

FINAL STATEMENT OF REASONS

UPDATE OF INITIAL STATEMENT OF REASONS

Section 5460.

The proposed regulation as originally noticed to the public would apply the definitions of terms in California Code of Regulations (CCR) section 5471 to the identification of assault weapons pursuant to Penal Code (PC) section 30515, without limitation to context of the new registration process. This regulation will provide detailed, concrete information regarding firearms that constitute assault weapons. The proposed regulation will promote efficiency within the Department of Justice (the Department), as well as provide uniform guidance to the public, the judiciary, district attorney's offices, and law enforcement agencies throughout California.

The Department added to the rulemaking record an addendum to the Initial Statement of Reasons, to clarify how the definitions referenced in the proposed regulation were composed and to add references to the documents relied upon, some of which were inadvertently omitted from the Initial Statement of Reasons. Fifteen technical documents that were referenced by the addendum were also added to the rulemaking file. Pursuant to Government Code section 11347.1, the Department provided notice of the addition of these documents to the rulemaking file; made the documents available for public inspection; and accepted comments on the added documents from October 19, 2018 through November 6, 2018. The Department received 71 public comments on these documents during that time. After careful review, the Department determined that no changes to the proposed text or rulemaking record were necessary.

All other information provided in the Initial Statement of Reasons is accurate and current.

SUMMARY OF COMMENTS AND DOJ RESPONSES

During the initial 45-day comment period, the Department received 114 different comments from 2,277 persons. Most of the comments were copies of a comment prepared by "oneclickpolitics.com," or copies of that comment with small variations. Attachment A (53 pages) is a summary of the relevant comments submitted during the 45-day comment period and the Department's responses. Attachment B (5 pages) is a summary of the irrelevant comments submitted during the 45-day comment period regarding the registration of assault weapons. Attachment C is an alphabetical list (63 pages) of the commenters and identifies (by number) the comment(s) made by each person.

During the 15-day comment period, the Department received 72 different comments from 17 persons. Attachment D (45 pages) is a summary of the comments submitted during the 15-day comment period and the Department's responses. Two of the commenters had difficulty locating the Notice of Availability of Additional Documents on the Department website; documentation that the Notice was available on the website is included here as Attachment E. Attachment F is

an alphabetical list (1 page) of the commenters and identifies (by number) the comment(s) made by each person.

Non-Duplication

The proposed regulation references, and in some instances duplicates, portions of Penal Code section 30515. This duplication is necessary to consolidate the statutory and regulatory definition of “assault weapons,” in order to provide clarity to the regulations.

ALTERNATIVES THAT WOULD LESSEN ADVERSE ECONOMIC IMPACT ON SMALL BUSINESS

No alternatives were proposed that would lessen any adverse economic impact on small business.

ALTERNATIVES DETERMINATION

The Department has determined that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective as and less burdensome to affected private persons than the adopted regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The Department’s reasons for rejecting any proposed alternatives are set forth in the responses to comments.

As set forth in 11 CCR 5471, the definitions in that section apply “[f]or purposes of Penal Code section 30900 and Articles 2 and 3 of” Chapter 39 of Division 5 of Title 11 of the California Code of Regulations, which are the articles pertaining to assault weapon registration. As promulgated, the definitions in 11 CCR 5471 thus apply only to the registration process. The Department is undertaking the current rulemaking proceeding in order to apply the definitions in 11 CCR 5471 beyond the registration process, to the identification of assault weapons generally. The registration period has ended and the terms defined in 11 CCR 5471 still require uniform interpretation for the consistent identification of assault weapons. None of the alternatives considered would be substantially more effective at defining the terms, and none would be less burdensome to affected private persons, considering that having one set of definitions for registration and one set of definitions for ongoing enforcement would cause confusion and the inconsistent identification of assault weapons.

LOCAL MANDATE DETERMINATION

The proposed regulation does not impose any mandate on local agencies or school districts.

PUBLIC COMMENTS AND DEPARTMENT OF JUSTICE RESPONSES

#	Summarized Comment	DOJ Response
1.	General opposition to the Assault Weapon Definition regulations.	We received a number of non-specific, generalized comments in opposition to the assault weapon definition regulation. The Department is adopting the regulation for the reasons stated in the initial statement of reasons.
2.	<p>a. Criminals and/or those who are mentally ill do not follow the laws so these new laws will only affect law-abiding citizens. These laws will not lower crime or prevent shootings.</p> <p>b. Do not criminalize law-abiding citizens who possess firearms as a hobby, for hunting, to use in competitions, or for self-defense purposes.</p> <p>c. These regulations are being used to discriminate against gun owners and are unnecessarily burdensome to law-abiding gun owners.</p>	No change has been made in response to these comments because these are generalized comments in opposition to the regulation. The Department is adopting the regulation for the reasons stated in the initial statement of reasons.

#	Summarized Comment	DOJ Response
3.	<p>a. The Assault Weapon Definition regulations infringe on Second Amendment and/or other Constitutional rights. These are unlikely to withstand legal challenge that is sure to be mounted by 2A advocacy groups.</p> <p>b. These regulations are unconstitutional because it is beyond the power of the DOJ to issue them and feels like the existing regulations were illegally adopted. The regs are overstepping and overreaching.</p>	<p>a. No change has been made to the regulation in response to this comment. The proposed regulation does not infringe on Second Amendment rights because the regulation supports the enforcement of an assault weapons ban, which courts across the country have uniformly found to comply with Second Amendment requirements. The Fourth Circuit Court of Appeals has held that assault weapons are not protected by the Second Amendment. <i>Kolbe v. Hogan</i>, 849 F.3d 114, 137 (4th Cir. 2017). The Fourth Circuit and three other federal courts of appeals have also upheld assault weapons bans similar to California’s Assault Weapons Control Act after either applying intermediate scrutiny analysis or finding that assault weapons were not common at the time of ratification. <i>Kolbe</i>, 849 F.3d at 140-41 (holding alternatively that Maryland’s assault weapons ban survives intermediate scrutiny); <i>New York State Rifle and Pistol Ass’n, Inc. v. Cuomo</i> 804 F.3d 242, 269 (2nd Cir. 2015) (holding that New York and Connecticut’s ban on assault weapons do not violate the Second Amendment); <i>Heller v. District of Columbia</i>, 670 F.3d 1244, 1263 (D.C. Cir. 2011) (upholding the District of Columbia’s ban on assault weapons after intermediate scrutiny analysis); <i>Friedman v. City of Highland Park</i>, 784 F.3d 406, 410 (7th Cir. 2015) (upholding a city ordinance banning possession of assault weapons because states may prohibit civilian possession military-grade firearms and city residents have ample means to exercise their right of self-defense). Nor does the proposed regulation infringe upon other unspecified constitutional rights, such as due process rights, because it is being promulgated in full compliance with the notice-and-comment requirements of the Administrative Procedure Act.</p> <p>b. No change has been made to the regulation in response to this comment because Penal Code section 30520, subdivision (c) gives the Department authority to “adopt those rules and regulations that may be necessary or proper to carry out the purposes and intent of this chapter,” which refers to Part 6, Title 4, Division 10, Chapter 2 of the Penal Code, entitled “Assault Weapons and .50 BMG Rifles.” This chapter contains the statutory provisions restricting the possession, sale, and use of assault weapons, and Penal Code section 30515 falls within this chapter.</p>

#	Summarized Comment	DOJ Response
4.	<p>a. There should be fewer regulations not more, and the government should work on enforcing current laws, not creating new ones. Prosecute the offenders.</p> <p>b. Government works for the people, not against them. Government should be focusing on preventing mass shootings rather than creating regulations.</p> <p>c. More regulations result in making the public less safe. If the intent is to prevent gun violence, then introduce regulations focused on education and common sense gun safety.</p> <p>d. We need stricter penalties on criminals.</p> <p>e. The regulations are confusing, complicated and complex. You should not need an attorney to understand the laws.</p>	<p>No change has been made in response to these comments because these are generalized comments in opposition to the regulation. The Department is adopting the regulation for the reasons stated in the initial statement of reasons.</p>
5.	<p>a. The writers of the regulations have a lack of knowledge about the subject matter and do not know what they are talking about.</p> <p>b. These regulations have come into being because government employees are trying to make work to justify their employment.</p> <p>c. The regulations lack scope and do not make a fair assessment of the impact. The regulations are unnecessary and overbearing.</p>	<p>No change has been made in response to these comments because these are generalized comments in opposition to the regulation. The Department is adopting the regulation for the reasons stated in the initial statement of reasons.</p>

#	Summarized Comment	DOJ Response
6.	<p>a. General comments regarding “assault weapons” and how they are defined.</p> <p>b. What is an assault weapon?</p> <p>c. What is categorized as an assault weapon? Any item that exists can be used as an assault weapon.</p> <p>d. “Assault weapon” is an ambiguous term.</p> <p>e. An assault weapon is fully automatic, but its definition should not include a semiautomatic firearm.</p> <p>f. Redefining “assault weapon” will not promote increased safety for Americans.</p> <p>g. There is no such thing as an assault weapon. There is no such thing as an assault weapon in military inventory.</p> <p>h. You should not ban assault weapons based on looks.</p>	<p>No change has been made in response to these comments because the Department determines that these comments object to the underlying statute rather than to the way the agency proposes to interpret it.</p>
7.	<p>a. General opposition and dissatisfaction towards DOJ because commenters believe laws are being passed without the approval of the public or proper democratic procedures.</p> <p>b. DOJ is making up their own laws/rules.</p> <p>c. The regs illegally overextend the allowable scope such as the inclusion of shotguns and post registration modifications are not in the new statute.</p> <p>d. DOJ is being disingenuous.</p>	<p>No change has been made in response to these comments. The underlying assault weapon laws were passed by the Legislature. These regulations are being proposed pursuant to the California Administrative Procedure Act (APA), which requires a public notice and comment procedure. The Department issued the Notice of Proposed Rulemaking for the regulations on November 22, 2017. In accordance with the APA, a 47-day public comment period ran from this date through January 8, 2018, when the Department also held an in-person public hearing.</p>

#	Summarized Comment	DOJ Response
8.	DOJ has used incorrect terminology. The correct terminology is Armalite Rifle. The AR Rifle was developed as a platform for the M-16. Our government wanted it to be a put together gun and a take down gun, and light.	No change has been made to the regulation because the definitions reference AR-15, a firearm style commonly-known among gun owners.
9.	<p>a. Small businesses will be affected by the Assault Weapon Definition regulations because the regulations target firearms manufacturers, gun dealers, re-sellers, target ranges, etc.</p> <p>b. Other states that do not ban the use of these rifles will have an unfair commercial advantage.</p>	No change has been made in response to these comments because the Department determines that these comments object to the underlying statute rather than to the way the agency proposes to interpret it.
10.	<p>a. Are civilian made assault weapons called assault weapons because they look and shoot like military weapons?</p> <p>b. Civilian made assault weapons should not be called assault weapons because they are nothing like military weapons. Civilian made assault weapons are distinguishable from military weapons because they fire only one round per trigger pull and a military weapon can fire in automatic and three rounds per trigger pull.</p>	No change has been made in response to this comment because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.
11.	We were assured over 2 years ago that if we purchased AR-15 rifles by January 2017 the bullet-button would be fine now. Any AR-15 rifles bought before 1/1/2017 should be excluded at least or the whole assault weapon laws should be banned.	No change has been made in response to this comment because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.
12.	Suggests that California DOJ look at the definition of “Assault Weapons” provided by Federal law and rather than developing its own. DOJ should just use the federal regulations or ATF rules.	No change has been made in response to this comment because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.
13.	Regulations were released last minute and thrown together sloppily. DOJ waited until right before a holiday to release regulations and that is not right.	No change has been made in response to this comment. In accordance with the APA, the Department issued the Notice of Proposed Rulemaking for the regulations on November 22, 2017, and held a 47-day public comment period from this date through January 8, 2018, when the Department also held an in-person public hearing.

