Hon. Edward Levi
 - Hon. John Lindsay
 - Mrs. Marsha Mason
 - Dr. Karl Menninger
 - Ms. Jane McMichael
 - Mr. Patrick Murphy
 - Mr. George D. Newton, Jr.
 - Mr. Milton Rector
 - Mr. Will Rogers, Jr.
 - Mr. James W. Rouse
 - Hon. William Ruckelshaus
 - Rabbi Alexander M. Schindler
 - Mr. Neil Simon
 - Dr. Emanuel Tanay
 - Mr. James Whitmore
 - Mr. Roy Wilkins
 - Mr. Andy Williams



Handgun Control, Inc.

810 18th Street, N.W. • Washington, D.C. 20006 • (202) 638-4723

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- Mr. Maurice Rosenblatt
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Washington, D.C.
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New York, New York
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Washington, D.C.

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- Mrs. Shirley Knight
- Ms. Ann Landers
- Mr. Peter Lawford
- Hon. Edward Levi
- Hon. John Lindsay
- Mrs. Marsha Mason
- Dr. Karl Menninger
- Ms. Jane McMichael
- Mr. Patrick Murphy
- Mr. George D. Newton, Jr.
- Mr. Milton Rector
- Mr. Will Rogers, Jr.
- Mr. James W. Rouse
- Hon. William Ruckelshaus
- Rabbi Alexander M. Schindler
- Mr. Neil Simon
- Dr. Emanuel Tansy
- Mr. James Whitmore
- Mr. Roy Wilkins
- Mr. Andy Williams

April 29, 1981

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

The shock I felt when I learned you had been shot brought back painful memories--the national pain of past Presidential assassinations plus the personal pain of my own son's shooting. We are all heartened by your extraordinary recovery. While you survived your handgun wound, unfortunately my son Nick did not.

As a personal victim of America's tragic level of handgun violence, I am hopeful that you will now take a closer look at the ease with which the criminal and unstable within our society can acquire and misuse these deadly, concealable weapons.

Your initial remarks about our patchwork of state laws of varying strength underscores the problem. While the District of Columbia has a tough law, Texas does not. Your assailant acquired his German-made, Florida-assembled weapon in Texas and easily brought it, concealed, into Washington, D.C.

As a lifelong Republican, I strongly believe the role of the Federal Government in our lives must be minimized. I believe just as firmly that the Federal Government must provide the leadership that catalyzes the various levels of society, Federal, State or private, into providing for a safer, less violent America.

While Governor of California you did just this. You made it more difficult for persons with a record of crime or mental instability to purchase handguns. We seek a similar approach for the nation..

You called for stiff, mandatory jail sentences for use of a gun in a crime. We agree.

You have called for tougher enforcement of our existing

The President
April 29, 1981
Page Two

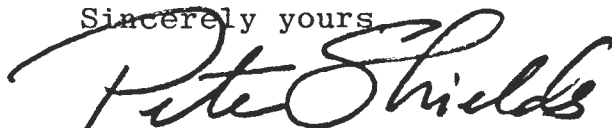
handgun laws. We agree. The intent exists in present law. It is the means of effective enforcement that is missing.

You are rightly concerned for the rights of law-abiding gun owners. So are we. That is why we urge the transfer of enforcement responsibility out of the Treasury Department--to either the private sector, the states or, if Federal, our professional law enforcement arm, the Justice Department.

Mr. President, you have recently met with representatives of gun groups to hear their concerns. I would welcome the same opportunity to meet privately with you and your staff to discuss our thinking on this issue and share with you the hope and empathy of us victims of handgun violence. I believe you will find that our bottom line, like your own, is to reduce violent crime in America without infringing the rights and privileges of law-abiding Americans.

Thank you for your kind attention. I look forward to hearing from you.

Sincerely yours

A handwritten signature in cursive script that reads "Pete Shields". The signature is written in black ink and is positioned above the typed name.

N. T. "Pete" Shields
Chairman

cc: Mr. Edwin Meese, III
Mr. James A. Baker, III
Mr. Michael K. Deaver

ID # 031286

CM 010

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

O - OUTGOING

H - INTERNAL

I - INCOMING

Date Correspondence Received (YY/MM/DD)

8/16/18

Name of Correspondent: John W. Stark

MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: Follow up on letter about his wife

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>CNSTR1</u>	<u>ORIGINATOR</u>	<u>8/17/18</u>		<u>C</u>	<u>8/18/18</u>
<u>Treasury</u>	<u>R</u>	<u>8/10/18</u>		<u>A</u>	<u>8/10/18</u>
		<u>1 1</u>			<u>1 1</u>
		<u>1 1</u>			<u>1 1</u>
		<u>1 1</u>			<u>1 1</u>

ACTION CODES:

- A - Appropriate Action
- C - Comments
- D - Draft Response
- F - Fact Sheet
- I - Info Copy/No Action Necessary
- R - Direct Reply w/Copy
- S - For Signature
- X - Interim Reply

DISPOSITION CODES:

- A - Answered
- B - Non-Special Referral
- C - Completed
- S - Suspended

FOR OUTGOING CORRESPONDENCE:

- Type of Response = Initials of Signer
- Code = "A"
- Completion Date = Date of Outgoing

Comments: _____

Keep this worksheet attached to the original incoming letter.
 Send all routing updates to Central Reference (Room 75, OEOB).
 Always return completed correspondence record to Central Files.
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

RECORDS MANAGEMENT ONLY

CLASSIFICATION SECTION

No. of Additional Correspondents: _____ Media: L Individual Codes: 4000 _____

Prime Subject Code: CM 010 Secondary Subject Codes: FG 012 _____

PRESIDENTIAL REPLY

Code	Date	Comment	Form
C	_____	Time: _____	P- _____
DSP	_____	Time: _____	Media: _____

SIGNATURE CODES:

- CPn - Presidential Correspondence
 - n - 0 - Unknown
 - n - 1 - Ronald Wilson Reagan
 - n - 2 - Ronald Reagan
 - n - 3 - Ron
 - n - 4 - Dutch
 - n - 5 - Ron Reagan
 - n - 6 - Ronald
 - n - 7 - Ronnie

- CLn - First Lady's Correspondence
 - n - 1 - Nancy Reagan
 - n - 2 - Nancy
 - n - 3 -

- CBn - Presidential & First Lady's Correspondence
 - n - 1 - Ronald Reagan - Nancy Reagan
 - n - 2 - Ron - Nancy

MEDIA CODES:

- B - Box/package
- C - Copy
- D - Official document
- G - Message
- H - Handcarried
- L - Letter
- M - Mailgram
- O - Memo
- P - Photo
- R - Report
- S - Sealed
- T - Telegram
- V - Telephone
- X - Miscellaneous
- Y - Study



OFFICE OF
THE DIRECTOR

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

July 24, 1981

81-10606
WH 10 - 031286

WH

CN STRI

C:I:F:WJV
3000

Mr. John W. Stark
1810 North Cloverland
Tucson, Arizona 85712

Dear Mr. Stark:

This letter is a response to your recent inquiry regarding the disposition of a Marble Game Getter firearm which you abandoned to the Bureau of Alcohol, Tobacco and Firearms (ATF) in 1974.

