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WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name ROBERTS, JOHN G.: FILES

Withdrawer

CAS 8/6/2005

File Folder JGR/GUN CONTROL

FOIA

F05-139/01

Box Number 27

COOK

8CAS

DOC NO	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
1	MEMO	ROBERTS TO FRED FIELDING RE DEPARTMENT OF JUSTICE PROSECUTION OF ALLEGED VIOLATIONS OF THE GUN CONTROL ACT OF 1968 (PARTIAL)	1	2/9/1984	B6	850
2	LETTER	FIELDING TO BURKETT VAN KIRK RE CRIMINAL PROSECUTION (PARTIAL)	1	2/9/1984	B6	852
3	MEMO	FIELDING TO CRAIG FULLER RE DEPARTMENT OF JUSTICE PROSECUTIONS OF ALLEGED VIOLATIONS OF THE GUN CONTROL ACT OF 1968N(PARTIAL)	1	2/9/1984	B6	855
4	MEMO	FULLER TO FIELDING RE DEPARTMENT OF JUSTICE PROSECUTIONS OF ALLEGED VIOLATIONS OF THE GUN CONTROL ACT OF 1968 WITH ATTACHED 2 P LETTER VAN KIRK TO EDWIN MEESE RE PROSECUTION (PAGE 1 OPENED IN WHOLE)	3	2/1/1984	B6	856

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]

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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]

E.O. 13233

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

THE WHITE HOUSE
WASHINGTON

February 9, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS *JGR*

SUBJECT:

Department of Justice Prosecution of Alleged
Violations of the Gun Control Act of 1968

Craig Fuller has asked for our views on a letter to Mr. Meese from Burkett Van Kirk, a Washington attorney. Van Kirk suggested in his letter that the prosecution of [REDACTED] for violations of the Gun Control Act of 1968 by the U.S. Attorney for the Middle District of Florida violated Administration policy. According to Van Kirk, [REDACTED] a collector of valuable guns, is being prosecuted for minor technical violations of the recordkeeping provisions of the Gun Control Act, because [REDACTED] refused to cooperate with the U.S. Attorney's investigation of public corruption. Van Kirk quotes from a 1982 letter from Meese to Senator Thurmond to the effect that it is not Administration policy "to search for minor technical infractions by otherwise law-abiding sportsmen, collectors, and dealers instead of concentrating on firearms violations by criminals." *b6*

I contacted Jay Stephens for more information. Stephens advises that the [REDACTED] case is in trial at this point, and that the prosecution was reviewed at the Department. Stephens indicated that [REDACTED] was not viewed by the Department as the model citizen [REDACTED] attorney describes [REDACTED] to be. *b6*

I recommend advising Fuller that any White House intervention would be inappropriate, and sending a letter over your signature to Van Kirk noting that we will not intervene. The incoming and a copy of our reply should be sent to Justice.

Attachment

THE WHITE HOUSE

WASHINGTON

February 9, 1984

MEMORANDUM FOR JAY B. STEPHENS
DEPUTY ASSOCIATE ATTORNEY GENERAL
U.S. DEPARTMENT OF JUSTICE

FROM: FRED F. FIELDING Orig. signed by FFF
COUNSEL TO THE PRESIDENT

SUBJECT: Department of Justice Prosecution of Alleged
Violations of the Gun Control Act of 1968

The attached correspondence, together with a copy of my
reply, is submitted for whatever action you consider
appropriate.

Many thanks.

Attachment

FFF:JGR:aea 2/9/84

cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

February 9, 1984

Dear Mr. Van Kirk:

Thank you for your letter of December 21, 1983, to Edwin Meese, III. That letter discussed the pending criminal prosecution of [REDACTED] b6

Established White House policy precludes members of the White House staff from interfering in the prosecution of particular criminal cases in any way. This policy is designed to preserve public confidence in the impartial administration of the criminal laws. I have referred your letter to the Department of Justice, without recommendation, for whatever review and action that Department considers appropriate.

I hope you will appreciate the reasons we must adhere to this policy. Thank you for sharing your concerns with us.

Sincerely,

Orig. signed by FFF

Fred F. Fielding
Counsel to the President

Burkett Van Kirk, Esquire
Webster, Chamberlain & Bean
1747 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

FFF:JGR:aea 2/9/84
bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE
WASHINGTON

February 9, 1984

MEMORANDUM FOR CRAIG L. FULLER
ASSISTANT TO THE PRESIDENT
FOR CABINET AFFAIRS

FROM: FRED F. FIELDING Orig. signed by FFF
COUNSEL TO THE PRESIDENT

SUBJECT: Department of Justice Prosecution of Alleged
Violations of the Gun Control Act of 1968

You have asked for our views on a letter to Mr. Meese from
Burkett Van Kirk, concerning the criminal prosecution of
[REDACTED] was indicted last September by a
Federal grand jury for violations of the Gun Control Act of
1968. Mr. Van Kirk suggested in his letter that the pro-
secution of [REDACTED] was inconsistent with Administration
policy concerning prosecutions under the Gun Control Act. 36

We have discussed the matter with the Department of Justice,
and have confirmed that the matter was reviewed at the
Department. The [REDACTED] case is currently in trial, and it
would be inappropriate for the White House to intervene in
any way. I have prepared a reply to Mr. Van Kirk advising
him that we adhere to the policy of not interfering with the
prosecution of particular criminal cases, and referring his
letter to the Department. Unless you object, I will send
the letter. 66