#	Summarized Comment	DOJ Response
14.	The frame of an AR-15 should be considered disassembled when the rear pin is released to “top load” or when you remove a magazine where the top of the frame limits movement of the magazine release.	No change has been made in response to this comment. Disassembling an AR-15 style firearm requires removing the rear takedown pin in such a way until the upper receiver is disconnected from the lower receiver.
15.	<p>a. Why can[’t] citizens who register an “assault weapon” as such remove the bullet-button entirely? This would reduce confusion for law enforcement and the general public.</p> <p>b. Any standard configuration rifle without a bullet-button must be an “assault weapon” legal or “otherwise” and any ‘featureless’ rifle is not an “assault weapon.”</p>	<p>a. This comment is irrelevant, thus it does not require the Department to provide a response.</p> <p>b. No change has been made in response to this comment. Not every standard configuration rifle without a bullet-button is an assault weapon. Standard configuration bolt-action, lever action, single-shot, and pump-action rifles, for example, are not assault weapons.</p>
16.	<p>a. The solution is not to ban assault weapons, but to make it harder to purchase your first firearm.</p> <p>b. There should be mental health checks along with the background check.</p>	No change has been made in response to this comment because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.
17.	Do these new assault weapon definition regulations change the registration process?	No change has been made to the regulation in response to this comment. The definitions to be adopted through the proposed regulation do not change the process or requirements for registration of bullet-button assault weapons, which was the most recent assault weapon registration process.
18.	Help me in identify if a product meets the criteria of "Pistol grip that protrudes conspicuously beneath the action of the weapon" as defined by the California Code of Regulations (Section 5471 of CCR title 11, division 5). The product is called a "receiver spur grip." Many claim that it does not meet the definition of "Pistol grip that protrudes conspicuously beneath the action of the weapon" but I'm not too confident in that assessment.	Comment noted. The Department is not authorized to issue opinions on the legality of a specific product. Although the purpose of the regulation is to promote a clear understanding of Penal Code section 30515 for identifying assault weapons, not every invention can be addressed in them. For legal advice or interpretation, the Department suggests that individuals seek the advice of a knowledgeable attorney. No change has been made in response to this comment because the comment did not propose any changes.
19.	Adding a muzzle break to my firearm changes the pressure and makes it not shoot correctly. The muzzle break creates cycling problems and renders my gun defective.	No change has been made in response to this comment because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.

#	Summarized Comment	DOJ Response
20.	<p>a. These regulations add a financial burden to the state.</p> <p>b. Where is the money coming from to enforce these regulations?</p> <p>c. Is funding being taken away from other important areas?</p> <p>d. Money is being wasted on these. Implementation will be costly and ineffective.</p> <p>e. The resulting lawsuits will also be costly and were not considered as a financial impact.</p> <p>f. These are a waste of taxpayers' money.</p> <p>g. The cost to gun owners who have to modify and register is burdensome.</p>	<p>No change has been made in response to this comment because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.</p>
23.	<p>DOJ should talk to gun owners to develop laws that would work.</p>	<p>No change has been made in response to these comments because these are generalized comments in opposition to the regulation. The Department is adopting the regulation for the reasons stated in the initial statement of reasons.</p>
24.	<p>a. The term “assault” is an action, a noun. Rifles cannot assault because they are an inanimate object. We cannot blame inanimate objects for the actions of evil people.</p> <p>b. In criminal and civil law, an assault is an attempt to initiate harmful or offensive contact with a person, or a threat to do so.</p>	<p>No change has been made in response to this comment because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.</p>
25.	<p>There is no written language that demonstrates the difference between the current assault rifle ban and the use of any other semi-automatic rifle. The function is the same, so there is no need for these regulations.</p>	<p>No change has been made in response to this comment because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.</p>

#	Summarized Comment	DOJ Response
26.	The regulations are an overreach of power by the state government.	No change has been made in response to these comments because these are generalized comments in opposition to the regulation. The Department is adopting the regulation for the reasons stated in the initial statement of reasons.
28.	Instead of these regulations, there should be a database of all criminals that prevents them from the purchase of a firearm.	No change has been made in response to this comment because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.

#	Summarized Comment	DOJ Response
29.	<p>a. Why is the DOJ having a hearing on the rule making now when this was supposed to go into effect on January 1?</p> <p>b. Why was the process pushed back?</p> <p>c. When is the expected rulemaking process supposed to conclude and the law to take effect?</p> <p>d. How many weapons have been registered under the law in the past year?</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. The comment assumes that the public hearing for the proposed regulation is related to the revisions to the Assault Weapons Control Act that took effect on January 1, 2017 (through Assembly Bill 1135 and Senate Bill 880, Statutes of 2016), which defined certain bullet-button weapons as prohibited assault weapons, and established a registration procedure for bullet-button weapons that were previously lawfully possessed. However, this is incorrect. The proposed regulation is not limited to the legislative amendments that took effect on January 1, 2017. The proposed regulation would adopt definitions that apply to the identification of prohibited assault weapons, for all purposes across the entire assault weapons law. The Department held a public hearing on the proposed regulation in accordance with the public notice and comment requirements of the Administrative Procedure Act (APA). The Department issued the Notice of Proposed Rulemaking for the regulations on November 22, 2017. In accordance with the APA, a 47-day public comment period ran from this date through January 8, 2018, when the Department also held an in-person public hearing.</p> <p>b. As set forth above, the hearing for the proposed regulation was not delayed, because the proposed regulation is not specifically directed at the implementation of the legislative amendments that took effect on January 1, 2017. Rather, the proposed regulation would adopt definitions that apply to the identification of prohibited assault weapons, for all purposes across the entire assault weapons law.</p> <p>c. The rulemaking process will conclude November 21, 2018. The regulations could become operative as early as January 1, 2019.</p> <p>d. This comment pertains to the registration of bullet-button assault weapons, and the limitations imposed by that registration process, not the definitions of terms related to the identification of an assault weapon that are the subject of this rulemaking.</p>

#	Summarized Comment	DOJ Response
30.	DOJ should compromise. Have a simple “exempt category” that encompasses the law-abiding and those who previously, legally purchased the firearm; incorporate a single category of “assault weapons;” or get rid of the “bullet-button category” (allow weapons to be returned to normal functioning condition and remove the bullet-button, if they register the weapon as an assault weapon.)	No change has been made in response to this comment because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.
31.	<p>a. Features such as a pistol grip, collapsible stock, and forward vertical do not make the rifle more dangerous or unsafe; it is simply comfort for the operator.</p> <p>b. Features don’t turn a semiautomatic into an assault weapon.</p> <p>c. Ammunition for assault weapons differ in appearance, not how lethal they are.</p> <p>d. Semiautomatic firearms are not more powerful than other firearms they are less powerful.</p> <p>e. The term assault rifle should not be used to describe a semiautomatic weapon.</p>	No change has been made in response to this comment because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.

#	Summarized Comment	DOJ Response
33.	It is difficult to remain in compliance with the law and still have a rifle that fits an individual and is suitable for their lawful intended purpose of taking part in instruction and matches.	No change has been made in response to these comments because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it. The Legislature has taken into account the special needs of certain competitive shooters. Penal Code section 30515, subdivision (c) provides: “The Legislature finds a significant public purpose in exempting from the definition of ‘assault weapon’ pistols that are designed expressly for use in Olympic target shooting events. Therefore, those pistols that are sanctioned by the International Olympic Committee and by USA Shooting, the national governing body for international shooting competition in the United States, and that were used for Olympic target shooting purposes as of January 1, 2001, and that would otherwise fall within the definition of ‘assault weapon’ pursuant to this section are exempt, as provided in subdivision (d).” At this time, the Legislature has not given a broad exemption to “competition” rifles.
37.	If a person has a hunting license, their assault weapon should be classified as a hunting rifle, not an assault weapon.	No change has been made in response to this comment because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.
38.	These regulations make it unsafe to handle the weapon when it is jammed or when firing. It is easier to handle safely with the features that lawmakers classify as being assault weapon features. Modifications that comply with the regulations decrease accuracy and increase potential harm.	No change has been made in response to this comment because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.
39.	To simply change the definition of “Assault Weapon” each and every time you wish to oppress the people is a violation of USC title 18, section 241 and 242, and title 42, section 1983. It is further a violation of the US Constitution Article 1, Section 8, clause 2.	No change has been made in response to this comment because it a generalized comment in opposition to the regulation. The Department is adopting the regulation for the reasons stated in the initial statement of reasons.

#	Summarized Comment	DOJ Response
40.	<p>a. These regulations attempt to disarm citizens.</p> <p>b. How do these regulations make California safer?</p> <p>c. You are trying to take guns away from every law-abiding citizen in California.</p>	<p>No change has been made in response to these comments because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.</p>
41.	<p>a. You swore an oath to uphold our Constitution. These regulations fail such an oath as follows: Unconstitutional Official Acts, 16 Am Jur 2d, Sec 177 late 2d, Sec 256.</p> <p>b. DOJ is violating the oath it swore to uphold.</p> <p>c. See also District of Columbia v. Heller (2008).</p>	<p>No change has been made in response to this comment because it a generalized comment in opposition to the regulation. The Department is adopting the regulation for the reasons stated in the initial statement of reasons.</p>
42.	<p>As an AR-15 owner I would ask that you do not limit the safety in function but I do not know if that is possible with the laws on magazine releases.</p>	<p>No change has been made in response to these comments because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.</p>
45.	<p>The language that an AR-15 without a magazine-catch constitutes a detachable magazine means firearms owners cannot legally repair or replace any parts of the magazine-catch assemble without breaking the law.</p>	<p>No change has been made to the regulation. This comment appears to suggest that an AR-15 <i>with</i> a magazine-catch would somehow become an illegal firearm during periods of repair. The definition of “Detachable magazine” in section 5471, subdivision (m) concerns the design of the system, not its state during periods of repair.</p>
46.	<p>a. Why are pistol grips, extending/collapsible stocks, and other cosmetic features used to determine whether a gun is an assault weapon?</p> <p>b. Why can I walk into a gun store and buy a stock Mini-14 and not an unmodified AR-15, even though they are mechanically identical in performance?</p>	<p>No change has been made in response to this comment because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.</p>

#	Summarized Comment	DOJ Response
47.	The AR-15 is a semiautomatic rifle. The DOJ's position is a fashion statement. A firearm is no more than its basic function and demanding it to look a certain way will not accomplish any public safety.	No change has been made in response to this comment because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.
49.	There has been no program or attempt to inform the public about the need to register their weapons or what criteria makes their firearms AWs in the eyes of the State. It's morally corrupt to allow these regulations to go into effect without communicating with the affected Californians.	<p>No change has been made to the regulation in response to this comment. This comment pertains to the registration of bullet-button assault weapons, and the limitations imposed by that registration process, not the definitions of terms related to the identification of an assault weapon that are the subject of this rulemaking.</p> <p>To the extent this comment refers to circumstances beyond the registration of bullet-button assault weapons, although the Department has previously received funding from the Legislature for public outreach efforts relating to past assault weapon registration periods, the Legislature did not provide such funding for the bullet-button assault weapon registration period. However, as part of the public notice and comment procedure required under the Administrative Procedure Act, the Department is responding to questions from the public regarding the proposed regulation, prior to the adoption of the proposed regulation. In addition, there are many resources for the public on the Department's website, and the website also lists phone numbers and email addresses that can be used to contact the Department with questions. Furthermore, the Department first listed information regarding this registration period on the Bureau of Firearms' public website on December 12, 2016. Then on October 5, 2017, bullet-button assault weapon registration packages were mailed to every Sheriff's Office, Police Department, California Firearm Dealer, Gun Show Promoter, and Gun Range in California. The package consisted of a letter asking for their help in notifying California gun owners of the new law, bulletin regarding the new law, and full size poster to be displayed in their agency/store/range/gun show. Additional public outreach efforts were made, including a news alert on June 18, 2018 reminding citizens they only had two weeks left to register.</p>

