

**/O=MONTANA/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENT**

**From:** VanDyke, Lawrence  
**Sent:** Wednesday, August 28, 2013 11:59 AM  
**To:** Fox, Tim; Mattioli, Mark  
**Cc:** Bennion, Jon; Swanson, Cory; Barnes, John  
**Subject:** FW: Amicus Memo in NRA v. ATF (U.S.)  
**Attachments:** Amicus Memo - NRA v Bureau of ATFE -- 8-27.pdf

Tim and Mark – This is a short-fuse cert-stage amicus join request from Alabama in a Second Amendment case coming out of the Fifth Circuit. The case challenges federal laws that categorically deny 18-21 year olds the ability to buy handguns or handgun ammunition. The Fifth Circuit panel rejected the challenge, holding that (1) the laws do not implicate the Second Amendment, and (2) even if they do, they don't violate it. The NRA is the Petitioner in this case.

I think we should join this brief. I'm not sure I agree with the strategy of bringing this case to the SCOTUS, but I think we want to be on the record as on the side of gun rights (and the NRA). I think that a blanket ban on handgun ownership for all 18-21 year olds probably does violate the original meaning of the second amendment – I would expect that 18 year olds were part of the "militia."

**Our deadline is quick – we need to decide by this Friday.**

Thanks,

Lawrence

**From:** Schweitzer, Dan [mailto:DSCHWEITZER@NAAG.ORG]  
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