We have researched our files and determined that this matter came to ATF's attention when you brought the firearm into our Tucson, Arizona office. As you were then advised, the firearm was illegal to possess unless registered under the provisions of the National Firearms Act. Unfortunately, we have no statutory authority to register the firearm after 1968. Because of your request that some use be made of the firearm, it was placed in Government service for several years for use in training local police officers, as well as for public presentations.

On September 9, 1976, the firearm was found to be surplus to these needs and was destroyed.

We hope this information has been responsive to your inquiry. Please feel free to contact us in the future if you have additional questions.

Sincerely yours,

(signed) G. R. Dickerson

Director

THE WHITE HOUSE OFFICE

REFERRAL

JULY 13, 1981

TO: DEPARTMENT OF THE TREASURY

ACTION REQUESTED:

DIRECT REPLY, FURNISH INFO COPY

DESCRIPTION OF INCOMING:

ID: 031286

MEDIA: LETTER

TO: EDWIN MEESE

FROM: MR. JOHN W. STARK
1810 NORTH CLOVERLAND
TUCSON AZ 85712

SUBJECT: FOLLOW UP ON LETTER ABOUT HIS WIFE

PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN
TAKEN WITHIN 9 WORKING DAYS OF RECEIPT, PLEASE TELEPHONE THE
UNDERSIGNED AT 456-7486.

RETURN BASIC CORRESPONDENCE, CONTROL SHEET AND COPY OF RESPONSE
(OR DRAFT) TO:
AGENCY LIAISON, ROOM 33, THE WHITE HOUSE

BY DIRECTION OF THE PRESIDENT:
LESLIE SORG
DIRECTOR OF AGENCY LIAISON
PRESIDENTIAL CORRESPONDENCE

Presidential Asst Meese —

031286

Read enclosed and see answer ^{back 74}
to my question "What was disposition of
my Marlin game getter (22-410 combination)
It was worth \$250 on market - Today maybe
1000 to collector -

I am glad to surrender my
property ^{and must} but unhappy that Alcohol -
brearmis would not indicate disposition of
my property - appreciate if you tell Alcohol
brearmis to let people know when their property
was destroyed or put in museum John Stark

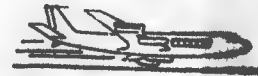
DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D. C. 20226

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300

POSTAGE AND FEES PAID
DEPARTMENT OF
THE TREASURY
TREAS 564



Wm Mr. Meese



VIA AIR MAIL

I just saw you on TV
and you are good -

Mr. John W. Stark
1810 N. Cloverland
Tucson, Arizona 85712



inspire confidence. I hope
Mr. Reagan replaces Watt's ^{senior} ~~senior~~
he may turn into another.
Bert Lance - He just comes
off poorly on TV



DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

SEP 5 1974

REFER TO
T:T:R:JEB

Mr. John W. Stark
1810 N. Cloverland
Tucson, Arizona 85712

Dear Mr. Stark:

This is in response to your letter in regard to an unregistered firearm which you released to Special Agent Sams of our Tucson office on June 4, 1974.

You have described the weapon as a Marlin Game Getter, Serial Number 14346, which you acquired from your father's estate in February, 1974. We believe the correct name of this weapon is "Marble Game Getter" rather than Marlin as you stated. The weapon had never been registered by your father although it is reasonable to believe that he was aware of the 1968 amnesty registration period since you state that you were aware of this registration period and the publicity given thereto.

It is unfortunate that this weapon had not been registered subsequent to the enactment of the National Firearms Act in 1934. The statute as passed in 1934 did not preclude registration of weapons possessed but not registered to the possessors of such weapons. In fact, the Internal Revenue Service accepted registration applications for all unregistered weapons without question for a number of years after 1934. Prior to enactment of the National Firearms Act amendments of 1968, it was an Internal Revenue Service policy (this Bureau was then a Division of IRS) to look into the circumstances relating to possession of unregistered firearms. In all instances where possession of an unregistered firearm was by a reputable citizen and we could determine that such person was unaware of the registration requirements of the National Firearms Act, we held that violation to be "nonwillful." In all nonwillful cases involving reputable citizens, and where State or local firearms ordinances presented no bar, we assisted these firearms owners in effecting registration of their weapons. Thus, your father could have had this weapon registered at any time from 1934 until

*Gov. Lloyd Stark
father
84 in
1968
Republican
last 20 yrs
of his life*

I doubt if the FBI had on record a single case where this kind of gun was used in crime - barrel was 2.1" short - they could easily have advised me to make it legal by lengthening barrel in gunshop -

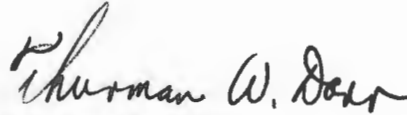
Mr. John W. Stark

December 1, 1968, at which time the amnesty period established by the amended statute expired.

The National Firearms Act as amended does not provide any means of registering weapons not registered to their possessors. However, there is an exception for certain governmental agencies, such as police departments, who are authorized to register for official use any weapons they acquire by seizures or abandonments.

Inasmuch as this Marble Game Getter is not registered, it is a contraband firearm subject to the seizure and forfeiture provisions of the statute. Thus it may not be returned to you. We regret that there is no alternative to this course of action and we trust that you will understand that our action is not discretionary but that it is required under the provisions of the National Firearms Act.

Sincerely yours,

A handwritten signature in cursive script that reads "Thurman W. Darr".

Thurman W. Darr
Chief, Technical Services Division

F
Dy

ID # 038461

CMK10

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

O - OUTGOING

H - INTERNAL

I - INCOMING

Date Correspondence Received (YY/MM/DD) 81 110 124

Name of Correspondent: Michael K. Beard

MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: Urges the President to announce support for new handgun control measures that have been recommended by the Attorney General's Task Force on Violent Crime, during the National End Handgun Violence Week, Oct. 25-31, 1981.