#	Summarized Comment	DOJ Response
50.	These regulations seek to expand the definition of assault weapons and components so that an entire class of firearms becomes illegal.	No change has been made in response to this comment because it a generalized comment in opposition to the regulation. The Department is adopting the regulation for the reasons stated in the initial statement of reasons.
51.	<p>a. The Economic Impact Statement makes an invalid comparison to the 1994 “Public Safety and Recreational Firearms Use Protection Act” by asserting that any impact caused by new regulations would be insignificant because past regulations had such a large impact.</p> <p>b. It is also not true that there will be no economic impact introduced with these regulations.</p>	<p>No change has been made in response to these comments. The regulation does not change the requirements of the statute. Although the definitions in the regulation will assist in interpretation of the statute, it is the statute that lists the features that may qualify a firearm as an assault weapon. Restrictions on assault weapons as defined by Penal Code section 30515 have been in place for almost twenty years. Any impacts on jobs or businesses within California resulting from these statutory restrictions have already occurred.</p>

#	Summarized Comment	DOJ Response
52.	<p>a. DOJ has created bad faith by previously attempting to apply the definitions to the entire assault weapon control act without public comment, were denied, and are now trying to force them through again using the proper channels.</p> <p>b. The DOJ is trying to save face and rescue its regulatory scheme by taking advantage the formal APA process, midstream, to issue public proclamations in support of its case that the regulatory scheme is valid as stands.</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. The section 5471 definitions currently apply only to the registration of bullet-button assault weapons. The proposed regulation will adopt these definitions for purposes beyond registration if, and only if, the Department completes the Administrative Procedure Act (APA) rulemaking process for the proposed regulation, and the Office of Administrative Law approves the proposed regulation. Because the proposed regulation would incorporate the section 5471 definitions for the purposes specified in the proposed regulation, those definitions are within the scope of the current notice-and-comment process.</p> <p>In accordance with the APA the Department issued the Notice of Proposed Rulemaking for the regulations on November 22, 2017, and held a 47-day public comment period from this date through January 8, 2018, when the Department also held an in-person public hearing. The public comment period and the public hearing allow the Department to communicate with firearm owners to help ensure that the regulations that ultimately are adopted have given due consideration to their concerns.</p> <p>b. As required by the APA, the Department described the proposed regulation and the reasons supporting it in its Notice of Proposed Rulemaking and Initial Statement of Reasons. The Department has also provided an Addendum to the Initial Statement of Reasons and an additional 15-day comment period. These documents allow interested parties to submit comments to the Department, which the Department is required to respond to, under the APA.</p>
53.	<p>Prohibiting the availability of firearms which provide better grip, weight, and caliber options for those who are smaller, disabled and elderly is discriminatory.</p>	<p>No change has been made in response to this comment because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.</p>

#	Summarized Comment	DOJ Response
54.	<p>a. The regulation that prevents me from using the pistol grip and modifying it with a “fin” causes safety issues.</p> <ol style="list-style-type: none"> 1. The “fin” makes the gripping of the rifle considerably less stable and less accurate thus preventing a safe grip and control of the firearm 2. Standard configuration has the safety on the left side of the rifle operated with your thumb as it rests on the pistol grip. The fin blocks access to the safety and does not allow me to actively engage or disengage the safety. I have to re-grip the firearm to an unnatural position, reach over the chamber, release the safety, move my hand back over the chamber, and then re-grip the firearm careful not to hit the trigger as I maneuver around the fin to find a comfortable grip. This is very unsafe to the people on the range and the shooter. 	<p>No change has been made in response to this comment because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.</p>

#	Summarized Comment	DOJ Response
55.	<p>To classify AR rifles as assault weapons, and to then prohibit their ownership, presumes the prefatory clause of the 2nd Amendment – <i>a well-regulated militia</i> – creates a collective right to be exercised only within the context to maintaining a militia, and thus opens regulation of the sort the DOJ is proposing. The court rejected this interpretation. Justice Scalia explained thusly: “The 2nd Amendment’s prefatory clause announces the purpose for which the right was codified: to prevent elimination of the militia. The prefatory clause does not suggest that preserving the militia was the only reason Americans valued this ancient right; most undoubtedly thought it even more important for self-defense and hunting. But the threat that the new Federal Government would destroy the citizens’ militia by taking away their arms was the reason that right – unlike some other English rights – was codified in a written Constitution.” To believe the 2nd Amendment is a collective right, is to believe the authors of the Bill of Rights employed individualistic language in order to protect a people’s right to take part in militia organizations over which the national government enjoys plenary power.</p>	<p>No change has been made in response to this comment because it is a generalized comment in opposition to the underlying statute. The Department is adopting the regulation for the reasons stated in the initial statement of reasons.</p>
56.	<p>Government does not have the right to legislate and make laws concerning how citizens are to defend themselves. Government has the right, however, to make sure citizens can defend themselves.</p>	<p>No change has been made in response to this comment because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.</p>
59.	<p>Are these new regulations really going to stop any crime or assist society in being a better place?</p>	<p>No change has been made in response to this comment because it is a generalized comment in opposition to the underlying statute. The Department is adopting the regulation for the reasons stated in the initial statement of reasons.</p>
61.	<p>Proposed 11 CCR section 5460 is redundant and is a conveniently timed effort to publicly defend the prior actions in promulgating the regulatory scheme currently being challenged as illegal.</p>	<p>No change has been made in response to these comments because they are generalized comments in opposition to the regulation. The Department is adopting the regulation for the reasons stated in the initial statement of reasons.</p>

#	Summarized Comment	DOJ Response
62.	<p>My comment is that these regulations are “void for vagueness” because I am forced to guess at how they may be applied because I cannot meet this requirement for a valid cause. You may negate this assertion by providing me with your agency’s guidance. The regulation is unconstitutionally vague.</p>	<p>No change has been made to the regulation in response to this comment. It is not clear what “this requirement for valid cause” refers to, as the definitions to be adopted by the proposed regulation do not contain a “valid cause” requirement. To the extent the comment contends that the proposed regulation is impermissibly vague, the definitions to be adopted by the proposed regulation are for terms that appear in PC section 30515, or for terms that appear in the definitions themselves.</p> <p>The proposed regulation complies with the APA’s clarity standard because the definitions provide specific, concrete guidance to firearms owners and law enforcement officials. Many of the definitions provide specific examples of items that do or do not fall within the definition, and all of the definitions were developed in consultation with numerous sources often relied upon by firearms enthusiasts (as described in the Initial Statement of Reasons and the Addendum to the Initial Statement of Reasons), such as the federal Bureau of Alcohol, Tobacco, Firearms and Explosives, and the National Rifle Association. The definitions were also based on questions and issues that the Department has frequently addressed over the almost thirty years that it has administered the assault weapons law.</p>
64.	<p>d. The proposed regulations should not require a degradation of the firearm’s functionality as was designed by the manufacturer for stability and as legally imported into California. Do these regulations require that its functionality be degraded?</p>	<p>d. No change has been made in response to this comment because the Department determines that this comment objects to the underlying statute rather than to the way the Department proposes to interpret it.</p>

#	Summarized Comment	DOJ Response
65.	<p>a. The rifle now probably configured as a rim fire is also my hunting rifle when reconfigured as a centerfire .458. Do these regulations require that I must purchase another rifle for hunting?</p> <p>b. If required to acquire a replacement hunting rifle will California compensate me?</p> <p>c. If required by these regulations to purchase a new gun safe because an adjustable stock is prohibited, will California compensate me?</p> <p>d. When configured as a .458 rifle I cannot use it as my hunting rifle because these regulations may or may not prohibit the magazine that holds nine rounds. The magazine that was designed by the manufacturer can hold either 30 rounds of .556 or 9 rounds of .458.</p> <p>e. Because I am a retired law enforcement officer I may possess a “large capacity” magazine. Under these regulations, must I guess if I may also import one? The manufacturer legally shipped to me in California but refused to also ship the nine round magazine. Under these proposed regulations how may I import the magazine needed to fire this hunting rifle?</p>	<p>No changes were made in response to these comments.</p> <p>a. The Department is not authorized to issue opinions on the legality of a specific product. Although these regulations are designed to promote a clear understanding of PC section 30515 for all purposes under the assault weapons statute, not every single invention can be addressed in them. The Department suggests that individuals seek the advice of a knowledgeable attorney with respect to questions on specific products.</p> <p>b. The Department will not compensate firearm owners for the purchase of a new hunting rifle.</p> <p>c. The Department will not compensate firearm owners for the purchase of a new gun safe.</p> <p>d. The Department is not authorized to issue opinions on the legality of a specific product. Although these regulations are designed to promote a clear understanding of PC section 30515 for all purposes under the assault weapons statute, not every single invention can be addressed in them. The Department suggests that individuals seek the advice of a knowledgeable attorney with respect to questions on specific products.</p> <p>e. This comment pertains to the possession and purchase of large-capacity magazines and the limitations imposed on that activity. The regulation address the definitions of terms related to the identification of an assault weapon (Penal Code section 30515). The regulation does not address importation of magazines. Please seek a qualified attorney to answer your concerns.</p>

#	Summarized Comment	DOJ Response
66.	I legally acquired a stripped lower planning to eventually build a dedicated hunting rifle. Do these regulations in any way limit my plan to later complete this project?	No changes were made in response to this comment. The Department is not authorized to issue opinions on the legality of a specific product. Although these regulations are designed to promote a clear understanding of PC section 30515 for all purposes under the assault weapons statute, not every single invention can be addressed in them. The Department suggests that individuals seek the advice of a knowledgeable attorney with respect to questions on specific products. The manufacture of firearms by an unlicensed subject must comply with various statutory and regulatory requirements, in addition to any requirements relating to the definitions of terms for the identification of an assault weapon that are the subject of this rulemaking.
67.	I may carry a rifle under the federal Law Enforcement Safety Officer Act. If registered under this federal statute do these regulations apply? Does California have the authority and jurisdiction to regulate a rifle registered under the Law Enforcement Safety Officer Act? If so, where?	Comment noted. Yes, if adopted, the regulation will apply to concealed rifles permitted under the federal Law Enforcement Safety Act. No change was made to the regulation in response to the comment because the comment did not propose any changes.

