

NLWJC - Kagan

DPC - Box 010 - Folder 014

Crime - Curios and Replicas

MAY 12, 1948

THE WHITE HOUSE
WASHINGTON

RAHM | BRUCE | ELENA

ATTACHED PLEASE FIND SOME
INFO I FORWARDED TO
ERSKINE'S OFFICE ON THE
IMPORTATION OF CERTAIN
SURPLUS MILITARY FIREARMS.
HE'S BEING POSITED BY
DEMS TO CASE — I
SHOULDN'T.

LET ME KNOW YOUR
THOUGHTS.

CC: PETER
JACOBY

Joni

TALKING POINTS: CURIOS AND RELICS

Background:

The letters you received from Senators Daschle, Rockefeller, Johnson and Representative Hefner request that you meet with the Presidents of two firearms import companies, Blue Sky Productions and Gibbs Rifle Company, regarding the importation of certain U.S. origin surplus military firearms. The firearms at issue were classified as "curios and relics" because of their association with WW II and the Korean War, and Congress expressly authorized their importation in 1984. Separate foreign policy laws, however, prohibit the resale any of these firearms without approval from the State Department. Generally, it has been the policy of this Administration -- as well as that of President's Bush and Reagan -- to bar the importation of these American-made surplus military firearms in the U.S. commercial market.

The Members mentioned above would like you to consider a proposal that Blue Sky and Gibbs Rifle have to import a limited number of some of these firearms (125,000 M-1 Garands). We strongly recommend that you do not meet with these individuals. First, and most importantly, we believe it is unwise for White House officials to discuss the approval of specific permits for the importation of firearms with potential applicants. Second, we are currently in litigation with a third importer in which we have strong foreign policy reasons for denying similar permits. And third, the Administration has strongly opposed the importation of all curios and relics as matter of foreign policy, and exceptions to this policy on other grounds could serve to undermine this decision.

These U.S.-manufactured military weapons were given or sold at deep discounts to foreign governments since 1950, and include the M-1 carbine, M-1 Garand rifle, and the M-1911 .45 caliber pistol (see attached). The State Department estimates that there are 2.5 million of these firearms overseas, and the Treasury Department is concerned that a dramatic increase in the availability of these firearms represents a public safety threat. As a result, the Administration has exercised its authority to prohibit the importation of these weapons on foreign policy grounds -- twice threatening to veto spending bills over language requiring their importation. Last year, Congress directed the Departments of State and Treasury to report back with more details on the curios and relics issue.

Suggested Talking Points:

- Thank you for contacting me regarding the importation of U.S. origin military firearms classified as curios and relics. While I cannot not comment on any specific permit application before the State and Treasury Departments, I can speak to the Administration's overall policy on curios and relics.
- We have heard concerns from both sides of the gun debate over the importation of U.S. origin military firearms classified as curios and relics, including Senator Lautenberg and others, who strongly oppose the importation of these surplus military firearms.

- As I am sure you know, the Administration has also strongly opposed the importation of these firearms. State Department estimates show that a change in our policy could result in as many as 2.5 million of these firearms being eligible for importation.
- And while I appreciate the willingness of your constituents to address some of the Administrations concerns on this matter, allowing the importation of any of these military weapons -- even the M-1 Garand rifles -- could serve to undermine our broad authority to keep other firearms out of the U.S.
- It is important to note that these weapons were provided to foreign governments for foreign policy purposes and with assurances that the U.S. Government would know of their re-transfer and end use. That is why the State Department has generally opposed the retransfer of these military weapons to the private sector.
- The State Department, in consultation with the Treasury and Justice Departments, is in the process of finalizing a report on the issue of U.S. origin military firearms classified as curios and relics. It should provide the Administration and Congress with the most recent information on this matter and help us all make an informed decision.
- Also, I will make sure that Rahm Emanuel and the White House policy staff know of your concern with our policy, and I will ask them to give the matter further consideration.

DRAFT

May 12, 1998

The Honorable Thomas Daschle
Democratic Leader
U.S. Senate
Washington, D.C. 20510

Dear Senator Daschle:

Thank you for your recent letter to me on the importation of certain U.S. origin military firearms classified as curios and relics. Several Members of Congress on both sides of the gun debate have voiced their concerns about this issue, and I appreciate hearing from you on this.

