



DIRECTOR

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, DC 20226

NOV 19 1999

Mr. Eric M. Larson
P.O. Box 5497
Takoma Park, Maryland 20913

Dear Mr. Larson:

This is in response to your letter of August 22, 1999, regarding your allegation that members of my staff have misled the President and me regarding your contentions about the accuracy of the National Firearms Registration and Transfer Record (NFRTR) and your proposal for another amnesty period.

Your allegations concerning my staff are totally without foundation. I have been advised of all your allegations concerning the Bureau of Alcohol, Tobacco and Firearms' (ATF) administration of the National Firearms Act (NFA), beginning with your attempts in 1987 to have certain firearms removed from the statute up through the recent issuance of the Office of the Inspector General (OIG) reports. I have reviewed the OIG reports and agree with my staff that most of your allegations are without merit.

We do not support your proposal for another amnesty period. As you know, the only amnesty period authorized to date occurred November 2 through December 1, 1968. The reason for granting amnesty at that time was to overcome the adverse effect of a Supreme Court decision which held that, prior to the 1968 amendments, provisions of the NFA were invalid under the self-incrimination clause of the Fifth Amendment. As you know, the Secretary of the Treasury has authority to establish amnesty periods if such periods would contribute to the purposes of the NFA.

Mr. Eric M. Larson

Since 1968, the Department of the Treasury and ATF consistently have taken the position that because the 1968 amnesty period served its intended purpose of remedying the NFA's constitutional defect, granting an additional amnesty period would be of no value. Moreover, further amnesty periods would disrupt our efforts to enforce the NFA. Additional amnesty periods also would risk creating ill-will and possible legal challenges on the part of people who have been prosecuted for possession of unregistered NFA weapons, had their weapons seized, or voluntarily abandoned their weapons to ATF in the past. An additional amnesty might also encourage people to acquire unregistered firearms in the expectation of other such periods.

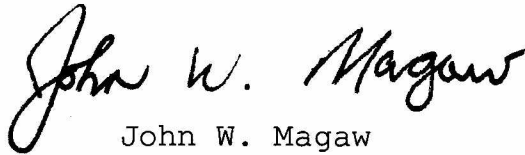
Your letter expressed your belief that the registration of NFA firearms to persons who may be deceased is a problem that seriously impacts the accuracy of the NFRTR. We disagree with you on this matter. The NFRTR is reliable and effective for law enforcement purposes, as it accurately reflects the identity of the person legally entitled to possess a particular firearm. The fact that the registrant is deceased does not affect the validity of the registration. We work with executors of estates constantly to accommodate heirs of deceased firearms owners by establishing entitlement to the firearms and transferring registrations. In addition, in ATF's response to the OIG investigation, we recommended several ways in which we plan to more widely disseminate information regarding transfers of firearms in estates.

I assure you that ATF believes that enforcement and administration of the NFA is a crucial component of our strategic goal of keeping firearms out of the hands of those not legally entitled to possess them.

Mr. Eric M. Larson

We have carefully considered the recommendations made by the OIG and are working to ensure that the NFRTR continues to be an accurate and reliable database of firearms transactions.

Sincerely yours,

A handwritten signature in black ink that reads "John W. Magaw". The signature is written in a cursive, flowing style.

John W. Magaw
Director