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response Code	Completion Date YY/MM/DD
<u>CC Higg</u>	<u>ORIGINATOR</u>	<u>8111026</u>		<u>1 1</u>
	Referral Note:			
		<u>1 1</u>		<u>1 1</u>
	Referral Note:			
		<u>1 1</u>		<u>1 1</u>
	Referral Note:			
		<u>1 1</u>		<u>1 1</u>
	Referral Note:			
		<u>1 1</u>		<u>1 1</u>
	Referral Note:			

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- C - Completed
- S - Suspended

FOR OUTGOING CORRESPONDENCE:

- Type of Response = Initials of Signer
- Code = "A"
- Completion Date = Date of Outgoing

Comments: Original to Ann Higgins

Keep this worksheet attached to the original incoming letter.
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RECORDS MANAGEMENT ONLY

CLASSIFICATION SECTION

No. of Additional Correspondents: _____ Media: M Individual Codes: 4900 _____

Prime Subject Code: CM 010 Secondary Subject Codes: FG 017 _____
FG 258 _____
HO _____

PRESIDENTIAL REPLY

Code	Date	Comment	Form
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DSP	_____	Time: _____	Media: _____

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 - n - 2 - Ronald Reagan
 - n - 3 - Ron
 - n - 4 - Dutch
 - n - 5 - Ron Reagan
 - n - 6 - Ronald
 - n - 7 - Ronnie

- CLn - First Lady's Correspondence
 - n - 1 - Nancy Reagan
 - n - 2 - Nancy
 - n - 3 - Mrs. Ronald Reagan

- CBn - Presidential & First Lady's Correspondence
 - n - 1 - Ronald Reagan - Nancy Reagan
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- O - Memo
- P - Photo
- R - Report
- S - Sealed
- T - Telegram
- V - Telephone
- X - Miscellaneous
- Y - Study

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western union



3 1-027287C296 10/23/81 ICS IPMNAWA WSH WWSA
10143 MGM NFWASHINGTON DC 808 10-23 0556P EDT

PRESIDENT RONALD REAGAN
WASHINGTON DC 20500

WHITE HOUSE
CORRESPONDENCE
TRACKING

#038461

A.A.

DEAR PRESIDENT REAGAN:

YOUR FELLOW CITIZENS THROUGHOUT THE COUNTRY WILL BE PARTICIPATING IN NATIONAL END HANDGUN VIOLENCE WEEK, OCTOBER 25-31, AND WE URGE THAT YOU JOIN THEM BY ANNOUNCING YOUR SUPPORT DURING THE WEEK FOR NEW HANDGUN CONTROL MEASURES THAT HAVE BEEN RECOMMENDED BY THE ATTORNEY GENERAL'S TASK FORCE ON VIOLENT CRIME.

THE TRAGIC TRUTH, MR PRESIDENT, IS THAT WITHOUT NEW HANDGUN CONTROL MEASURES, EVERY WEEK IN AMERICA WILL CONTINUE TO BE HANDGUN VIOLENCE WEEK. EVERY WEEK, MORE THAN 400 AMERICANS ARE KILLED WITH HANDGUNS, EVERY WEEK, MORE THAN 5,000 AMERICANS ARE WOUNDED IN CRIMES INVOLVING HANDGUNS, EVERY WEEK, NEARLY 4000 HANDGUNS ARE STOLEN FROM PRIVATE RESIDENCES, AND THESE STOLEN HANDGUNS ARE THEN RECYCLED, MAKING UP MORE THAN 50 PERCENT OF THE CRIMINAL ARSENAL.

NATIONAL END HANDGUN VIOLENCE WEEK WILL MARK THE FIRST, IMPORTANT STEPS OF DEVELOPING A NEW GRASS ROOTS NETWORK THROUGHOUT THE COUNTRY FOR NEW INITIATIVES FOR HANDGUN CONTROLS. PLEASE JOIN US TO SAVE LIVES, MR PRESIDENT, BY CALLING ON CONGRESS DURING NATIONAL END HANDGUN VIOLENCE WEEK TO ENACT, AS IMPORTANT FIRST STEPS, THE RECOMMENDATIONS OF THE TASK FORCE ON VIOLENT CRIME, INCLUDING: MANDATORY SENTENCING FOR THE CRIMINAL USE OF A FIREARM; A WAITING PERIOD BEFORE THE PURCHASE OF A HANDGUN; THE REQUIREMENT THAT INDIVIDUALS REPORT THE LOSS OR THEFT OF A HANDGUN; AND, A BAN ON THE IMPORTATION OF HANDGUN PARTS.

MICHAEL K BEARD
EXECUTIVE DIRECTOR
NATIONAL COALITION TO BAN HANDGUNS
100 MARYLAND AVE NE
WASHINGTON DC 20002

HARRY NILSSON, CHAIRPERSON
NATIONAL END HANDGUN VIOLENCE WEEK

ALLEN, STEVE
ANDERSON, JOHN B

ANDERSON, RICHARD
ARMSTRONG, BISHOP JAMES
ASHBY, HAL
ASHE, ARTHUR
ASNER, EDWARD
ASTIN, JOHN
ASTIN, PATTY DUKE
BARNES, U.S. REP MICHAEL
BEILENSON, U.S. REP ANTHONY
BERNSTEIN, LEONARD
BINGHAM, U.S. REP JONATHAN
BOND, STATE SEN JULIAN
BONDY, EDWARD
BONERZ, PETER
BRADBURY, RAY
BRIDGES, LLOYD
BRZECZEK, CHIEF RICHARD
BUCKLEY, JOHN
BURNETT, CAROL
CAAN, JAMES
CATES, GILBER
CHISHOLM, U.S. REP SHIRLEY
CLARK, RAMSEY
CLAY, U.S. REP WILLIAM
COLBY, WILLIAM
COLLINS, U.S. REP CARDISS
CONNORS, CAROL
CONRAD, PAUL
CONYERS, U.S. REP JOHN
COOPER, ALICE
COSTANZA, MIDGE
COUPER, CHIEF DAVID
COWAN, WARREN
CRAIN, WILLIAM
DAVIS, BILLY JR.
DAVIS, MAC
DELLUMS, U.S. REP RONALD
DILLER, BARRY
DIXON, U.S. REP JULIAN
DORSETT, TONY
DOWNEY, U.S. REP THOMAS
DOZIER, BISHOP CARROLL
DREYFUSS, RICHARD
DRINAN, REV ROBERT, S.J.
ELLISON, HARLAN
EXTON, GAE
FFACTOR, MAX 111
FARRELL, MIKE
FAUNTROY, U.S. REP WALTER
FAWCETT, FARRAH
FEIFFER, JULES
FEINSTEIN, MAYOR DIANNE



BINAI B'RITH WOMEN

BOARD OF CHURCH AND SOCIETY, UNITED METHODIST CHURCH

CENTER FOR SOCIAL ACTION UNITED CHURCH OF CHRIST

CHILDREN OF THE AMERICAS, INC.