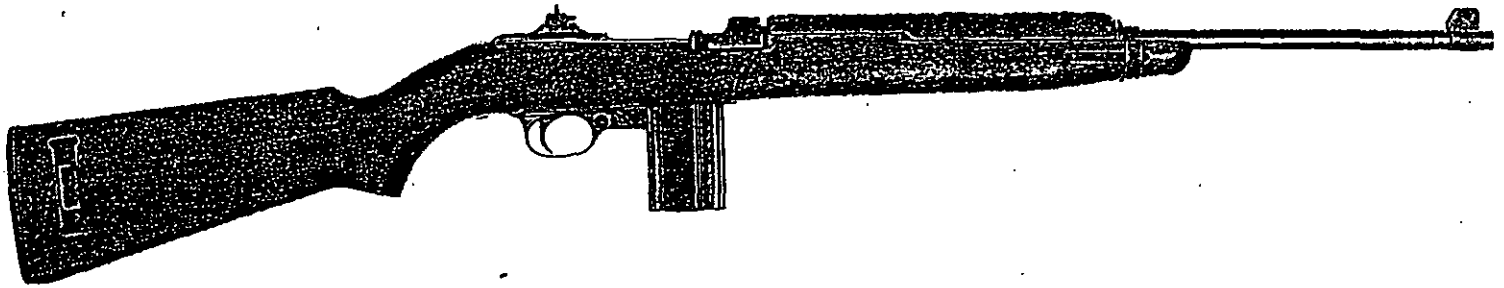
For two years now, the Administration has strongly opposed efforts to allow the importation of surplus military weapons, including M-1 carbines, M-1 Garands, and M-1911 .45 caliber pistols. These firearms were designed for military purposes, and millions were provided to foreign governments as a form of military aid over the past several decades. As a result, it has been the policy of this Administration -- as well as that of Presidents' Bush and Reagan -- to bar the importation of these American-made surplus military weapons in the U.S. commercial market.

Although I appreciate the willingness of your constituents to try and address some of the Administration's concerns on this matter, we remain concerned about the overall importation of these military weapons. You should know, however, that the Departments of Commerce, Justice and State -- as directed by Congress -- are finalizing a comprehensive report on the importation of U.S. origin military firearms. This report should provide the Administration and Congress with the most recent information on this matter and help us all make an informed decision.

Again, thank you for contacting me on this important matter. I have asked Rahm Emanuel and the White House policy staff to follow this matter closely.

Sincerely,

**U.S. CARBINE CALIBER 30 M1
(M1 CARBINE)**



CALIBER: .30 M1 Carbine

ACTION: gas operated, semiautomatic (can be converted to full automatic)

WEIGHT: 5.5 pounds

BARREL LENGTH: 18 inches

OVERALL LENGTH: 35.6 inches

MAGAZINE CAPACITY: 15 or 30 round detachable magazine

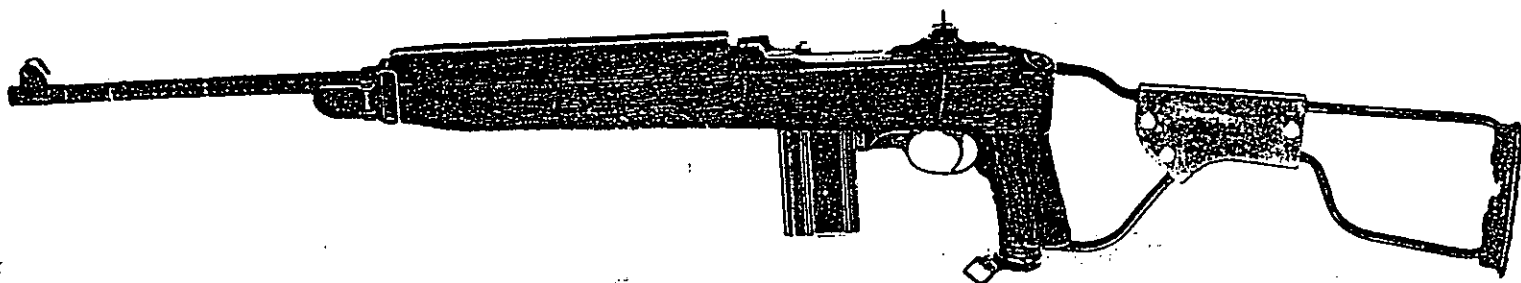
MANUFACTURERS: Winchester, Inland Div, General Motors, Saginaw Steering Gear, National Postal Meter, IBM, Quality Hardware, Irwin Pedersen, Underwood-Elliott-Fisher, Rock Ola, Standard Products

