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March 3, 1976

SUBJECT:

GUN CONTROL

Yesterday the House Judiciary Committee returned to its subcommittee a bill to ban the sale or manufacture of concealable handguns. The chances of passage of any gun control legislation in this session now appear to be slim.

What is the White House reaction to the House Judiciary Committee's action?

GUIDANCE: The President continues to support the handgun legislation which he sent to the Hill, and he would like to see it passed as soon as possible. His proposal, as you know, prohibits the domestic assembly or sale--as well as the importation--of cheap, highly concealable weapons--Saturday night specials.

ME

THE WHITE HOUSE  
WASHINGTON

September 1, 1976

FOR: PHIL BUCHEN  
JACK MARSH  
JIM CANNON  
RON NESSEN ✓  
DICK PARSONS

FROM: KEN LAZARUS

FYI

## Gun Control in the District of Columbia

Some confusion has arisen regarding a series of events relating to a gun control law recently enacted by the Council of the District of Columbia and approved by the Mayor. Hopefully, this will serve to clarify the series of events which may be outlined as follows:

- Act.1-142, approved by Mayor Washington on July 23, 1976, would prohibit the possession of a handgun by any person within the District of Columbia on and after its effective date, except for police officers, special officers, or persons owning handguns which had been properly registered under the old law.
- Act.1-142 was grounded upon the authority of the District ". . . to make and modify . . . and enforce certain usual and reasonable police regulations . . ." /D. C. Code, Sec. 1-224/. Congress amplified this grant of authority in D. C. Code, Sec. 1-227 which provides that ". . . the District . . . is authorized and empowered to make . . . reasonable police regulations . . . as the D. C. Council may deem necessary for the regulation of firearms, projectiles, explosives, or weapons of any kind". (Emphasis added)
- On August 27, Congress forwarded to the President, H.R. 12261 which would postpone for two years more the authority to be delegated to the D. C. government by Section 602 (a) (9) of Pub. L. 93-198 /the so-called "Home Rule Act"/. Section 602 (a) (9) authorizes the D. C. government to enact amendments to title 22 or 24 of the D. C. Code /relating to crimes and treatment of prisoners/after January 3, 1977.
- H.R. 12261 also contains the so-called "Dent Amendment" /after Rep. John Dent (D.-Pa.)/ which purports to disapprove of Act.1-142 and thus make the local gun control law a nullity. However, under Section 602 (e) (1) of the "Home Rule Act", the exclusive method of disapproving an enactment of the D. C. government is by "concurrent resolution" within a period of 30 legislative days after final D. C. action. Therefore, the so-called "Dent Amendment" itself would appear to be a nullity.
- On September 1, the House is scheduled to take up H. Con. Res. 694 to disapprove of Act. 1-142. Under the "Home Rule Act", this concurrent resolution would also require the approval of the Senate but would not come to the President for his signature.
- The President has not, to date, expressed himself on any of the particulars discussed herein.

Since H. Con. Res. would not require Presidential approval, there is simply no gun control issue currently under review at the White House. September 7 is the last day for action on H.R. 12261.

April 8, 1975

SUBJECT:

A.G. LEVI ANNOUNCES  
GUN CONTROL PLAN

In a speech delivered on Sunday, Attorney General Ed Levi proposed to impose strict new curbs on handguns in urban areas with high or rapidly rising crime rates. In addition, Levi's proposal would prohibit the transport, transfer, or sale of handguns or handgun ammunition in urban areas where the crime rate was either a stated percentage higher than the national average or higher than the national average and increasing at a rapid rate.

Was Attorney General Levi speaking for the Administration when he outlined his proposals on gun control?

GUIDANCE: Mr. Levi was not speaking for the Administration, and it is my understanding that he was merely discussing one of the options that the Justice Department now has under consideration.

The Justice Department currently is reviewing and preparing a variety of options on the entire area of gun control and I would expect that the Justice Department will be making their recommendations to the President in the very near future.

What is the President's position on gun control?

GUIDANCE: We would expect the President's views on gun control to be made known in a crime message which will go to Congress in late April or early May.

JGC

April 14, 1976

SUBJECT:

MORE ON GUN CONTROL

Yesterday the House Judiciary Committee voted out of committee a gun control bill that would ban the importation or manufacture of "Saturday night specials," but would not outlaw the ownership, sale or transfer of existing guns. Adopted was a "railsback compromise" which narrowly defines Saturday night specials and puts the ban on manufacturing the guns.

If passed, will the President sign the House Judiciary Committee bill? Isn't it very close to what he wanted?

**GUIDANCE:** The President is encouraged by the action of the House Judiciary Committee. However, before we pass further judgment, we will have to wait until an analysis can be made of the bill as it is reported out of the committee. The White House has not yet had a chance to review it.

ME

April 7, 1976

SUBJECT:

GUN CONTROL

It now appears that Congressman Rodino believes there are enough votes in the House Judiciary Committee to report a gun control bill in this session? The new legislation would be more restrictive in its definition of Saturday night specials and would call for mandatory sentencing of those using a handgun to commit a felony.

What is the Administration's opinion of this "new" gun control legislation which Rodino is considering?

First of all, you know the President's position on Saturday night specials, as expressed in his June 19 Crime Message.

As for this "new" legislation, though, we are going to wait until the committee takes further action before we take a position on it.

February 21, 1975

SUBJECT:

GUN CONTROL

A House Judiciary Subcommittee has just completed its first round of hearings on legislation to limit the use and availability of guns and its Chairman said he expects some form of gun control to be passed in Congress this year.

Will the President support gun control legislation?

GUIDANCE: The Administration is aware of the hearings that have been held. The new Attorney General, Mr. Levi, was asked about gun control legislation during his hearings. The President's advisors and other members of the Administration are putting together material and options for the President. The Administration will be testifying in Congress on gun control legislation latter in the year, and it is expected that the testimony at that time will reflect the President's views.

However, to go any further at this time, would be premature on my part.

*Crime message in next  
month -*

*I would look for something  
about gun control in the  
message*

JGC