CHURCH OF THE BRETHREN, WASHINGTON OFFICE

DISARM EDUCATION FUND

FRIENDS COMMITTEE ON NATIONAL LEGISLATION

INTERNATIONAL LADIES GARMENT WORKERS UNION

JESUIT CONFERENCE, OFFICE OF SOCIAL MINISTRIES

NATIONAL ALLIANCE FOR SAFER CITIES

NORTH AMERICAN FEDERATION OF TEMPLE YOUTH

NATIONAL ASSOCIATION OF SOCIAL WORKERS

NATIONAL COUNCIL OF JEWISH WOMEN, INC.

NATIONAL COUNCIL OF NEGRO WOMEN

NATIONAL JESISH WELFARE BOARD

POLITICAL ACTION COMMITTEE

WOMEN'S NATIONAL DEMOCRATIC CLUB

THE PROGRAM AGENCY, UNITED PRESBYTERIAN CHURCH OF THE USA

UNION OF AMERICAN HEBREW CONGREGATIONS

UNITARIAN UNIVERSALIST ASSOCIATION

UNITED STATES CATHOLIC CONFERENCE

UNITED STATES CONFERENCE OF MAYORS

UNITED STATES STUDENT ASSOCIATION

UNITED SYNAGOGUE OF AMERICA

WOMEN'S DIVISION, BOARD OF GLOBAL MINISTRIES, UNITED METHODIST

CHURCH

WOMEN'S LEAGUE FOR CONSERVATIVE JUDAISM

YOUNG WOMEN'S CHRISTIAN ASSOCIATION OF THE USA, NATIONAL BOARD

18:08 EST

MGMCOMP

ByBn

THE WHITE HOUSE
WASHINGTON

044272CA
CMOIO
820205

CABINET AFFAIRS STAFFING MEMORANDUM

DATE: February 2, 1982 NUMBER: 044272CA DUE BY: n/a

SUBJECT: Proposal to Ban Armor-piercing Bullets

	ACTION	FYI		ACTION	FYI
ALL CABINET MEMBERS	<input type="checkbox"/>	<input type="checkbox"/>	Baker	<input type="checkbox"/>	<input type="checkbox"/>
Vice President	<input type="checkbox"/>	<input type="checkbox"/>	Deaver	<input type="checkbox"/>	<input type="checkbox"/>
State	<input type="checkbox"/>	<input type="checkbox"/>	Anderson	<input type="checkbox"/>	<input type="checkbox"/>
Treasury	<input type="checkbox"/>	<input type="checkbox"/>	Clark	<input type="checkbox"/>	<input type="checkbox"/>
Defense	<input type="checkbox"/>	<input type="checkbox"/>	Darman (For WH Staffing)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Attorney General	<input type="checkbox"/>	<input type="checkbox"/>	Jenkins	<input type="checkbox"/>	<input type="checkbox"/>
Interior	<input type="checkbox"/>	<input type="checkbox"/>	Gray	<input type="checkbox"/>	<input type="checkbox"/>
Agriculture	<input type="checkbox"/>	<input type="checkbox"/>	Beal	<input type="checkbox"/>	<input type="checkbox"/>
Commerce	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
Labor	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HHS	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HUD	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
Transportation	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
Energy	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
Education	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
Counsellor - <i>no comment</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
OMB	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
CIA	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
UN	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
USTR	<input type="checkbox"/>	<input type="checkbox"/>	CCNRE/Boggs	<input type="checkbox"/>	<input type="checkbox"/>
CEA	<input type="checkbox"/>	<input type="checkbox"/>	CCHR/Carleson	<input type="checkbox"/>	<input type="checkbox"/>
CEQ	<input type="checkbox"/>	<input type="checkbox"/>	CCCT/Kass	<input type="checkbox"/>	<input type="checkbox"/>
OSTP	<input type="checkbox"/>	<input type="checkbox"/>	CCFA/McClaghry	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	CCEA/Porter	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>			

REMARKS: Action on this matter was triggered by me following your conversation with the President on the subject of armor-piercing bullets.

Comments?

RETURN TO: Craig L. Fuller
Assistant to the President
for Cabinet Affairs
456-2823



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

FEB 1 1982

MEMORANDUM TO: Craig Fuller
FROM: Edwin L. Harper
Subject: Proposal to Ban Armor-piercing Bullets

This memorandum follows up on my memorandum to you of January 18, 1982.

I have attached, for your information, a letter from the Department of Justice outlining that Department's tentative views on the feasibility and desirability of legislation banning the manufacture, sale, and possession of certain kinds of armor-piercing bullets. Justice believes that legislation along these lines is indeed needed.

Briefly, Justice recommends -

- legislation to ban the manufacture and sale of armor-piercing bullets for use in handguns, emphasizing that the ban should not be so broad as to include rifle ammunition nor so narrow as to be limited to the particular bullet currently on the market;
- that the Administration not content itself with a mandate merely to study the question; and
- that the President, Attorney General, or the Secretary of the Treasury appeal for an informal moratorium on the manufacture and sale of armor-piercing bullets.

We have asked the Departments of Commerce, Treasury, and Defense to comment on Justice's recommendations.

Attachment

cc:
Annelise Anderson
Chris DeMuth
Mike Uhlmann



U. S. Department of Justice
Office of Legislative Affairs

56-12182
3. 2. 82

Office of the Assistant Attorney General

Washington, D.C. 20530

JAN 22 1982

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

Dear Mr. Stockman:

This is in response to your request for the views of the Department of Justice regarding the feasibility of federal legislation prohibiting the manufacture, sale, possession and use of firearms ammunition such as the Teflon-coated "KTW" bullet which is capable of penetrating bullet-resistant vests. When your request was received, officials within the Criminal Division and the Federal Bureau of Investigation were already in the process of developing a tentative legislative proposal on the subject. Available information leads us to believe that such legislation is feasible and, moreover, that it is desirable.

Use of bullet-resistant body armor by law enforcement personnel and high-level public officials has increased in recent years, in part due to the development of soft, lightweight bullet-resistant garments which are relatively comfortable to wear. The availability of ammunition capable of defeating such personal body armor poses a very real and immediate threat to the lives and safety of officials relying upon such protective equipment. Furthermore, widespread publicity surrounding ammunition capable of defeating bullet-resistant apparel may lead to a fatalistic attitude among wearers of body armor resulting in reduced use of such protective equipment. This indirect effect upon use of bullet-resistant apparel may result in more deaths than the use of the armor-piercing bullets themselves. ^{1/} For these reasons, and because we do not believe that such armor-piercing ammunition serves any legitimate recreational or self-defense purpose, we believe that legislation is needed. Because the states cannot effectively deal with this threat to law enforcement officials and others who use body armor, federal legislation seems the only means of resolving this problem.