#	Summarized Comment	DOJ Response
69.	<p>a. Where is your authority to reduce the function of my rifle, to destabilize it, or to prohibit that I complete building my rifle project?</p> <p>b. Where is your authority to prohibit the importation of a 9 round magazine for my hunting rifle, a magazine that I may legally own? Why may I own this but may not import one?</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. PC section 30520, subdivision (c) gives the Department authority to “adopt those rules and regulations that may be necessary or proper to carry out the purposes and intent of this chapter,” which refers to Part 6, Title 4, Division 10, Chapter 2 of the PC, entitled “Assault Weapons and .50 BMG Rifles.” This chapter contains the statutory provisions restricting the possession, sale, and use of assault weapons, and PC section 30515 falls within Chapter 2. The Department is authorized to administer the assault weapons law through implementing regulations, which includes the power to define statutory terms that are otherwise undefined. In promulgating such regulations, the Department may specify whether a particular weapon, or a particular configuration of a weapon, falls within the categories of assault weapons established by the Legislature.</p> <p>The Department is not authorized to issue opinions on the legality of a specific product. Although these regulations are designed to promote a clear understanding of PC section 30515 for all purposes under the assault weapons statute, not every single invention can be addressed in them. The Department suggests that individuals seek the advice of a knowledgeable attorney with respect to questions on specific products.</p> <p>b. This comment pertains to the purchase of ammunition and the limitations imposed on that activity, not the definitions of terms related to the identification of an assault weapon that are the subject of this rulemaking.</p>

#	Summarized Comment	DOJ Response
70.	<p>“Proposed section 5460 seeks to apply all forty-four definitions from 11 CCR section 5471 to Penal Code section 30515... these forty-four definitions were never previously adopted in compliance with the APA for such broad law enforcement purposes. Therefore, proposed section 5460,...is a blatant effort to bypass the APA and extend the reach and effect of definitions previously submitted under an APA exemption. Because many of the definitions in section 5471 do not qualify for the APA exemption under Penal Code section 30900(b)(5), improperly expand or curtail statutes, or violate the APA standards for review under Government Code section 11349.1(a) (because they have never been scrutinized under these standards), they cannot be applied to Penal Code section 30515 by way of proposed section 5460.”</p>	<p>No change has been made to the regulation in response to this comment. The proposed regulation demonstrates that the Department used its statutory Administrative Procedure Act (APA) exemption where authorized, and otherwise complies with the APA in conducting rulemaking. The section 5471 definitions, which were promulgated pursuant to the statutory APA exemption for registration-related regulations (PC section 30900(b)(5)), currently apply only to the registration of bullet-button assault weapons. These definitions will extend to purposes beyond registration if, and only if, the Department completes the APA rulemaking process for the proposed regulation, and the Office of Administrative Law approves the proposed regulation. Because the proposed regulation would incorporate the section 5471 definitions for the purposes specified in the proposed regulation, those definitions are within the scope of the current notice-and-comment process. As part of its obligation to accept, consider, and respond to public comments for this proposed regulation, the Department has received, and is considering and responding to, comments regarding the section 5471 definitions.</p>

71.	<p>a. “Neither Penal Code section 30520(c), nor any other statute, gives DOJ the authority to apply 11 CCR section 5471(a) to Penal Code section 30515, as stated in proposed section 5460, because that application would alter section 30515 in a way that contradicts the purpose and the intent of the Legislature.” Section 5471(a) states that “[a]bility to accept a detachable magazine” means with respect to a semiautomatic shotgun, it does not have a fixed magazine.’ Applying this definition to Penal Code section 30515(a)(7)-which currently reads ‘[a] semiautomatic shotgun that has the ability to accept a detachable magazine’-would result in the phrase ‘a semiautomatic shotgun that does not have a fixed magazine.’ Consequently, ‘a semiautomatic shotgun that does not have a fixed magazine’ would now be considered an ‘assault weapon,’ whereas it wasn’t previously, if DOJ were allowed to implement proposed section 5460. In other words, DOJ is attempting to singlehandedly shoehorn semiautomatic shotguns with ‘bullet buttons’ into the definition of ‘assault weapons.’ Clearly, this is against the Legislature’s intent and a usurpation of legislative power. AB 1135 and SB 880 only changed the definitions of ‘assault weapon’ for certain rifles and pistols in Penal Code section 30515, based on their magazine function, in order to close the ‘bullet-button’ loophole for <i>rifles</i> and <i>pistols</i>. Nothing in the Code changed for shotguns, including for ‘[a] semiautomatic shotgun that has the ability to accept a detachable magazine.’”</p>	<p>No change has been made to the regulation in response to this comment.</p> <p>Bullet-button shotguns fall within the statutory definition of an assault weapon. PC 30515(a)(7) defines as an assault weapon, “A semiautomatic shotgun that has the ability to accept a detachable magazine.” This encompasses shotguns equipped with a bullet-button. A bullet-button shotgun has the “ability to accept a detachable magazine” because the bullet-button allows the magazine to be easily removed without disassembling key components of the weapon. The registration regulation defining “ability to accept a detachable magazine” to mean, “with respect to a semiautomatic shotgun, it does not have a fixed magazine” (section 5471 (a)), makes this explicit, and the proposed regulation would adopt this definition for all purposes under the assault weapons law.</p> <p>This regulatory definition is also consistent with the plain language of the statutory requirement to register bullet-button assault weapons, which provides:</p> <p style="padding-left: 40px;">Any person who, from January 1, 2001, to December 31, 2016, inclusive, lawfully possessed an assault weapon that does not have a fixed magazine, as defined in Section 30515, <i>including those weapons</i> with an ammunition feeding device that can be readily removed from the firearm with the use of a tool, shall register the firearm before July 1, 2018[.]</p> <p>(PC section 30900(b)(1), emphasis added.) Thus, the weapons required to be registered are not limited to assault weapons as specifically defined by statute, but in addition “includ[e] those weapons with an ammunition feeding device that can be readily removed from the firearm with the use of a tool,” that is, “weapons” with a bullet-button. As commonly understood and as used in the assault weapons law, the term “weapons” encompasses shotguns. The phrase “including those weapons” indicates that the registration requirement applies to weapons equipped with a bullet-button, including bullet-button shotguns. (See <i>Ornelas v. Randolph</i> (1993) 4 Cal.4th 1095, 1101 [the word “includes” is ordinarily a term of enlargement]; see also <i>People v. Arnold</i> (2006) 145 Cal.App.4th 1408, 1413-1414 [interpreting the phrase “the term ‘firearm’ includes the frame or receiver of the weapon” to mean that a “frame or receiver” is sufficient to constitute a firearm,</p>
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regardless of whether a “frame or receiver” would satisfy the definition of “firearm” provided in another statutory provision].)

The assault weapons law must be interpreted to “giv[e] significance to every word, phrase, sentence, and part of an act in pursuance of the legislative purpose.” (*Sierra Club v. Superior Court* (2013) 57 Cal.4th 157, 166, citation omitted.) Bullet-button shotguns are “weapons with an ammunition feeding device that can be readily removed from the firearm with the use of a tool,” and were thus required to be registered. (PC section 30900(b)(1).) Because bullet-button shotguns fall within the plain language of the registration requirement, there is no conflict between the assault weapons law and the regulation defining such weapons as prohibited assault weapons. Indeed, the statutory requirement to register such weapons supports a finding that such weapons are prohibited assault weapons.

This comment assumes that prior to the recent amendments to the assault weapons law, the Legislature affirmatively excluded bullet-button shotguns from the definition of assault weapon in PC section 30515(a)(7), and that the Legislature’s failure to amend the definition of assault weapon to affirmatively include bullet-button shotguns reflects an intent to continue to exclude these weapons from the definition. However, bullet-button weapons were deemed to fall outside the definition of “assault weapon” because under the *regulatory* definition of “detachable magazine” promulgated by DOJ in 2000, bullet-button weapons were deemed to lack the ability or capacity to accept a “detachable magazine,” as described in various subdivisions of former PC 30515. The regulation promulgated in 2000 defined a “detachable magazine” as “any ammunition feeding device that can be removed readily from the firearm with neither disassembly of the firearm action *nor use of a tool* being required.” (Former section 5469(a) (2016), emphasis added.) The regulation also specified that “[a] bullet or ammunition cartridge is considered a tool.” (*Ibid.*) Bullet-button weapons entered the market in California in response to this regulation. The Legislature itself never defined the term “detachable magazine” in statute or in any way excluded bullet-button shotguns from the definition of an assault weapon.

The definition specifying that bullet-button shotguns are a type of prohibited assault weapon is thus consistent with the plain language of both the statutory definition of assault weapons and the statutory registration requirement. In addition, the Department has determined that application of

#	Summarized Comment	DOJ Response
		<p>section 5471(a) to the identification of assault weapons pursuant to PC section 30515(a)(7) will support the administration of the assault weapons law in a manner that is most consistent with the Legislature’s intent. The Department is authorized to administer the assault weapons law through implementing regulations, which includes the power to define statutory terms that are otherwise undefined. In promulgating such regulations, the Department may specify whether a particular weapon falls within the categories of assault weapons established by the Legislature. Having recognized the dangers posed by bullet-buttons on rifles and pistols, the Department believes the Legislature also intended to prohibit bullet-button equipped shotguns.</p>

<p>72.</p>	<p>a. “DOJ fails to meet the necessary standard because its Initial Statement of Reasons (ISOR) fails to describe the need for proposed section 5460, much less demonstrate by “substantial evidence” why proposed section 5460 is needed.</p> <p>b. DOJ needs to show how the currently existing definitions in Penal Code section 30515 itself are insufficient to identify “assault weapons” and, thus, why the definitions from 11 CCR section 5471 are necessary. DOJ currently makes no attempt to do so.</p> <p>c. Further, DOJ’s ISOR fails to demonstrate by “substantial evidence” (i.e., facts, studies, and expert opinions) why or how DOJ needs to expand or clarify the definitions of specific terms like “flash suppressor,” “pistol grip,” “threaded barrels,” “shotguns,” etc. in order to facilitate the so-called identification of “assault weapons.” Significantly, DOJ needs to make a statement of specific purpose of each adoption...</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. The Initial Statement of Reasons describes the anticipated benefits, purpose, and necessity of the proposed regulation, including that the regulation will provide detailed, concrete information regarding firearms that constitute assault weapons; will promote efficiency within the Department; and will provide uniform guidance to the public, the judiciary, district attorney’s offices, and law enforcement agencies throughout California. In addition, the Initial Statement of Reasons Addendum sets forth the sources for each definition to be adopted by the proposed regulation (i.e., all of the definitions in section 5471).</p> <p>b. An administrative agency is not required to demonstrate that pre-existing regulatory definitions are inadequate, in order for the agency to promulgate new or amended regulatory definitions. However, in the past, when there were only five definitions pertaining to assault weapon identification (former 11 Cal.Code. Regs., § 5469) concerns were raised that sufficient guidance on the subject was not provided. This regulation, and the definitions it incorporates, answers that request for more specificity. It will benefit the health and welfare of California residents by providing uniform guidance on assault weapons to the public, the judiciary, district attorney’s offices, and law enforcement, thereby supporting the enforcement of California’s Assault Weapons Control Act.</p> <p>c. The Initial Statement of Reasons must provide “A statement of the specific purpose of each adoption [i.e., regulation], the problem the agency intends to address, and the rationale for the determination by the agency that each adoption... is reasonably necessary to carry out the purpose and address the problem for which it is proposed.” (Gov. Code, § 11346.2(b)(1).)</p> <p>The Department’s Initial Statement of Reasons sets forth the purpose of the regulation, the problem the Department intends to address through the regulation, and the reasons why the regulation is reasonably necessary to carry out the purpose and address the problem. In addition, the Initial Statement of Reasons Addendum sets forth the sources for each definition to</p>
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#	Summarized Comment	DOJ Response
		be adopted by the proposed regulation (i.e., all of the definitions in section 5471).
73.	“The application of 11 CCR. section 5471(d)—which states DOJ’s new definition for “barrel length”—to Penal Code section 30515 is not necessary. A simple reading of Penal Code section 30515 shows that barrel length is irrelevant to the newly-established category of “assault weapons,” and DOJ provides no indication, much less “substantial evidence,” that the general public or law enforcement has been confused in the last few decades when it came to how barrel length is defined.”	No change has been made to the regulation in response to the comment because the key provision in the definition of barrel length is that the measurement is to the furthestmost end of the barrel or permanently attached muzzle device. The purpose of the definition is to make clear that unless a muzzle device is permanently attached, it cannot be used to satisfy the 30-inch requirement.
74.	“The application of 11 CCR section 5471(m)—which reflects DOJ’s statements about magnets left on the “bullet-button”—to Penal Code section 30515 is not necessary...leaving the magnet within the “bullet-button” has nothing to do with the new definition of “assault weapons” without “fixed magazines.”	No change has been made to the regulation in response to this comment because the reference to “magnet” in the definition of “detachable magazine” serves the purpose of providing a non-exclusive list of examples of a detachable magazine.

