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DEPARTMENT OF THE TREASURY
WASHINGTON

**TALKING POINTS ON
TREASURY'S RECLASSIFICATION OF
THE STRIKER-12/STREETSWEEPER AND THE USAS-12**

- * On February 28, 1994, Secretary Bentsen issued a ruling which effectively limits the availability of two deadly assault weapons -- the Striker-12/Streetsweeper and the USAS-12. The ruling reclassified these dangerous weapons as "destructive devices," effective March 1, 1994.
- * The Streetsweeper was created in South Africa for "crowd control." It looks like something Al Capone carried -- a big shotgun with a large round barrel in the middle for lots of ammunition. Its aim isn't remotely accurate, but it doesn't need to be, because it sprays shotgun shells all over the place -- twelve rounds in less than three seconds, according to its advertisement.
- * It is interesting to note that following last week's tragic shooting of the Hasidic Jewish students, through a search warrant, police found a fully-loaded Streetsweeper among one suspect's firearms collection. The weapon was traced to a gun dealer who is also a defendant in an ATF investigation in Washington state. The Washington suspect was allegedly selling firearms and silencers illegally. He has since gone out of business, and ATF is attempting to locate him to obtain records pertaining the Streetsweeper found in New York. It has not yet been determined what weapon was used in the actual shooting.
- * The "destructive devices" ruling means that these weapons are now subject to the same regulation, taxation and controls as machine guns. Gun dealers who want to carry them will have to pay a number of very high fees and taxes, as will manufacturers and purchasers. All of these weapons will now have to be registered. Each time a registered weapon changes hands, a very thorough background check of the purchaser will be conducted and s/he will have to pay a \$200 transfer tax.
- * We must recognize that this is not an outright ban. We continue to be very supportive of the assault weapons ban. But this is a modest step -- something we could do immediately without waiting for Congress to act.



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GUN CRACKDOWN: 7 MONTHS LATER

Guns 'banned 3 times over' readily available

Supporters said an assault weapons ban approved by Congress last year would make the nation safer.

Critics called it ineffective window-dressing.

A new fight is expected this summer when repeal efforts start.

By Robert Davis
USA TODAY

YONKERS, N.Y. — Paul Gemma is smiling behind his table of wares at the Great Yonkers Gun and Knife Show. Although not a licensed gun dealer, Gemma has just swapped an AR-15 semiautomatic rifle, which Congress banned last year, for \$100 and a SPAS-12 shotgun, which was "banned three times over" by presidents Clinton, Bush and Reagan.

There was no paperwork, no questions asked, and it was all legal.

Seven months after Clinton signed a law banning the manufacture of dozens of assault weapons, the military-style pistols and rifles it targeted are not only legally sold, they're easier to buy than handguns.

In a White House celebration Sept. 13, the president boasted that the new law would "finally ban these assault weapons from our streets." A month later, Francisco Duran, 26, sprayed the White House with a Chinese SKS rifle nearly identical to one the government banned in 1989.

Duran, who was convicted of trying to kill Clinton, made the rifle illegal by attaching a stock, or butt end, that folds up, a pistol grip and a 30-round magazine.

"It's called an assault weapons ban, so people think a ban means they disappear overnight," says Josh Sugarmann of the Violence Policy Center, a gun-control advocate. "This was the best that we could achieve politically at the time."

News reports usually mention the first part of the ban: "It shall be unlawful for a person to manufacture, transfer or possess a semiautomatic assault weapon." But they often ignore the second part: "Paragraph one shall not apply to the possession or transfer of any semiautomatic assault weapon otherwise lawfully possessed under federal law on the date of the enactment of this subsection."

That was the case in Yonkers, where guns that were manufactured before the ban went into effect were traded easily and legally.

The law does nothing to halt the sale or possession of as many as 2 million assault guns already on the streets, in homes and in gun stores nationwide. And because it targeted guns with specific accessories such as threaded barrels for silencers or clips for bayonets, manufacturers quickly changed their gun designs — but not their firepower — and continued selling them legally.

Now, many in Congress want to repeal the ban altogether, arguing that it does nothing to deter crime or criminals. "Our focus will be on punishing criminals, not limiting the freedom of law-abiding Americans," says Senate Majority Leader Bob Dole, R-Kan., who promises to lead the repeal effort this summer.

Sen. Dianne Feinstein, D-Calif., promises to "launch the mother of all filibusters" to save the ban. And Clinton promises to veto any repeal.

Both sides in the gun debate agree that, historically, assault weapon

bans have had little to do with keeping the military-style guns out of the hands of criminals. Because President Reagan banned machine guns in 1986, "most people think you can't buy machine guns in this country legally," says Sugarmann. "You can."