^{1/} In 1975, 129 law enforcement officers died as the result of unanticipated assaults. In 1980, the same number of assaults resulted in 20% fewer deaths, 103, due primarily to the increased use of soft body armor.

At the outset, we believe legislation to ban armor-piercing ammunition should possess three major characteristics. First, it should afford prompt, short-term relief. In this regard, many law enforcement officials view the availability of armor-piercing ammunition as an emergency situation requiring prompt action. Every day that passes means that more such ammunition is manufactured. And given the lack of controls upon distribution, any delay in acting means that more persons bent upon assassinating peace officers and high-level officials can readily obtain such ammunition. A legislative proposal such as H.R. 2280, which authorizes a study of armor-piercing ammunition, offers no immediate relief to those threatened. Moreover, such a "study" approach would require a significant research effort at a time when the focus is upon reducing the federal budget.

Second, legislation in this area should not be either overbroad or overly narrow. If, for example, any ammunition capable of penetrating any bullet-proof vest were prohibited, the effect would be to proscribe a broad range of rifle and handgun ammunition widely used for legitimate recreational and self-defense purposes. The objections from sporting and firearms organizations to such an overbroad proposal would be immediate and vociferous. On the other hand, an overly narrow approach, for example, a ban on the "KTW" bullet only, would be easily circumvented merely by modifying the construction of the bullet in ways that might not materially reduce its potential for penetrating body armor. Such an overly narrow approach would, therefore, be ineffective.

Third, in view of concern over federal firearms regulation, any approach that has the appearance of further and undefined federal intervention in the regulation of firearms and ammunition should be avoided. Rather, legislation in this area should be a discrete, precise law-enforcement-oriented measure directed solely at the problem at hand -- the availability of ammunition capable of defeating bullet-resistant apparel.

Attached, purely for purposes of discussion, is a draft legislative proposal which we believe is consistent with these three criteria. This proposal seeks to narrow the range of ammunition covered by focusing upon handgun ammunition. Because a major factor in penetrating power of ammunition is velocity, and because rifle ammunition generally has greater velocity than handgun ammunition, many standard rifle rounds will penetrate normal bullet-resistant apparel. A ban upon rifle ammunition would, therefore, seem unfeasible. Because handguns are easily concealed, however, they present a greater threat to peace officers and public officials than shoulderarms. For this reason, a distinction between handguns and shoulderarms seems both sensible and appropriate.^{2/}

^{2/} Some specialty handguns (e.g., the Remington XP-100) fire rifle ammunition. These handguns, however, generally have relatively long barrels and are single-shot firearms. They are not, therefore, a serious threat to law enforcement officials and would not be affected by the draft bill which defines handgun ammunition as that manufactured "primarily" for use in handguns.

To further limit the reach of legislation in this area, we suggest that only those handgun rounds capable of penetrating bullet-resistant garments should be banned. In this regard, body armor is presently governed by a standard establishing scientific testing procedures, NILECJ-STD-0101.01, developed by the National Bureau of Standards of the U.S. Department of Commerce for the National Institute of Justice of the Department of Justice. 3/ Within this standard, there are five subdivisions which are, in order of protection afforded: Types I, IIA, II, III, and IV. The Type I vest, for example, is the lightest and affords protection only from low-velocity ammunition. At the other end of the spectrum, the Type IV vest protects against 30.06 armor-piercing rifle ammunition.

For purposes of the attached discussion draft, we have chosen Type II as the standard against which handgun ammunition is to be tested. Type II armor, for example, protects against most handgun ammunition except the "KTW" bullet, ferrous-clad, imported 9mm ammunition and certain high-velocity "Magnum" rounds. Although there are some few other high-speed handgun rounds capable of penetrating Type II apparel, the protection afforded is such that we believe ammunition can be manufactured that would fulfill legitimate recreational and self-defense purposes without penetrating the Type II armor. 4/

We would note, in discussing our tentative selection of the Type II standard, that most law enforcement agencies use lighter-weight (and less expensive) body armor. The Type IIA vest, for example, is felt to be the most popular for police use. We believe, however, that use of a Type IIA standard in legislation would be unfeasible as such a standard would result in the prohibition of a significant number of high-speed handgun rounds. At the same time, we feel that the salutary effects of proscribing handgun ammunition capable of penetrating Type II vests would be greater than it might at first appear due to commercial considerations. This is because ammunition manufacturers and importers, if faced with a prohibition upon handgun ammunition capable of penetrating Type II body armor, would likely build in a safety factor, by reducing the amount of propellant and/or by modifying the projectiles used in the production of handgun ammunition, to insure that the penetrating power of the bullets

3/ Although it is somewhat unusual to reference a technical standard in a bill, we have been informally advised by the Office of Legal Counsel that there is no constitutional or legal impediment to doing so.

4/ This may not be true for 44 Magnum ammunition. It may be necessary, therefore, to authorize creation of exceptions for certain types of ammunition if the Type II standard would effectively deprive handgun owners of the use of their firearms. Army tests indicate that high-speed 44 Magnum rounds will penetrate 30 layers of Kevlar; ferrous-clad imported 9mm rounds, 40 layers; and the KTW, 100 layers. The normal body armor consists of about 16 layers of Kevlar.

is significantly less than the maximum allowed. Similarly, producers of bullet-resistant apparel tend to produce armor that exceeds minimum requirements. As a result of these two safety factors, police departments which have already purchased Type IIA garments would, in practice, be protected against virtually all, if not all, commercially available handgun rounds. At the very least, a ban on handgun ammunition capable of penetrating Type II vests will serve to inform law enforcement agencies that the Type II or higher-level equipment should be purchased to afford protection from all available handgun ammunition.

If such an "armor penetration" standard is utilized, the burden involved in testing handgun ammunition would seem to be relatively minimal. In this regard, existing testing procedures for body armor are quite detailed and could, with some minor modifications, be adjusted to test handgun ammunition. ^{5/} Moreover, use of existing testing standards and procedures would make it possible to test all commonly available handgun ammunition in a relatively short time, perhaps a matter of weeks, producing a prompt list of prohibited ammunition. Possibly, tests performed by the Army in the past could be used to issue an interim list of prohibited ammunition. In addition to affording prompt relief, use of existing standards and procedures would minimize the costs involved in implementing a ban on armor-piercing ammunition. Use of such existing test procedures would also avoid the appearance that the Administration is seeking a roving commission to ban all handgun ammunition that it deems a threat to law enforcement. Because of the expertise of the National Institute of Justice with respect to body armor, testing could be performed by the Department of Justice. Alternatively the expertise of the Department of Treasury in the firearms area would enable that department to carry out necessary testing. The draft bill leaves this issue open by providing, in brackets, language to accomplish either alternative.