#	Summarized Comment	DOJ Response
75.	<p>The following definitions are not clear, and fail to provide “a reasonable degree of certainty” as required by the due process provisions of the Fourteenth Amendment to the United States Constitution and Article I, section 7 of the California Constitution:</p> <p>a. The definition of “contained in,” as stated in section 5471(k); the definition is confusing and nonsensical because of the doubling of the concept “cannot be removed without disassembly of the firearm action.”</p> <p>b. The definition of “featureless,” as stated in section 5471(o); it is currently unclear whether this definition mirrors the common public perception of “featureless.”</p> <p>c. The definition of “flash suppressor,” as stated in section 5471(r); DOJ provides no guidance as to what extent the flash suppressor must “perceptibly reduce” muzzle flash; DOJ provides no guidance as to what angle a device must “redirect flash muzzle from the shooter’s field of vision” in order for it to be deemed a “flash suppressor.”</p> <p>d. The definition of “stock, fixed,” as stated in section 5471(mm); it is unclear what type of modification must be made to a folding or telescoping stock for it to be considered “fixed.”</p>	<p>a. No change has been made to the regulation in response to this comment. The definition of “contained in” serves the purpose of providing an example of a fixed magazine.</p> <p>b. No change has been made to the regulation in response to the comment because the definition of “featureless” means not having the features listed in Penal Code section 30515.</p> <p>c. No change has been made to the regulation in response to the comment. If the device reduces or redirects muzzle flash to any perceptible degree, it qualifies as a “flash suppressor.” Also, it is not necessary to specify the angle at which the muzzle flash must be redirected, because all that is required is that muzzle flash be redirected in any perceptible manner for a device to qualify as a “flash suppressor.”</p> <p>d. No change has been made to the regulation in response to the comment because the purpose of the definition is not to provide instructions on how to modify a folding or telescoping stock such that the stock “does not move, fold, or telescope” as set forth in section 5471(mm).</p>

#	Summarized Comment	DOJ Response
76.	Proposed section 5460 provides an incomplete citation to the CCR. DOJ must specifically state in the text of proposed section 5460 that the “section 5471” DOJ is referencing is located in Title 11 of the CCR.	No change has been made to the regulation in response to the comment. The phrase “this chapter” as used in the proposed regulation refers to the chapter in which the regulation will appear: Chapter 39 of Division 5 of Title 11 of the California Code of Regulations. The phrase cannot reasonably be interpreted to refer to any other chapter of the California Code of Regulations, and there is no requirement to provide full references to chapters, divisions, and titles in this instance.
77.	The regulation is so vague it is an underground regulation. The underground regulation needs to be removed. Underground regulations are not enforceable.	No change has been made to the regulation in response to this comment because it is a generalized comment in opposition to the regulations. The Department is adopting the proposed regulation for the reasons stated in the initial statement of reasons in accordance with the APA.
78.	<p>a. California’s leaders are attempting to improperly create new state criminal regulations in lieu of the federal constitutional principles, laws, and regulations in effect on December 31, to create new crimes that have never existed prior.</p> <p>b. California’s leaders have articulated a broad anti-federal agenda with a “resistance” theme. There is a substantial record articulating California’s resistance to federal policies and for the president, Congress, and the federal courts. These proposed regulations are part of the “resistance agenda” that California has declared.</p>	No change has been made to the regulation in response to these comments because they are generalized comments in opposition to the regulation. The Department is adopting the proposed regulation for the reasons stated in the initial statement of reasons.

#	Summarized Comment	DOJ Response
79.	<p>a. California is attempting to create new crimes where it may have the authority and jurisdiction to do so, but without specific disclosure or public review.</p> <p>b. California requires that I modify a rifle purchased in California in 2016 to degrade its stability when used and its accuracy. The manufacturer designed it with a device known as a compensator that makes its use safer. Now I must remove this device or it is a crime. This may be within California's authority and jurisdiction. Politically however, imposing a regulation that degrades public safety without any public benefit is politically unpalatable. Because I have the option to instead register it this may be a legitimate expression of state authority.</p>	<p>No change has been made in response to these comments because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.</p>
80.	<p>California is inadvertently creating new crimes for circumstances and issues because of inadequate review prior to their publication. For example, California has simultaneously both authorized me to possess a high-capacity rifle magazine and also banned this. This must be an example of inadequate preparation that requires correction before the required public review.</p>	<p>No change has been made in response to these comments because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.</p>

#	Summarized Comment	DOJ Response
81.	<p>a. Politics, rather than facts, are determining the laws written.</p> <p>b. Often gun control, while well intentioned, is often driven mostly by irrational fear. It was fear that imposed a 10-day background check when it can all be done in a single day. The law was made to not only allow for more thorough investigations but also slow down the plans of Active Shooters when law-abiding gun owners never planned massacres. It was fear that dangerously limits gun owners to 10 round magazines when they have had no intentions to use it on innocents. It was fear that further endangers the gun owner by enforcing detrimental bullet-buttons and magazine safeties Now gun owners are limited in how much ammunition they can purchase and must show IDs when purchasing them. And this is the same fear that refuses to acknowledge the true and honest difference between semiautomatic only rifles and select-fire rifles because of how it looks.</p>	<p>No change has been made in response to these comments because the Department determines that these comment object to the underlying statute rather than to the way the agency proposes to interpret it.</p>
82.	<p>The text of this regulation that the DOJ portrays as “necessary” to the proper enforcement of the assault weapons law – The definitions of section 5471 of this chapter shall apply to the identification of assault weapons pursuant to Penal Code section 30515 – is redundant given the effect of the existing regulatory scheme under the AWCA.</p>	<p>No change has been made to the regulation in response to this comment. The proposed regulation is not redundant. The proposed regulation will apply the definitions in section 5471 to the identification of assault weapons pursuant to Penal Code section 30515, without limitation to context of the registration process for bullet-button assault weapons.</p>
83.	<p>By the very terms of 11 CCR section 5459, the definitions in section 5471 already have the effect of “apply[ing] to the identification of assault weapons pursuant to Penal Code section 30515, without limitation to [the] context of the new registration process” – which is the purported purpose behind the DOJ’s proposal to adopt 11 CCR section 5460 as a new regulation. Since section 5459 applies to section 5470, DOJ cannot also apply section 5460 to section 5471.</p>	<p>No change has been made to the regulation in response to this comment. Currently, the definitions in section 5471 apply only “[f]or purposes of Penal Code section 30900 and Articles 2 and 3 of this Chapter,” i.e., only for purposes of the registration of bullet-button assault weapons. This specific limitation overrides the general reference in section 5459 to Penal Code section 30515.” The purpose of the proposed regulation is to specifically apply the section 5471 definitions “to the identification of assault weapons pursuant to Penal Code section 30515.”</p>

#	Summarized Comment	DOJ Response
84.	All the DOJ is authorized to do is issue regulations for the specific, limited purpose of establishing an Internet-based electronic registration system that collects identifying information about the firearms and their owners in exchange for a small fee.	No change has been made to the regulation in response to the comment. Penal Code section 30520, subdivision (c) gives the Department authority to “adopt those rules and regulations that may be necessary or proper to carry out the purposes and intent of this chapter,” which refers to Part 6, Title 4, Division 10, Chapter 2 of the Penal Code, entitled “Assault Weapons and .50 BMG Rifles.” This chapter contains the statutory provisions restricting the possession, sale, and use of assault weapons, and Penal Code section 30515 falls within this chapter.

#	Summarized Comment	DOJ Response
85.	<p>In reality, as plaintiffs in both pending lawsuits regarding the regulations for registration of bullet-button assault weapons have explained, this regulatory scheme directly contravenes the language and intent of the AWCA by significantly altering the substantive law in numerous ways so as to force upon law-abiding gun owners far more onerous restrictions or conditions on their use and possession of firearms than the Legislature has ever provided or intended.</p>	<p>No change has been made to the regulation in response to this comment. This comment contends that the proposed regulation conflicts with the Assault Weapons Control Act, but does not provide any specifics in this regard. To the extent the comment refers to arguments raised in legal challenges to the Department’s regulations for the registration of bullet-button assault weapons, the Department’s court filings in those lawsuits address those arguments.</p> <p>This comment also contends that the proposed regulation “significantly alter[s] the substantive law” in a manner that is contrary to what the Legislature “has ever provided or intended.” However, the proposed regulation is consistent with the requirements of the Assault Weapons Control Act. Implementation of the assault weapons law requires identification of prohibited weapons, which includes, in part, assault weapons as defined in PC section 30515. It is thus reasonably necessary for implementing regulations to define the terms used in that section, all but one of which are otherwise undefined. (The definition of “fixed magazine” in section 5471(p) simply duplicates the statutory definition in PC 30515(b).) All of the definitions are consistent with the requirements of the assault weapons law, because none of them conflict with the provisions of that law.</p> <p>The Department’s statutory rulemaking authority is broad, and is not limited to the exact terms of the assault weapons law itself. “[A]n administrative agency is not limited to the exact provisions of a statute in adopting regulations to enforce its mandate,” and the “absence of any specific statutory provisions regarding the regulation of an issue does not mean that such a regulation exceeds statutory authority,” because the agency is “authorized to ‘fill up the details’ of the statutory scheme.” (<i>PaintCare v. Mortensen</i> (2015) 233 Cal.App.4th 1292, 1298-99, 1307-08 [regulations requiring information not required by statute did not conflict with authorizing statute], brackets omitted, quoting <i>Ford Dealers Assn. v. Department of Motor Vehicles</i> (1982) 32 Cal.3d 347, 362.)</p>

#	Summarized Comment	DOJ Response
88.	<p>Pursuant to the definition of semiautomatic, and with the understanding that the department will not register featureless firearms, fixed-magazine firearms, or firearms with a not-greater-than-10-round magazine contained inside the action, one can infer that the following two types of firearms remain legal in California (the only exception being specifically named or series firearms defined by the AWCA), regardless of the presence of any or all the features listed in Penal Code section 30515: any firearm that does not function in a semiautomatic manner to fire a single cartridge, eject the empty case, and reload the chamber each time the trigger is pulled and released (i.e., bolt action rifles); any firearm that does function in a semiautomatic manner so long as the magazine is permanently fixed to, or contained in the firearm, according to the definitions established pursuant to these new regulations proposed for Penal Code section 30515.</p>	<p>Comment noted. The purpose of the final statement of reasons is not to provide legal advice on application of the underlying statute or the proposed regulation to a specific set of facts. But it is generally correct that a bolt-action, pump action, single shot firearm (action types other than semiautomatic) that was assembled using some AR-15 or AR-10 components would not be an assault weapon under Penal Code section 30515. No change has been made to the regulation in response to the comment because the comment did not propose any changes.</p>
89.	<p>The conversion of a semiautomatic AR-15/AR-10-style firearm, or the assembly of an AR-15/AR-10 style receiver, into a firearm that operates as a bolt-action only rifle in conformance with the law as determined by these newly proposed regulations. A bolt-action rifle requires the manual loading of a single cartridge into the chamber, can only fire one shot during the pull and release of the trigger, and requires the manual extraction and ejection of the spent casing. This form of operation remains true for all types of magazine feed types, including detachable box magazine, internal or fixed magazine, or tube magazine. Most importantly, a bolt-action rifle is not semiautomatic pursuant to any statute or regulation in California.</p>	<p>Comment noted. The purpose of the final statement of reasons is not to provide legal advice on application of the underlying statute or regulation to a specific set of facts. But it is generally correct that a bolt-action firearm (action type other than semiautomatic), even if assembled using some AR-15 or AR-10 components, would not be an assault weapon under Penal Code section 30515. No change has been made to the regulation in response to the comment because the comment did not propose any changes.</p>