Attachment

FFF:JGR:aea 2/9/84

cc: FFFielding/JGRoberts/Subj/Chron

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<i>NO Document Description</i>	<i>pages</i>		<i>tions</i>	
3 MEMO	1	2/9/1984	B6	855
FIELDING TO CRAIG FULLER RE DEPARMENT OF JUSTICE PROSECUTIONS OF ALLEGED VIOLATIONS OF THE GUN CONTROL ACT OF 1968				

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

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WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

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

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

JR

Name of Correspondent: Craig Fuller

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

Subject: Dept. of Justice Prosecution of Alleged Violations of the Gun Control Act of 1968

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>CWDOCC</u>	ORIGINATOR	<u>84,02,07</u>		<u>1 1</u>
<u>CWDT 18</u>	Referral Note: <u>J</u>	<u>84,02,07</u>		<u>584,02,08</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:			

ACTION CODES:

- A - Appropriate Action
- I - Info Copy Only/No Action Necessary
- C - Comment/Recommendation
- R - Direct Reply w/Copy
- D - Draft Response
- S - For Signature
- F - Furnish Fact Sheet to be used as Enclosure
- X - Interim Reply

DISPOSITION CODES:

- A - Answered
- C - Completed
- B - Non-Special Referral
- 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.

THE WHITE HOUSE
WASHINGTON

CABINET AFFAIRS STAFFING MEMORANDUM

Date: 2-1-84 Number: 199353CA Due By: 2-8-84
 Subject: Dept. of Justice Prosecution of Alleged Violations
 of the Gun Control Act of 1968.

	Action	FYI		Action	FYI
ALL CABINET MEMBERS	<input type="checkbox"/>	<input type="checkbox"/>	CEA	<input type="checkbox"/>	<input type="checkbox"/>
Vice President	<input type="checkbox"/>	<input type="checkbox"/>	CEQ	<input type="checkbox"/>	<input type="checkbox"/>
State	<input type="checkbox"/>	<input type="checkbox"/>	OSTP	<input type="checkbox"/>	<input type="checkbox"/>
Treasury	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
Defense	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
Attorney General	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
Interior	<input type="checkbox"/>	<input type="checkbox"/>	Baker	<input type="checkbox"/>	<input type="checkbox"/>
Agriculture	<input type="checkbox"/>	<input type="checkbox"/>	Deaver	<input type="checkbox"/>	<input type="checkbox"/>
Commerce	<input type="checkbox"/>	<input type="checkbox"/>	Darman (For WH Staffing)	<input type="checkbox"/>	<input type="checkbox"/>
Labor	<input type="checkbox"/>	<input type="checkbox"/>	Jenkins	<input type="checkbox"/>	<input type="checkbox"/>
HHS	<input type="checkbox"/>	<input type="checkbox"/>	McFarlane	<input type="checkbox"/>	<input type="checkbox"/>
HUD	<input type="checkbox"/>	<input type="checkbox"/>	Svahn	<input type="checkbox"/>	<input type="checkbox"/>
Transportation	<input type="checkbox"/>	<input type="checkbox"/>	→ Fielding	<input checked="" 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 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"/>	CCCT/Gunn	<input type="checkbox"/>	<input type="checkbox"/>
UN	<input type="checkbox"/>	<input type="checkbox"/>	CCEA/Porter	<input type="checkbox"/>	<input type="checkbox"/>
USTR	<input type="checkbox"/>	<input type="checkbox"/>	CCFA/	<input type="checkbox"/>	<input type="checkbox"/>
GSA	<input type="checkbox"/>	<input type="checkbox"/>	CCHR/Simmons	<input type="checkbox"/>	<input type="checkbox"/>
EPA	<input type="checkbox"/>	<input type="checkbox"/>	CCLP/Uhlmann	<input type="checkbox"/>	<input type="checkbox"/>
OPM	<input type="checkbox"/>	<input type="checkbox"/>	CCMA/Bledsoe	<input type="checkbox"/>	<input type="checkbox"/>
VA	<input type="checkbox"/>	<input type="checkbox"/>	CCNRE/	<input type="checkbox"/>	<input type="checkbox"/>
SBA	<input type="checkbox"/>	<input type="checkbox"/>			

REMARKS:

See attached memo.

RETURN TO:

- Craig L. Fuller
Assistant to the President
for Cabinet Affairs
456-2823
 - Katherine Anderson
 - Tom Gibson
 - Don Clarey
 - Larry Herbolsheimer
- Associate Director
Office of Cabinet Affairs
456-2800

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*No of Doc Date Restric-
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4 MEMO

3 2/1/1984 B6

856

FULLER TO FIELDING RE DEPARTMENT OF
JUSTICE PROSECUTIONS OF ALLEGED
VIOLATIONS OF THE GUN CONTROL ACT OF
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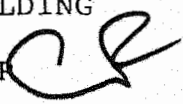
THE WHITE HOUSE

WASHINGTON

FEBRUARY 1, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

CRAIG FULLER 

SUBJECT:

DEPARTMENT OF JUSTICE PROSECUTION OF ALLEGED
VIOLATIONS OF THE GUN CONTROL ACT OF 1968

Attached is a copy of a letter that describes a criminal prosecution by the U.S. Attorney in Jacksonville, Florida involving alleged violations of the Gun Control Act of 1968.

There seems to be a question concerning the involvement of the FBI and the Justice Department in this matter, which should otherwise fall under the jurisdiction of the Bureau of Alcohol Tobacco and Firearms. There also seems to be a question of the motivations of the U.S. Attorney in Jacksonville in this case as it relates to a Federal Grand Jury investigation of corruption in north Florida.

Could you please provide guidance on whether any involvement by White House staff or independent review by the Justice Department in this matter is appropriate.