There are other options available within the vest-penetration approach. For example, if the Type II standard is deemed to affect too many commercially available handgun bullets, a new and higher-level standard, between Type II and Type III armor, could be established which might, for example, be defined as "bullet-resistant apparel equivalent to 24 layers of Kevlar." Such a higher standard would reduce the impact of the legislation upon manufacturers, dealers and gun owners, but would still offer improved protection to law enforcement officials, particularly in view of the safety factors alluded to above.

^{5/} Armor testing procedures, for example, establish precise steps for testing that would appear to satisfy requirements for objective criteria. Because tests of body armor are different in some respects from tests for ammunition, certain modifications would have to be made such as establishing a minimum barrel length for test firearms (as barrel length affects bullet velocity). With such adjustments, however, it would appear that existing armor test procedures could be applied to the testing of handgun ammunition.

In addition to the proposed ban on production, importation, sale or possession of armor-piercing handgun ammunition, the attached draft would establish a minimum mandatory sentence of five years for use of such ammunition during the course of a federal felony. The proposal also defines the term "ammunition" to include armor-piercing projectiles, such as the "KTW" bullet, which could be used by persons who handload ammunition to custom-make prohibited ammunition. The draft bill would also authorize the limited production of armor-piercing handgun ammunition if it is determined to serve a military, law enforcement or test purpose. In such event, regulations could be established as necessary to protect against access to such ammunition by criminal elements. In addition to avoiding any unintended adverse impact upon military and law enforcement operations, this provision for military and law enforcement use will provide a potential market for existing inventories of prohibited ammunition thereby minimizing financial losses to ammunition manufacturers, importers and dealers.


There are, of course, other alternatives to the attached proposal. For example, the definition of armor-piercing handgun ammunition could be added to the definition of "destructive device" at 18 U.S.C. 921(a)(4) and 26 U.S.C. 8545(f). This would authorize the Secretary of the Treasury to regulate the manufacture, sale, importation or transfer of such ammunition and would make unregistered possession a federal felony under 26 U.S.C. 5861(d) and 5871. Although we prefer treatment of armor-piercing handgun ammunition in a discrete provision of title 18, we would not object to using the existing "destructive device" framework.

Another alternative would be to authorize the Attorney General or the Secretary to issue regulations governing armor-piercing ammunition. This approach might be objectionable to firearms organizations and manufacturers, however, as it would necessarily confer broad discretion on the federal agency involved. Moreover, the "regulatory" approach would not provide for the expeditious relief possible through use of existing procedures and standards; it would also place greater demands upon limited federal resources.

Finally, if a determination is made to proceed with legislation, consideration should be given to an appeal by the President, the Attorney General or the Secretary for an informal moratorium on the manufacture, importation and sale of KTW and other armor-piercing handgun ammunition until such time as the Congress has an opportunity to act upon legislation submitted by the Administration.

Again, we believe, based upon the information available to us, that legislation along the lines of the attached proposal is feasible and desirable.

Sincerely,



Robert A. McConnell
Assistant Attorney General
Office of Legislative Affairs

Enclosure

A BILL

To establish criminal sanctions for the manufacture, importation, sale, transfer, possession or use of armor-piercing handgun ammunition.

Be it enacted by the senate and House of representatives of the United States of America in Congress assembled,

That title 18, United States Code, is amended by adding a new section 929 as follows:

"§929. Armor-piercing handgun ammunition

"(a) Whoever knowingly manufactures, imports, sells, transfers or possesses any armor-piercing handgun ammunition as defined herein shall be guilty of a felony and shall be fined not more than \$250,000 if an individual or \$1,000,000 if an organization or imprisoned for not more than five years, or both.

"(b) Whoever, during and in relation to the commission of a felony for which he may be prosecuted in a court of the United States, including a felony which provides for an enhanced punishment if committed by the use of a dangerous weapon or device, knowingly uses any armor-piercing handgun ammunition as defined herein, shall, in addition to the punishment provided for the commission of such felony, be sentenced to a term of imprisonment for not less than five years. Notwithstanding any other provision of law, the court shall not suspend the sentence of any person convicted of a violation of this subsection, nor place him on probation, nor shall the term of imprisonment run concurrently with any other term of imprisonment including that imposed for the felony in which the armor-piercing handgun ammunition was used. No person sentenced under this subsection shall be eligible for parole.

"(c) The [Attorney General or the Secretary] is authorized to test handgun ammunition and, as soon as practicable, to issue listings of prohibited armor-piercing handgun ammunition, to revise such listings as necessary, and to permit, subject to such conditions and regulations as he may establish, the limited production, importation and sale of armor-piercing handgun ammunition for military, law enforcement or test purposes.

"(d) The following terms used in this section are defined as follows:

(1) "handgun" means a firearm with a barrel less than sixteen inches in length;

(2) "armor-piercing handgun ammunition" means ammunition manufactured primarily for use in handguns including projectiles for use in the fabrication of handgun ammunition, which, when tested pursuant to procedures established by the [Attorney General or the Secretary], is capable of penetrating bullet-resistant apparel or body armor meeting Type II of Standard NILECJ-STD-0101.01 as formulated by the U.S. Department of Commerce and published in December of 1978;

(3) "body armor" means bullet-resistant wearing apparel including, but not limited to, vests, jackets, suits and coats."



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

February 16, 1982

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer

Department of Justice
Department of Commerce
Department of Defense

SPECIAL

SUBJECT: Treasury's proposed report on H.R. 2280 (Biaggi)
pertaining to armor-piercing handgun bullets

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.

Please provide us with your views no later than Noon, Thursday, February 18, 1982. ORAL COMMENTS ACCEPTABLE.

Direct your questions to Gregory Jones (395-3802), of this office.

Robert E. Carlstrom for
Assistant Director for
Legislative Reference

Enclosures

cc: A. Anderson M. Uhlmann J. MacRae F. Seidl
C. Fuller

DRAFT



DEPARTMENT OF THE TREASURY

WASHINGTON, D.C. 20220

ASSISTANT SECRETARY

Dear Mr. Biaggi:

This is in response to your letter to Secretary Regan dated January 8, 1982, concerning H.R. 2280, a bill "to authorize the Secretary of the Treasury to conduct a study of handgun bullets manufactured in or imported into the United States to determine which bullets have the capacity to penetrate bulletproof vests commonly used by most enforcement officers."

The Department shares your concern that armor-piercing bullets pose a danger to law enforcement officers. In this regard we are currently studying the problem and are aware of several studies conducted by the Department of the Army for the Law Enforcement Assistance Administration, Department of Justice. It is reported that these extensive studies cost about \$1.4 million.

