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JGR/GUN CONTROL

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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 1968 (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 (OPEN 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]
- B-3 Release would violate a Federal statute [(b)(3) of the FOIA]
- B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- 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]

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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

COPY - Reagan Presidential Record

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]

bb

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.

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.

Attachment

FFF:JGR:aea 2/9/84

cc: FFFielding/JGRoberts/Subj/Chron

b6

b6