There are about a quarter million of them out there."

President Bush banned the import of the SKS rifle used by Duran in 1989. But the Chinese manufacturers changed the design and within two years an additional 112,000 of the \$200 guns had been imported.

Most gun manufacturers won't talk publicly about business. But Wayne Daniel of SWD Inc., which makes several guns that have been banned, boasts about how he continues making at least one, the MAC-11 pistol, legally. He removed barrel threads that allowed the gun to accept a silencer, and changed the magazine so it holds the required 10 rounds or less. "The assault gun ban

has no teeth," says Daniel.

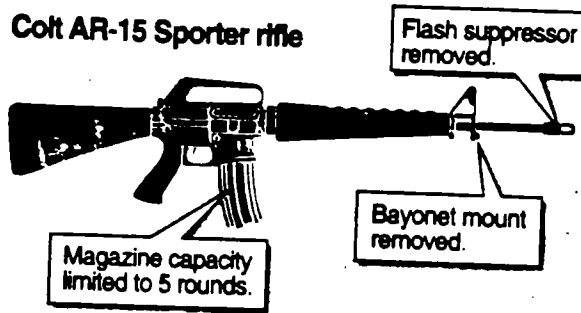
In fact, manufacturers took advantage of the 19 days between the time the bill was passed by Congress and signed by Clinton to crank out thousands of extra guns and high-capacity magazines that they could sell, legally and at higher prices, after Clinton signed the law.

"In hindsight, it would have been better to move far more quickly to sign the bill faster," says Sugarmann. "The gun industry is willing to take

New design for banned rifle

The law passed last year prohibits the manufacture of several military-style assault weapons equipped for flash suppressors, silencers, bayonets and other devices. Manufacturers are getting around the ban by changing their designs. One example:

Colt AR-15 Sporter rifle



Source: USA TODAY research

By Cliff Vincurs, USA TODAY

advantage of these windows."

While manufacturers were busy making guns, news reports that the supply would soon be gone fueled record sales. "The media scared everybody into buying something they

wouldn't want to buy otherwise," says Bob Stager of RSR Wholesale Guns in Winter Park, Fla.

As the headlines subsided, so did the sales, and dealers now have to cope with the slowdown. But business continues to boom at thousands of gun shows held each year.

Here in the convention hall at Yonkers Raceway, most types of banned guns are laid out on tables.

"This is a weird show," says Gemma. "It's all banned stuff. Most shows you have more antique guns."

Potential customers range from retired military shooters, looking for classic military rifles, to groups of dangerous-looking young men.

Some of the meanest-looking peo-

What law covers - lock, stock and barrel

A law passed last year bans the manufacture of 19 specific weapons, and any semiautomatic rifle with a detachable magazine and at least two of the following:

Folding stock, protruding pistol grip, bayonet mount, flash suppressor or threaded barrel for suppressor, grenade launcher.

The law also bans semiauto-

matic pistols with detachable magazines and at least two of the following: Ammunition magazine that attaches to the pistol outside the grip; threaded barrel that accepts a barrel extender, flash suppressor, handgrip or silencer; a shroud or cover on the barrel that permits the shooter to hold the gun with the non-trigger hand.

ple at gun shows often pull out badges identifying themselves as ATF agents. Bureau spokesman Jack Killorin says they sometimes attend gun shows to watch for illegal sales. Nobody is arrested here.

While critics question its effectiveness, Killorin says, the nationwide gun crackdown — ranging from the assault weapons ban to the Brady law, requiring a background check and a waiting period before a handgun can be sold — allows the ATF to focus more on the black market.

"If we can close down the access at the neighborhood gun store then we can drive these people into the black market and we can do something about that," says Killorin.

But ATF can do little to affect the overall supply or demand for guns.

James Gips, 23, a music engineer who bought an assault rifle just before the ban was signed last year, doesn't mind the idea of a background check before he can buy a weapon. But he thinks passage of the

ban "was all about cosmetics." When the Brady law expires in four years, all gun sales will be subject to instant checks of criminal records and possible mental illness.

For now, gun-control groups and their opponents, led by the 3.5 million-strong National Rifle Association, are digging in for a fight this summer over assault weapons.

The NRA points to a shift in public opinion as evidence Americans are recognizing the ban's shortcomings:

► In January, an NBC poll of 851 adults found that 76% wanted the assault ban to remain in place.

► Last month, an NBC/Wall Street Journal poll found that 51% of 505 adults surveyed thought ending the ban on assault weapons was a step in the "wrong direction."

"We did the best we could with the assault ban under the circumstances," says Kristen Rand of the Violence Policy Center. "If it's not as strong as the American public really wants, then we need to go further."