There is no question in our minds that the so-called "KTW" bullet has the capabilities attributed to it in recent news accounts. However, problems arise when an effort is made to regulate or legislate against the manufacture or importation of such a bullet. An attempt to define a prohibited-type bullet invariably includes a wide range of bullets commonly used for hunting, target shooting or other legitimate and long-established sporting purposes.

Nevertheless, these problems do not diminish our concern over the KTW bullet. In this regard, a member of my staff has been discussing this matter with the manufacturer of KTW ammunition who has agreed to restrict domestic sales of this ammunition to Federal, State and local law enforcement agencies, and the Armed Services of the United States. Under this preliminary agreement, to be confirmed in writing, the manufacturer will no longer make sales to Federal firearms licensees, thus ending any civilian sales or distribution.

After we evaluate the LEAA studies of the penetrating abilities of various ammunition, we will be in a better position to assess the merits of the study recommended in your bill. As soon as we make a determination, I will communicate our findings to you.

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- 2 -

In the meantime should you desire any further information regarding this matter, please feel free to call me at 566-2568 or my Deputy Assistant Secretary Robert E. Powis at 566-5054.

Sincerely,

John M. Walker, Jr.
Assistant Secretary
(Enforcement and Operations)

The Honorable
Mario Biaggi
House of Representatives
Washington, D.C. 20515

DRAFT

CMOIO

OFFICE OF POLICY DEVELOPMENT STAFFING MEMORANDUM

TE: 3/16/82 ACTION/CONCURRENCE/COMMENT DUE BY: n/a

BJECT: Legislative Referral: Testimony views on Justice Draft Bill
on Armor Piercing Bullets

	ACTION	FYI		ACTION	FYI
HARPER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SMITH	<input type="checkbox"/>	<input type="checkbox"/>
PORTER	<input type="checkbox"/>	<input type="checkbox"/>	UHLMANN	<input type="checkbox"/>	<input type="checkbox"/>
BANDOW	<input type="checkbox"/>	<input type="checkbox"/>	ADMINISTRATION	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BAUER	<input type="checkbox"/>	<input type="checkbox"/>	DRUG POLICY		
BOGGS	<input type="checkbox"/>	<input type="checkbox"/>	TURNER	<input type="checkbox"/>	<input type="checkbox"/>
BRADLEY	<input type="checkbox"/>	<input type="checkbox"/>	D. LEONARD	<input type="checkbox"/>	<input type="checkbox"/>
CARLESON	<input type="checkbox"/>	<input type="checkbox"/>	OFFICE OF POLICY INFORMATION		
FAIRBANKS	<input type="checkbox"/>	<input type="checkbox"/>	GRAY	<input type="checkbox"/>	<input type="checkbox"/>
FRANKUM	<input type="checkbox"/>	<input type="checkbox"/>	HOPKINS	<input type="checkbox"/>	<input type="checkbox"/>
HEMEL	<input type="checkbox"/>	<input type="checkbox"/>	OTHER		
KASS	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
B. LEONARD	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
MALOLEY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

EDWIN L. HARPER
 ASSISTANT TO THE PRESIDENT
 FOR POLICY DEVELOPMENT
 (X6515)

[Handwritten initials]

WHITE HOUSE STAFFING MEMORANDUM

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JL003
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FGD17
FG006-11*

DATE: 3/16/82 ACTION/CONCURRENCE/COMMENT DUE BY: n/a

SUBJECT: Legislative Referral: Testimony views on Justice Draft Bill
On Armor Piercing Bullets

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	GERGEN	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input type="checkbox"/>	HARPER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	JAMES	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CLARK	<input type="checkbox"/>	<input type="checkbox"/>	ROLLINS	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DARMAN	<input type="checkbox"/> P	<input checked="" type="checkbox"/> SS	WILLIAMSON	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DOLE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	WEIDENBAUM	<input type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BRADY/SPEAKES	<input type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
FULLER	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

Remarks: *Closed*

Richard G. Darman
Assistant to the President
(x2702)

Response:

WHITE HOUSE STAFFING MEMORANDUM

DATE: 3/16/82 ACTION/CONCURRENCE/COMMENT DUE BY: n/a

SUBJECT: Legislative Referral: Testimony views on Justice Draft Bill
~~On Armor-Piercing Bullets~~

	ACTION	FYI		ACTION	FYI
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MEESE	<input type="checkbox"/>	<input type="checkbox"/>	HARPER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	JAMES	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CLARK	<input type="checkbox"/>	<input type="checkbox"/>	ROLLINS	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DARMAN	<input type="checkbox"/> P	<input checked="" type="checkbox"/> SS	WILLIAMSON	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DOLE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	WEIDENBAUM	<input type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BRADY/SPEAKES	<input type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
FULLER	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

Remarks:

Richard G. Darman
 Assistant to the President
 (x2702)

Response:

EF

WS 044367CA
CMO10

THE WHITE HOUSE
WASHINGTON

CABINET AFFAIRS STAFFING MEMORANDUM

DATE: March 16, 1982 NUMBER: 044367CA DUE BY: n/a
LEGISLATIVE REFERRAL: Testimony views on Justice draft
SUBJECT: bill on armor-piercing bullets

ACTION FYI			ACTION FYI		
ALL CABINET MEMBERS	<input type="checkbox"/>	<input type="checkbox"/>	Baker	<input type="checkbox"/>	<input type="checkbox"/>
Vice President	<input type="checkbox"/>	<input type="checkbox"/>	Deaver	<input type="checkbox"/>	<input type="checkbox"/>
State	<input type="checkbox"/>	<input type="checkbox"/>	Anderson	<input type="checkbox"/>	<input type="checkbox"/>
Treasury	<input type="checkbox"/>	<input type="checkbox"/>	Clark	<input type="checkbox"/>	<input type="checkbox"/>
Defense	<input type="checkbox"/>	<input type="checkbox"/>	Darman (For WH Staffing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Attorney General	<input type="checkbox"/>	<input type="checkbox"/>	Jenkins	<input type="checkbox"/>	<input type="checkbox"/>
Interior	<input type="checkbox"/>	<input type="checkbox"/>	Gray	<input type="checkbox"/>	<input type="checkbox"/>
Agriculture	<input type="checkbox"/>	<input type="checkbox"/>	Beal	<input type="checkbox"/>	<input type="checkbox"/>
Commerce	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Labor	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
HHS	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
HUD	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Transportation	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Energy	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Education	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Counsellor	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
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UN	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
USTR	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
CEA	<input type="checkbox"/>	<input type="checkbox"/>	CCNRE/Boggs	<input type="checkbox"/>	<input type="checkbox"/>
CEQ	<input type="checkbox"/>	<input type="checkbox"/>	CCHR/Carleson	<input type="checkbox"/>	<input type="checkbox"/>
OSTP	<input type="checkbox"/>	<input type="checkbox"/>	CCCT/Kass	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	CCFA/McClaghry	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	CCEA/Porter	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

The attached is forwarded for appropriate handling.

