

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED

SUBJECT: SENATOR FEINSTEIN / AMMUNITION CLIPS

*Crime -
GUN CLIPS*

You had asked me for background and a recommendation in response to Senator Feinstein's recent phone call and letter to you regarding the importation of ammunition clips of greater than 10 rounds.

As you know the 1994 Crime Bill made it unlawful to "transfer or possess a large capacity ammunition feeding device." Large capacity was defined as more than 10 rounds.

During conference on the bill, Representative Dingell added an amendment grandfathering in any large capacity clips possessed before the date of enactment.

After enactment, ATF initially interpreted this provision to prohibit the importation of any ammunition clips of greater than 10 rounds. They were sued over this interpretation by several ammunition companies and Representative Dingell was very vocal in his objections with the Administration. The Justice Department eventually notified ATF that they would not be able to defend ATF's interpretation in court and ATF began to permit the importation of large capacity clips that were manufactured before the date of the Crime Bill enactment. Treasury confirmed Senator Feinstein's assertion that a large percentage of these clips were made in China.

We understand from her staff that Senator Feinstein realizes now that an executive action would be inappropriate and would not prevent the importation of these clips. She is seeking a written confirmation from us and then she plans to introduce legislation that would prevent the future importation of large capacity clips.

The 1994 Crime Bill required the Justice Department to report to Congress on the impact of the Assault Weapons ban. Justice has finalized this report and is ready to send it to Congress. In general, the report will state that it is too early to show any real impact from the ban. I recommend that we support the Feinstein legislation and announce it in conjunction with the release of the Justice Department report to show that it is a necessary step to eliminate the firepower of assault weapons.