TOTAL PRODUCED: 6,117,767 ^{300 - 400}

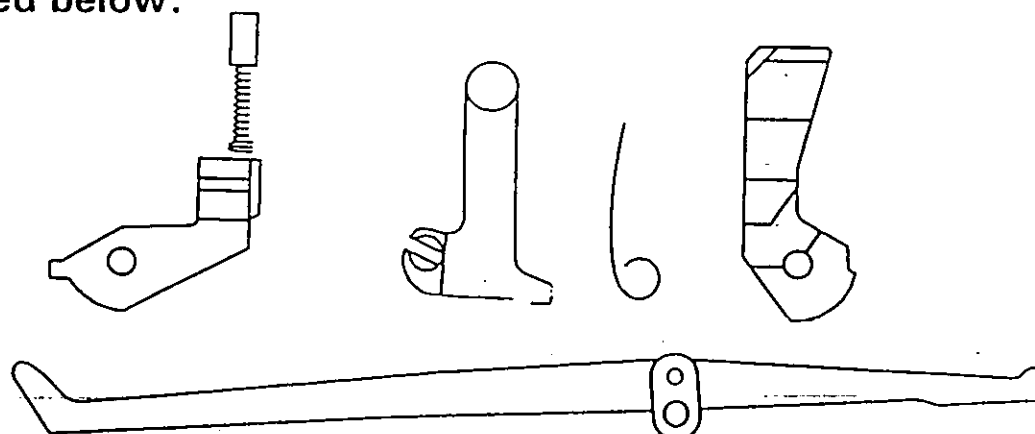
CURRENT DOMESTIC PRICE: \$250 - \$350 (If additional large quantities become available price will go down) Based on 1997 Blue Book

The M1 Carbine was a U.S. Military service rifle from 1941 through the late 1950,s. Large quantities of the weapon have been supplied to European, African, Latin American and Asian military forces.

In certain configurations the M1 carbine meets the definition of semiautomatic assault rifle as contained in 18 USC § 921(a)(30)(B). The following illustrates an M1 Carbine in this configuration.



NOTE: All U.S. military M1 Carbines can be easily converted to full automatic weapons by the installation of the parts illustrated below.

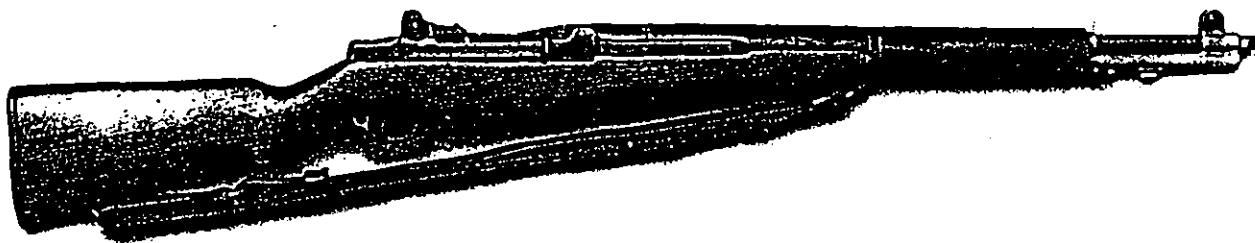


The conversion does not require any particular skill and can be accomplished by merely disassembling the weapon and reassembling with the above parts.

If large quantities of M1 carbines become available there is a potential for law enforcement problems with illegal conversion of weapons to machineguns. ATF has seen an increase in converted M1 carbines over the last few years due largely to availability and relatively low cost of the weapon.