RETURN TO:

Craig L. Fuller
Assistant to the President
for Cabinet Affairs
456-2823

Note: Not sent to Willman.
He received copy from
Carlstrom + will respond
directly to Carlstrom
J.



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

March 15, 1982

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer

Department of Justice

8756001

SUBJECT: Treasury views on Justice draft bill on armor-piercing
bullets

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.

Please provide us with your views no later than cob March 19, 1982.

Direct your questions to Gregory Jones (395-3802), of this office.

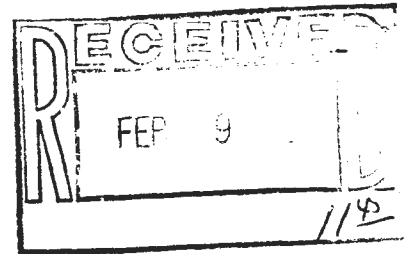
Robert E. Carlstrom for
Assistant Director for
Legislative Reference

Enclosures

cc: ✓ C. Fuller
A. Anderson
M. Uhlmann
J. Komoroske



DEPARTMENT OF THE TREASURY
OFFICE OF THE GENERAL COUNSEL
WASHINGTON, D.C. 20220



Director, Office of Management and Budget
Executive Office of the President
Washington, D.C. 20503

Attention: Assistant Director for Legislative
Reference

Dear Sir:

This is in response to a request for the views of this Department with respect to a Justice draft bill banning armor-piercing bullets.

The bill would prohibit the manufacture, sale, possession and use of armor-piercing handgun ammunition, including projectiles. "Handgun" is defined as a firearm with a barrel less than 16 inches in length. "Armor-piercing handgun ammunition" would include ammunition and projectiles manufactured primarily for use in handguns which, when tested, are capable of penetrating bullet resistant apparel or body armor meeting the "Type II" standard of the Department of Commerce.

As drafted, the bill is overly broad and would present problems relative to the testing of ammunition and identification of ammunition within its scope.

While the bill purports to proscribe ammunition such as "KTW" which will penetrate bullet-resistant vests and apparel, it would also ban sporting ammunition, readily available in commercial channels, not designed or intended for such purpose. Examples are .41 Magnum, .44 Magnum, and possibly .22 Magnum.

Because "handgun" would include firearms with a barrel less than 16 inches in length, the bill would cover both handgun and longgun ammunition capable of penetrating Type II apparel. Thus, ammunition for longguns such as short-barrelled rifles and shotguns, submachineguns and certain assault rifles may be proscribed and would have to be tested.

The definition of armor-piercing ammunition as including ammunition manufactured "primarily for use in handguns" is troublesome, if not vague, because some ammunition is manufactured to be used interchangeably between handguns and longguns. It is impossible to distinguish ammunition manufactured "primarily" for handguns. This problem is compounded because, as noted above, the handgun definition explicitly covers certain rifles and shotguns. Thus, there are sporting rifle cartridges commercially available which can be used in handguns which will penetrate bullet resistant apparel. Examples are Universal Enforcer .30 carbine caliber, Bushmaster .223 caliber, Remington XP100 .221 caliber, and various rifle cartridges for single shot target pistols.

Further, the purpose of the bill may be thwarted if ammunition, which although tested and determined not to be armor-piercing, is used in firearms having a barrel length exceeding that of the test weapon. This is because of the increase in muzzle velocity when the ammunition is fired through the longer barrel. Additionally, because the composition and velocity of a bullet can determine its ability to penetrate body armor while its appearance would not distinguish it as an armor-piercing projectile, identification of specific ammunition becomes impossible. Further, there are thousands of persons who load their own ammunition for their own use and are not federally licensed. Their operation would be unknown to the Government and their ammunition would be impossible to test.

The testing of ammunition contemplated by the bill would be burdensome because virtually all ammunition would need to be tested. As previously noted, because of the handgun definition, rifle and shotgun ammunition, as well as "traditional" handgun ammunition, must be tested. With respect to shotgun ammunition, 12 gauge shells containing "rifled slugs" will defeat the Type II standard and it is likely that similar ammunition of .410 and 20 gauge would do likewise. Also, it is possible that shotgun ammunition utilizing steel shot for water fowl and some 00 buckshot loadings would pierce Type II armor. Additionally, the bill would mandate the testing of all foreign ammunition being imported into the United States. Such importations routinely contain millions of cartridges in assorted types, calibers and bullet composition (particularly foreign surplus military ammunition). An additional burden would be imposed under the draft bill because changing ammunition designs would mandate continuous testing.

With respect to issuing a regulation under current law, we have examined the Gun Control Act of 1968 (18 U.S.C. Chapter 44) and the National Firearms Act (26 U.S.C. Chapter 53) and are of the opinion that there is no statutory basis within either to support a regulation banning such ammunition. A "destructive device" is defined in 26 U.S.C. Section 5845(f) to include bombs, grenades, mines, or missiles having an explosive or incendiary charge of more than one quarter ounce. The "KTW" and similar bullets do not fit within any of the categories of destructive devices. While the Gun Control Act regulates commerce in ammunition, it contains no provision supporting a prohibition against armor-piercing or any other small arms ammunition.

Finally, we know of no other statute which would authorize the issuance of a regulation by any Government official to ban this type of ammunition. If the Administration decides to pursue this legislation, this Department would suggest that the attached alternative draft language be offered as a substitute to the Justice language.

For these reasons, this Department does not support this Justice draft bill.

Sincerely yours,

Deputy General Counsel

Enclosure

A BILL

To amend chapter 44, title 18, United States Code, with respect to ammunition.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 922 of title 18 of the United States Code is amended by inserting the following new subsection immediately after subsection (m):

"(n) (1) It shall be unlawful for any person to manufacture, sell or otherwise dispose of any ammunition which is (A) generally useable in handguns, (B) has armor-piercing characteristics, and (C) is generally recognized as not suitable for or readily adaptable to sporting purposes.

"(2) The Secretary is authorized to promulgate regulations to determine which ammunition shall be deemed not suitable for or readily adaptable to sporting purposes. In promulgating such regulations, the Secretary shall consider the recommendations of a panel which he shall select from among representatives of law enforcement, the military and other government agencies, the firearms and ammunition industries, and interested sporting and recreational organizations.

"(3) The provisions of this subsection shall not apply with respect to the manufacture, sale or other disposition of any ammunition manufactured for, sold or shipped to, or issued for the use of, the United States or any department or agency thereof or any State or any department, agency, or political subdivision thereof."