#	Summarized Comment	DOJ Response
90.	<p>AR-15 and AR-10 style firearms utilize a gas feed system that cycles gas under pressure through a gas tube in order to function in a semiautomatic manner. Pursuant to the proposed regulations, it would seem that any AR-15 or AR-10 style rifle that operates in a non-semiautomatic manner remains legal in California, with the exception of any AR-15 or AR-10 style rifle banned by make, model, or series specified in any version of the AWCA. Further, this would hold true regardless of the presence of any or all the features listed in Penal Code section 30515, as long as those features were installed after the conversion or assembly to bolt-action-only operation.</p>	<p>Comment noted. The purpose of the final statement of reasons is not to provide legal advice on application of the underlying statute or proposed regulation to a specific set of facts. But it is generally correct that a bolt-action, pump action, single shot firearm (action types other than semiautomatic) that was assembled using some AR-15 or AR-10 components would not be an assault weapon under Penal Code section 30515. No change has been made to the regulation in response to the comment because the comment did not propose any changes.</p>
91.	<p>An AR-15 or AR-10 style firearm that has had its gas tube removed will still function, but it will not function in a semiautomatic manner. As the gas tube is a crucial part of the firearm and is specifically listed among the necessary components of a semiautomatic firearm in the AB 1135, SB 880, and newly proposed Penal Code section 30515 regulations, its absence means the firearm cannot be deemed semiautomatic.</p>	<p>Comment noted. The purpose of the final statement of reasons is not to provide legal advice on application of the underlying statute or proposed regulation to a specific set of facts. But it is generally correct that the definitions of the term “Semiautomatic” means a firearm functionally able to fire a single cartridge, eject the empty case, and reload the chamber each time the trigger is pulled and released. Further, certain necessary mechanical parts that will allow a firearm to function in a semiautomatic nature must be present for a weapon to be deemed semiautomatic. A weapon clearly designed to be semiautomatic but lacking a firing pin, bolt carrier, gas tube, or some other crucial part of the firearm is not semiautomatic for purposes of Penal Code sections 30515, 30600, 30605, subdivision (a), and 30900. No change has been made to the regulation in response to the comment because the comment did not recommend any changes.</p>

<p>92. a. The hot gasses emitted from an AR-15 or AR-10 pose a serious safety hazard to the operator of the firearm. To mitigate against this safety hazard, the rifle will need to have the hot gasses cut off or redirected. For the application specific to the AR-15 or AR-10 style firearm, this can be accomplished through any of the following methods: Removing the gas block so that the gasses are directed upwards and away from the shooter. Installing the gas block backwards to cut off the escaping gases. Plugging the gas block with a gas tube that has been cut short and crimped-off to cut off the escaping gases. (This effectively and permanently re-designs a gas tube into a gas plug.) Plugging the gas block with a setscrew to cut off the escaping gases. Installing a gas block that has been plugged via welding or soldering to cut off the escaping gases. Welding over the gas-impingement hole on the barrel. Installing an adjustable gas block that is adjusted to not allow the passage of gases into the action. (In this example, I must reiterate that the gas tube remains removed). All of these methods are commonly employed by competitive shooters because they yield greater accuracy from the firearm while minimizing wear on the firearm and reloadable ammunition components. All the methods result in a firearm that is not only missing a critical component (the gas tube), but also does not function as a semiautomatic rifle pursuant to the cited statutes and regulations. I seek your concurrence that each of these conversion or assembly methods results in a firearm that is compliant with the newly proposed regulations and is therefore exempt from assault weapon registration and legal for use and ownership in California, regardless of the presence of any or all of the features listed in Penal Code section 30515 that are installed after the modification or assembly to bolt-action-only operation.</p> <p>b. I feel these modifications are legal and these modifications should be present in the regulations to provide absolute clarity to law enforcement and the people of California so that weapons that do not constitute assault weapons do not land innocent people in legal jeopardy.</p>	<p>a. Comment noted. The purpose of the final statement of reasons is not to provide legal advice on application of the underlying statute or proposed regulation to a specific set of facts. But it is generally correct that the definitions of the term “Semiautomatic” means a firearm functionally able to fire a single cartridge, eject the empty case, and reload the chamber each time the trigger is pulled and released. Further, certain necessary mechanical parts that will allow a firearm to function in a semiautomatic nature must be present for a weapon to be deemed semiautomatic. A weapon clearly designed to be semiautomatic but lacking a firing pin, bolt carrier, gas tube, or some other crucial part of the firearm is not semiautomatic for purposes of Penal Code sections 30515, 30600, 30605, subdivision (a), and 30900. No change has been made to the regulation in response to the comment because the comment did not recommend any changes.</p> <p>b. Comment noted. The purpose of the final statement of reasons is not to provide legal advice on application of the underlying statute or proposed regulation to a specific set of facts. But it is generally correct that a bolt-action, pump action, single shot firearm (action types other than semiautomatic) that was assembled using some AR-15 or AR-10 components would not be an assault weapon under Penal Code section 30515. No change has been made to the regulation in response to the comment because the comment did not recommend any changes.</p>
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#	Summarized Comment	DOJ Response
93.	<p>a. Pursuant to the newly proposed Penal Code section 30515 regulations, it would seem that any semiautomatic rifle or pistol converted or assembled to operate in a non-semiautomatic manner would remain legal in California, so long as the firearm is: 1) not banned by make, model, or series; and 2) is on the roster of approved handguns or was first legally acquired, and/or legally built, and/or entered into the database as a single-shot exempt handgun (if the firearm is a handgun).</p> <p>b. Further, it would seem that such a firearm would remain legal in California regardless of the presence of any features listed in Penal Code section 30515, so long as those features were installed after the conversion or assembly to bolt-action-only operation.</p>	<p>a. Comment noted. The purpose of the final statement of reasons is not to provide legal advice on application of the underlying statute or proposed regulation to a specific set of facts. But it is generally correct that a bolt-action, pump action, single shot firearm (action types other than semiautomatic) that was assembled using some AR-15 or AR-10 components would not be an assault weapon under Penal Code section 30515. No change has been made to the regulation in response to the comment because the comment did not recommend any changes.</p>

<p>94.</p>	<p>a. A formerly semiautomatic rifle or pistol, or a stripped receiver or frame, could be converted or assembled to operate in a bolt-action-only operation through the following methods:</p> <ol style="list-style-type: none"> 1. Removing the gas block, or gas tube, or gas piston from the firearm. These are both a critical part of the firearm and are necessary for semiautomatic functionality. 2. Modifying the gas system to prevent the passage of gases necessary for semiautomatic operation. This could include, but is not limited to: <ol style="list-style-type: none"> 1. Plugging, welding, or soldering the gas port, or gas tube, or barrel impingement hole to prevent the flow of gases. 2. Installing an adjustable gas block that has been adjusted to block the flow of gases. 3. Repositioning or rotating a functional gas block to prevent the flow of gases. 4. Installing a setscrew inside critical gas system components to block the flow of gases. <p>b. In regard to semiautomatic, blow back or roller-lock firearms, a conversion to bolt-action-only necessitates completely preventing the cycling of the action through recoil impulse. In all applications, this would require disassembly of the firearm action to load, fire, and eject each individual shot. This can be accomplished through the following methods:</p> <ol style="list-style-type: none"> 1. Installing a blocking device (such as a dowel, or a wood or metal block) that functionally prevents the firearm from loading, firing, and ejecting a spent case with each pull and release of the trigger. 2. Removing or replacing the recoil assembly (such as a buffer tube, a buffer, a buffer spring, or tube/spring/buffer combo) with a rod, dowel, or movement limiting block that functionally prevents the firearm from loading, firing, and ejecting a spent case with each pull and release of the trigger. 3. Installing a sleeve over the recoil spring, which prevents the firearm from loading, firing, and ejecting a spent case with each pull and release of the trigger. 	<p>Comment noted. The purpose of the final statement of reasons is not to provide legal advice on application of the underlying statute or proposed regulation to a specific set of facts. But it is generally correct that the definitions of the term “Semiautomatic” means a firearm functionally able to fire a single cartridge, eject the empty case, and reload the chamber each time the trigger is pulled and released. Further, certain necessary mechanical parts that will allow a firearm to function in a semiautomatic nature must be present for a weapon to be deemed semiautomatic. A weapon clearly designed to be semiautomatic but lacking a firing pin, bolt carrier, gas tube, or some other crucial part of the firearm is not semiautomatic for purposes of Penal Code sections 30515, 30600, 30605, subdivision (a), and 30900.</p>
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#	Summarized Comment	DOJ Response
	<p>c. Some of these methods result in a firearm that is missing a critical part, but all of the above methods result in a firearm that does not operate in a semiautomatic manner. I seek your concurrence that each of these conversion or assembly methods results in a firearm that is compliant with the newly proposed regulations and is therefore exempt from assault weapon registration and legal for use and ownership in California, regardless of the presence of any or all of the features listed in Penal Code section 30515 that are installed after the modification or assembly to bolt-action-only operation. I feel these modifications are legal and these modifications should be present in the regulations to provide absolute clarity to law enforcement and the people of California so that weapons that do not constitute assault weapons do not land innocent people in legal jeopardy.</p>	

95.	<p>a. Clarification on what constitutes a permanent, "fixed" magazine, or a magazine contained in the firearm pursuant to the newly proposed regulations. The department is clear in that it will not register any semiautomatic firearms meeting the definition of "fixed magazine", as defined by these new regulations to Penal Code section 30515. It should be noted that the definition of fixed magazine present in the newly proposed regulations matches, verbatim, the definition of fixed magazine present in the text of SB 880. Thus, in both instances of the definition, we see that a clear either/or statement is present in the text. Specifically, the text states a "Fixed Magazine" is either contained in, OR permanently attached to, a firearm.</p> <p>b. According to such a statement, this means a "Fixed Magazine" can be one of three things: 1) A magazine permanently attached to the firearm such that it cannot be readily detached; 2) A magazine contained in the firearm such that its removal necessitates disassembly of the firearm action; or 3) A magazine both permanently attached to and contained in the firearm.</p> <p>c. Within the definition of "permanently attached to" as written in the newly proposed regulations pursuant to Penal Code section 30515, an example of a fixed magazine that is both permanently attached to and contained in the firearm is presented. By itself, this example suggests that a magazine both permanently attached to and contained in the firearm is the only means of compliance with the regulation. As the law specifically includes an either/or statement, other means of compliance must be recognized. These include:</p> <ol style="list-style-type: none"> 1. Welding the magazine to the magazine well 2. Epoxying the magazine to the magazine well 3. Riveting the magazine to the magazine well 4. Sealing the magazine well, so that the magazine can only be removed after disassembling the firearm action. In the case of an AR-15 Firearm, and according to the proposed definition of "disassembly of the firearm action" in these regulations, this means pushing the rear takedown pin into the disengaged position and 	<p>No change has been made to the regulation in response to these comments because the purpose of section 5471(p) is to provide a non-exclusive list of examples of when a magazine is considered to be permanently attached to a firearm. Any combination of the methods outlined by the commenter for permanently affixing a magazine are acceptable.</p>
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#	Summarized Comment	DOJ Response
	<p>then pivoting the upper and lower receivers apart using the front takedown pin as a fulcrum.</p> <p>5. Riveting, welding, or epoxying a magazine into a sealed magazine well</p> <p>6. Any combination of the above</p> <p>d. I seek your concurrence that each of these methods results in a firearm that conforms to the proposed regulations and is therefore exempt from assault weapon registration, remaining legal for use and ownership in California, regardless of the presence of any or all the features listed in Penal Code section 30515 that are installed after the modification or assembly to a fixed magazine. All of these means of compliance should be added to the proposed definition of "permanently attached to" since they would provide absolute clarity to law enforcement and the people of California so that weapons that do not constitute assault weapons do not land innocent people in legal jeopardy.</p>	