(Quantities of M1 carbines have been imported from South Korea and Germany)

**U.S. RIFLE CALIBER 30 M1
(M1 GARAND)**



CALIBER: .30-06

ACTION: gas operated, semiautomatic

WEIGHT: 9.5 pounds

BARREL LENGTH: 24 inches

OVERALL LENGTH: 43.6 inches

MAGAZINE CAPACITY: 8 round clip (enbloc clip containing 8 cartridges is loaded into weapon through top of action)

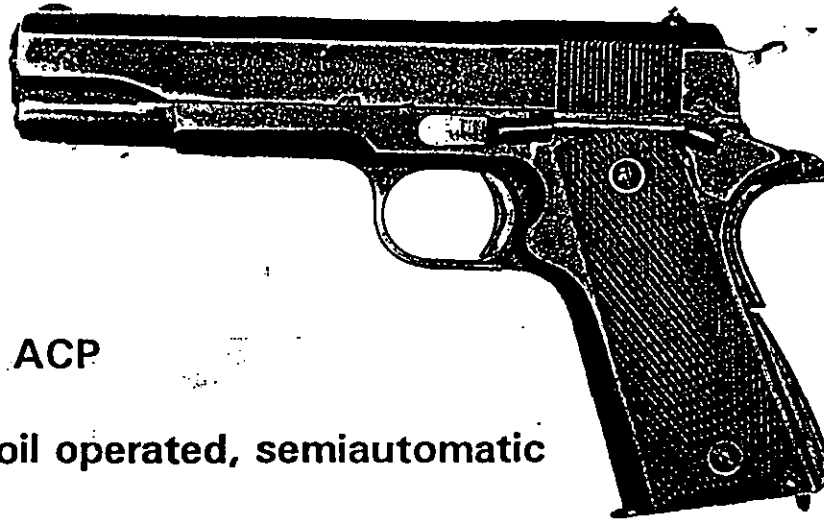
MANUFACTURERS: Springfield Armory, Winchester, Harrington & Richardson, International Harvester

TOTAL PRODUCED: 5,468,772

CURRENT DOMESTIC PRICE: \$350 - \$500 (If additional large quantities become available price will go down)

The M1 rifle was the standard U.S. Military service rifle from 1936 through the late 1950,s. Large quantities of the weapon have been supplied to European, African, Latin American and Asian military forces.

**U.S. PISTOL, CALIBER .45, AUTOMATIC
M1911 & M1911A1**



CALIBER: .45 ACP

ACTION: recoil operated, semiautomatic

WEIGHT: 2.43 pounds

BARREL LENGTH: 5 inches

OVERALL LENGTH: 8.62 inches

MAGAZINE CAPACITY: 7 round detachable magazine

**MANUFACTURERS: Colt, Springfield Armory, Remington
U.M.C., Singer Sewing Machine, Ithaca Gun Co., Remington
Rand, Union Switch & Signal Co.**

TOTAL PRODUCED: In excess of 2,500,000

**CURRENT DOMESTIC PRICE: \$350 - \$500 (if additional large
quantities become available price will go down)**

**The M1911 and M1911A1 pistols were standard U.S. military
issue side arms from 1911 through the 1970's. Large
quantities of the weapon have been supplied to European,
African, Latin American and Asian military forces.**

Crime - curios + relics

October 31, 1997

The Honorable Bob Livingston
Chairman
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

The Administration strongly objects to the inclusion of any provision in the FY 1998 Commerce, Justice and State Appropriations Conference Report to allow for the importation of surplus military weapons. We have repeatedly opposed such provisions, and the President's senior advisers would recommend that he veto the bill if it includes language that would large quantities of surplus military weapons to be imported.

The Administration finds it unacceptable that -- in the same appropriations bill that funds the nation's law enforcement priorities, such as putting more police on our streets -- the Committee is considering language that could flood our streets with millions of military surplus weapons. These weapons, especially M-1 carbines, M-1 Garrands and M-1911 .45 caliber pistols, were designed for military purposes and provided to foreign governments as a form of military aid over the past several decades. Moreover, thousands of these firearms have already been used in crimes -- including to take the lives of police officers. Opening the door to more of these weapons would only serve to further undermine public safety.

We urge the Committee to reject this provision.

Sincerely,

Franklin Raines