#	Summarized Comment	DOJ Response
96.	<p>The proposed regulations define the term: "Contained in" means that the magazine cannot be released from the firearm while the action is assembled. For AR-15 style firearms this means the magazine cannot be released from the firearm while the upper receiver and lower receiver are joined together." I request striking the example for AR-15 style firearms because it appears to contradict the proposed language for "disassembly of the firearm action". I suggest the following language for clarity and consistency with the proposed language for "disassembly of the firearm action":</p> <p>"Contained in" means that the magazine cannot be released from the firearm while the action is assembled. For AR-15 style, firearms this means the magazine cannot be released from the firearm while the upper receive and lower receiver are joined together by both receiver takedown pins. This language provides absolute clarity to law enforcement and the people of California so that weapons that do not constitute assault weapons do not land innocent people in legal jeopardy. For that reason, this language must be implemented. There is no good-faith reason to not implement this language.</p>	<p>No change has been made to the regulation in response to this comment, because it is not necessary that both pins be removed to consider the firearm disassembled.</p>

97.	<p>a. The proposed regulations define the term: "Disassembly of the firearm action" means the fire control assembly is detached from the action in such a way that the action has been interrupted and will not function. For example, disassembling the action on a two part receiver, like that on an AR-15 style firearm, would require the rear take down pin to be removed, the upper receiver lifted upwards and away from the lower receiver using the front pivot pin as the fulcrum, before the magazine may be removed." The language contained in this definition is clear. However, the example for an AR-15 should be modified because the disassembly of an AR-15 action, such that the action has been interrupted, does not require removal of the rear takedown pin. Takedown pins are captive pins held in place by springs and detents. They are not readily removable without tools. I recommend clarifying that the intent of the example was not to actually require the removal of the rear takedown pin, but to require that the pin be pushed into the disengaged position. I recommend revising the definition to state: "Disassembly of the firearm action" means the fire control assembly is detached from the action in such a way that the action has been interrupted and will not function. For example, disassembling the action on a two part receiver, like that on an AR-15 style firearm, would require the upper receiver lifted upwards and away from the lower receiver using the front pivot pin as the fulcrum, before the magazine may be removed."</p> <p>b. Alternatively, the word "removed" could be replaced with "pushed into the disengaged position" as follows: "Disassembly of the firearm action" means the fire control assembly is detached from the action in such a way that the action has been interrupted and will not function. For example, disassembling the action on a two part receiver, like that on an AR-15 style firearm, would require the rear take down pin to be pushed into the disengaged position, the upper receiver lifted upwards and away from the lower receiver using the front pivot pin as the fulcrum, before the magazine may be removed."</p>	<p>No change has been made to the regulation in response to these comments. Whether the rear takedown pin is pulled or pushed the critical result is that the action is disassembled. Removing or disengaging the rear takedown pin must be read in the context of disassembling an AR-15 style firearm, which means both pushing and pulling the pin in such a way until the upper receiver is disconnected from the lower receiver.</p>
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#	Summarized Comment	DOJ Response
	<p>I request that one of these changes be implemented. The above language provides absolute clarity to law enforcement and the people of California so that weapons that do not constitute assault weapons do not land innocent people in legal jeopardy. For that reason this language must be implemented. There is no good-faith reason to not implement this language.</p>	

98.	<p>The proposed regulations define the term: "Flash suppressor" means any device attached to the end of the barrel, that is designed, intended, or functions to perceptibly reduce or redirect muzzle flash from the shooter's field of vision. A hybrid device that either has advertised flash suppressing properties or functionally has flash suppressing properties would be deemed a flash suppressor. A device labeled or identified by its manufacturer as a flash hider would be deemed a flash suppressor." The proposed definition of flash suppressor is subject to too much debate. Compensator and muzzle brakes are designed, intended, and function to reduce recoil. Some may or may not have incidental flash reducing or flash redirecting capability that was neither designed nor intended. This gets complicated further because retailers commonly sell muzzle devices under the label of "flash hidere" or "flash suppressors" that, in actuality, are not any such device as designed and intended by the manufacturer. Naturally, this creates a grey area in regards to which muzzle devices are legal and which are not.</p> <p>Given this grey area and potential for overreach, the regulations should both specify specific muzzle devices that do not meet the definition of flash suppressor and also revise the definition for clarity. The following definition of "Flash suppressor" is clear: "Flash suppressor" means any device attached to the end of the barrel that is designed, intended, and advertised by the manufacturer to reduce or redirect muzzle flash from the shooter's field of vision. A device advertised by the manufacturer as a "flash hider" or "flash suppressor" or has advertised flash suppressing properties would be deemed a flash suppressor. Devices designed, intended, and advertised by manufacturers solely as compensators, muzzle breaks, or recoil eliminators are not flash suppressors. The following muzzle devices are not flash suppressors: (list compliant devices here).</p> <p>Muzzle devices are items, which are subject to differences in opinion. This creates too much room for error and inconsistency. Accordingly, it is in the best interest of both the citizenry and law enforcement to have a list of approved devices so that there can be no doubt as to which devices are legal.</p>	<p>No change has been made to the regulation in response to this comment. Manufacturer's labeling practices should conform to changes in laws affecting firearms. The Department is not authorized to issue opinions on the legality of a specific product. Although the purpose of the regulation is to promote a clear understanding of Penal Code section 30515 for purposes identifying assault weapons, not every invention can be addressed in them. For legal advice or interpretation, the Department suggests that individuals seek the advice of a knowledgeable attorney.</p>
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#	Summarized Comment	DOJ Response
99.	<p>The proposed regulations define the term: "Overall length of less than 30 inches" with respect to a centerfire rifle means the rifle has been measured in the shortest possible configuration that the weapon will function/fire and the measurement is less than 30 inches. Folding and telescoping stocks shall be collapsed prior to measurement. The approved method for measuring the length of the rifle is to measure the firearm from the end of the barrel, or permanently attached muzzle device, if so equipped, to that part of the stock that is furthest from the end of the barrel, or permanently attached muzzle device. (Prior to taking a measurement the owner must also check any muzzle devices for how they are attached to the barrel.)</p> <p>The proposed definition of overall length includes requires that muzzle devices be permanently attached in order for their length to count towards the overall length of the firearm. This has never been written into any version of the AWCA. Accordingly, this is an underground regulation with no basis in law and must be removed from the proposed regulations. I request that the definition for overall length be revised as follows: "Overall length of less than 30 inches" with respect to a centerfire rifle means the rifle has been measured in the shortest possible configuration that the weapon will function/fire and the measurement is less than 30 inches. Folding and telescoping stocks shall be collapsed prior to measurement. The approved method for measuring the length of the rifle is to measure the firearm from the end of the barrel, or permanently attached muzzle device, if so equipped, to that part of the stock that is furthest from the end of the barrel, or permanently attached muzzle device. (Prior to taking a measurement the owner must also check any muzzle devices for how they are attached to the barrel.)</p>	<p>No change has been made to the regulation in response to this comment because the definition cannot be an underground regulation because it is being promulgated in accordance with the APA. Moreover, the definition conforms to federal practice. The procedure of the federal Bureau of Alcohol, Tobacco, Firearms and Explosives for measuring barrel length is to measure from the closed bolt (or breech-face) to the furthest end of the barrel <i>or permanently attached muzzle device</i>.</p>

#	Summarized Comment	DOJ Response
100.	<p>The proposed regulations define the term: "Stock, fixed" means a stock that does not move, fold, or telescope.</p> <p>The language of the AWCA, specifically Penal Code section 30515, only lists folding or telescoping stocks as banned features. Naturally, it would seem that a fixed stock is one that does not fold or telescope to effectively reduce the overall length of the firearm. Adding the requirement that a fixed stock not be able to "move", without specifying the prohibited form of movement, is very ambiguous and certainly not specific. There are many ways a stock can move without violating the movement of the listed features specified in Penal Code section 30515. These include, but are not limited to, vertically or horizontally adjustable butt plates, swiveling butt plates that adjust length of pull biased on a threaded shank, and adjustable cheek pieces, and adjustable sling or monopod attachments. None of these are prohibited movements for a stock.</p> <p>Accordingly, I request that the definition of "Stock, fixed" be changed to "Stock, fixed" means a stock that does not fold or telescope to reduce the overall length of the rifle.</p> <p>This language provides absolute clarity to law enforcement and the people of California so that weapons that do not constitute assault weapons do not land innocent people in legal jeopardy. For that reason, this language must be implemented. There is no good-faith reason to not implement this language.</p>	<p>No change has been made to the regulation in response to this comment, because the suggested change to the definition does not take into consideration all of the related definitions. For example, the term "stock" means the part of a rifle, carbine, or shotgun to which the receiver is attached and which provides a means for holding the weapon to the shoulder. This, by definition, eliminates such things as cheek risers, etc., because they are not used to hold the weapon to the shoulder. The definitions of "stock folding" and "stock, telescoping" further specify the applicability of the definitions.</p>
101.	<p>It appears the DOJ does not value having a two-way dialogue with citizens who are trying to comply with the regulations, as the hearing was not attended by responsive DOJ staff.</p>	<p>No change was made in response to this comment because it is a generalized comment in opposition to the regulation. The purpose of the public comment period, the public hearing, and these responses to public comments (as provided for by the APA) is to allow the Department to hear from citizens to help ensure public participation in the regulation process.</p>

102.	<p>a. These regulations cannot be adopted to exceed DOJ’s authority under the APA.</p> <p>b. They fail on the APA standards, and on consistency, necessity and clarity standards that are set forward.</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. PC section 30520(c) gives the DOJ authority to “adopt those rules and regulations that may be necessary or proper to carry out the purposes and intent of this chapter,” which refers to Part 6, Title 4, Division 10, Chapter 2 of the PC, entitled “Assault Weapons and .50 BMG Rifles.” This chapter contains the statutory provisions restricting the possession, sale, and use of assault weapons, and PC section 30515 falls within Chapter 2. All of the definitions to be adopted through the proposed regulation support the implementation and enforcement of the Assault Weapons Control Act, and are thus within the Department’s statutorily conferred rulemaking authority.</p> <p>b. The Department has determined that the proposed regulation is necessary and is adopting the proposed regulation for the reasons stated in the Initial Statement of Reasons. As stated therein, the proposed regulation will ensure that a single set of definitions applies across the entire California Assault Weapons Control Act, and will provide uniform guidance on assault weapons to the public, the judiciary, district attorney’s offices, and law enforcement, thereby supporting the enforcement of California’s Assault Weapons Control Act.</p> <p>The proposed regulation also complies with the consistency standard of the Administrative Procedure Act (APA) because it will apply the same definitions used for the registration process for bullet-button assault weapons to the identification of assault weapons pursuant to PC section 30515, without limitation. This will result in one set of definitions that may be used for all purposes under the Assault Weapons Control Act, which supports the APA’s consistency standard.</p> <p>The proposed regulation also complies with the APA’s clarity standard because the definitions provide specific, concrete guidance to firearms owners and law enforcement officials. Many of the definitions provide specific examples of items that do or do not fall within the definition, and all of the definitions were developed in consultation with numerous sources often relied upon by firearms enthusiasts (as described in the Initial Statement of Reasons and the Initial Statement of Reasons Addendum), such as the federal Bureau of Alcohol, Tobacco, Firearms and Explosives, and the National Rifle Association. The definitions were also based on questions</p>
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#	Summarized Comment	DOJ Response
		<p>and issues that the Department has frequently addressed over the almost thirty years that it has administered the assault weapons law.</p>
103.	<p>Adoption of these regs could cause irreparable harm to thousands of Californians.</p>	<p>No change has been made to the regulation in response to this comment. The purpose of this regulation is to promote a clear understanding of PC section 30515 for all purposes under the assault weapons statute. This regulation will benefit the health and welfare of California residents by providing uniform guidance on assault weapons to the public, the judiciary, district attorney's offices, and law enforcement, thereby supporting the enforcement of California's Assault Weapons Control Act.</p> <p>Assuming that the harm referred to in the comment consists of criminal liability or an inability to possess certain weapons, it is the statute that lists the features that may qualify a firearm as an assault weapon. The regulation does not change the requirements of the statute, although the definitions in the regulation will assist in interpretation of the statute.</p>

#	Summarized Comment	DOJ Response
104.	<p>DOJ used to assist the general public, through practices, procedures, when they did not understand the regulations. They would issue statements to answer questions that would help people to comply with the law. Now they do not answer questions until the regulations have been adopted and tell people they have to go find their own attorney to understand the laws. That is the one thing lacking with these regulations is an established process where people can ask questions of the DOJ and get a response so they can continue to abide by the law.</p>	<p>No change has been made to the regulation in response to this comment. The purpose of this regulation is to promote a clear understanding of PC section 30515 for all purposes under the assault weapons statute. This regulation will benefit the health and welfare of California residents by providing uniform guidance on assault weapons to the public, the judiciary, district attorney’s offices, and law enforcement, thereby supporting the enforcement of California’s Assault Weapons Control Act.</p> <p>Although the Department has previously received funding from the Legislature for public outreach efforts relating to past assault weapons registration periods, the Legislature did not provide such funding for the bullet-button assault weapon registration period. However, as part of the public notice and comment procedure required under the Administrative Procedure Act (APA), the Department is responding to questions from the public regarding the proposed regulation, prior to the adoption of the proposed regulation. In addition, there are many resources for the public on the Department’s website, and the website also lists phone numbers and email addresses that can be used to contact the Department with questions. Furthermore, the Department first listed information regarding this registration period on the Bureau of Firearms’ public website on December 12, 2016. Then on October 5, 2017, bullet-button assault weapon registration packages were mailed to every Sheriff’s Office, Police Department, California Firearm Dealer, Gun Show Promoter, and Gun Range in California. The package consisted of a letter asking for their help in notifying California gun owners of the new law, bulletin regarding the new law, and full size poster to be displayed in their agency/store/range/gun show. Additional public outreach efforts were made, including a news alert on June 18, 2018 reminding citizens they only had two weeks left to register. The Department is not authorized to provide legal advice, and the Department is obligated to recommend that persons seeking legal advice consult an attorney.</p>

#	Summarized Comment	DOJ Response
105.	These regulations make California very uninviting for shooting competitions and tourism, leading to fiscal impact for the state.	No change has been made to the regulation in response to the comment because it is a generalized comment in opposition to the regulation. The Department is adopting the proposed regulation for the reasons stated in the initial statement of reasons.
106.	<p>a. The regulations are unfair for people who build a competition rifle. Participants are afraid if they have to register it, only because of the pistol grip, they will then be taxed in the future and there will be special taxes on it.</p> <p>b. The people who register these rifles for matches should get some sort of break on complying with the regulations.</p>	a. and b. No change has been made in response to these comments because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it. The Legislature has taken into account the special needs of certain competitive shooters. Penal Code section 30515, subdivision (c) provides: The Legislature finds a significant public purpose in exempting from the definition of “assault weapon” pistols that are designed expressly for use in Olympic target shooting events. Therefore, those pistols that are sanctioned by the International Olympic Committee and by USA Shooting, the national governing body for international shooting competition in the United States, and that were used for Olympic target shooting purposes as of January 1, 2001, and that would otherwise fall within the definition of “assault weapon” pursuant to this section are exempt, as provided in subdivision (d). At this time, the Legislature has not given a broad exemption to “competition” rifles.
107.	It’s a big issue being taxed for these firearms or firearm parts.	No change has been made to the regulation in response to the comment because it is a generalized comment in opposition to the regulation. The Department is adopting the proposed regulation for the reasons stated in the initial statement of reasons.
109.	I am bothered by the approved list of firearms. Many manufacturers have given up on California because of the approved list. The list is limiting the freedom of gun owners	No change has been made to the regulation in response to this comment. The proposed regulation does not provide an approved list of firearms. The proposed regulation adopts definitions of terms that are either used in the Assault Weapons Control Act to identify prohibited assault weapons, or that are otherwise used in those definitions themselves. The Department thinks this comment is in reference to our “Roster of Handguns Certified for Sale,” which is the only time the Department has listed approved firearms for sale. The Penal Code and the Department’s regulations list “controlled” weapons by make and model (Category 1 and Category 2, Penal Code section 30515).

#	Summarized Comment	DOJ Response
110.	With these regulations, if you don't have a lawyer in your back pocket you can commit a felony without actually knowing you are committing a felony.	No change has been made to the regulation in response to the comment because it is a generalized comment in opposition to the regulation. The Department is adopting the proposed regulation for the reasons stated in the initial statement of reasons.
111.	Will the state be releasing figures on what the effectiveness of this law has on crime, whether it decreases or makes no difference?	No change has been made in response to these comments because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.
112.	A double feed primarily is when the magazine fails and it feeds two rounds in the chamber. With these new laws, where you have to break the action open on an AR-15, that bolt is riding right back into the buffer tube right where it meets up with the receivers and you can't break that open. So now, you have a weapon where there is a possibility for negligent discharge.	No change has been made in response to these comments because the Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.
114.	DOJ is a federal agency. Why does the federal government get to come in and say they are going to rewrite the law and add stipulations for the people of California who elected the legislators and Governor?	This regulation is proposed by the California Department of Justice, not the United States Department of Justice.
115.	<p>a. Use the money that you are currently wasting on this program to support law enforcement and allow them to better enforce the numerous gun regulations already on the books in CA.</p> <p>b. How about enforcing existing laws?</p>	<p>a. and b. No change has been made to the regulation in response to these comments. The Department has determined that the proposed regulation is necessary and is adopting the proposed regulation for the reasons stated in the Initial Statement of Reasons. As stated therein, the proposed regulation will ensure that a single set of definitions applies across the entire California Assault Weapons Control Act, and will provide uniform guidance on assault weapons to the public, the judiciary, district attorney's offices, and law enforcement, thereby supporting the enforcement of California's Assault Weapons Control Act. The proposed regulation will therefore directly support the enforcement of a long-standing, pre-existing law.</p>

#	Summarized Comment	DOJ Response
116.	<p>I feel your actions in this are[a] are in direct violations of your oaths of office to support the United States of America, the Constitution of the United States and the Bill of Rights contained in the Constitution. Please uphold your oaths of office.</p>	<p>No change has been made to the regulation in response to this comment. The Department is promulgating this regulation in accordance with its statutory authority. The Legislature has authorized the Department to promulgate regulations that are necessary and proper to carry out the purposes and intent of the Assault Weapons Control Act. (PC section 30520(c).) The Department’s actions are thus consistent with the authority given to it by the Legislature. To the extent that the comment suggests that the proposed regulation violates the Second Amendment, the proposed regulation does not infringe on Second Amendment rights because the regulation supports the enforcement of an assault weapons ban, which courts of appeals across the country have uniformly found to comply with Second Amendment requirements.</p>
117.	<p>a. The regulations are far fetched and do nothing but impose confusing laws on law abiding citizens. These regulations will NOT stop criminals.</p> <p>b. Arbitrarily classifying common rifles as assault weapons does not prevent crime but only puts a burden on people who follow the laws and puts them at risk for criminal prosecution.</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. and b. These comments suggest that the definitions to be adopted by the proposed regulation are confusing and arbitrary. The proposed regulation adopts definitions that are based on the sources described in the Initial Statement of Reasons and the Initial Statement of Reasons Addendum, including numerous sources often relied upon by firearms enthusiasts, such as the federal Bureau of Alcohol, Tobacco, Firearms and Explosives, and the National Rifle Association. The definitions were also based on questions and issues that the Department has frequently addressed over the almost thirty years that it has administered the assault weapons law.</p> <p>These comments also suggest that only “law abiding citizens” or “people who follow the laws” will be burdened by the definitions to be adopted by the proposed regulation. As stated in the Initial Statement of Reasons, the proposed regulation will ensure that a single set of definitions applies across the entire California Assault Weapons Control Act, and will provide uniform guidance on assault weapons to the public, the judiciary, district attorney’s offices, and law enforcement, thereby supporting the enforcement of California’s Assault Weapons Control Act through the prosecution of persons who violate that law.</p>

IRRELEVANT PUBLIC COMMENTS RELATING TO REGISTRATION

#	Summarized Irrelevant Comment	DOJ Response
21.	SB 880 called for descriptive info only; there was never language by the legislature requiring photographic records. DOJ is seeking records it was never entitled to by the legislature.	This comment is irrelevant because it is not specifically directed at the agency's proposed action or to the procedures followed by the agency in proposing or adopting the action. Thus, the Department does not need to provide a response.
22.	The DOJ failed to complete a timeline set forth by the legislature.	This comment is irrelevant because it is not specifically directed at the agency's proposed action or to the procedures followed by the agency in proposing or adopting the action. Thus, the Department does not need to provide a response.
27.	What if someone owns more than one complete upper for the same registered lower? There is no provision for this, since the rifle needs to be photographed and described to register it.	This comment is irrelevant because it is not specifically directed at the agency's proposed action or to the procedures followed by the agency in proposing or adopting the action. Thus, the Department does not need to provide a response.
32.	Proposed regulations and forms for "bullet-button assault weapons" are flawed and have vague language, which makes their administration, interpretation, and enforcement highly problematic. This is burdensome to law enforcement.	This comment is irrelevant because it is not specifically directed at the agency's proposed action or to the procedures followed by the agency in proposing or adopting the action. Thus, the Department does not need to provide a response.
34.	It is not fair that a person who owned a rifle before a certain date can legally have it, but their relatives cannot purchase a similar rifle because it has a prohibited feature. I purchase a rifle under the laws in 2015, and to force me to add anything to it per a different law is illegal.	This comment is irrelevant because it is not specifically directed at the agency's proposed action or to the procedures followed by the agency in proposing or adopting the action. Thus, the Department does not need to provide a response.
35.	Why do the AW laws not allow me to pass my AW to my step granddaughter in my will? It is unscrupulous to make a law that I cannot pass a gun on to my children, or transfer to my spouse or children.	This comment is irrelevant because it is not specifically directed at the agency's proposed action or to the procedures followed by the agency in proposing or adopting the action. Thus, the Department does not need to provide a response.

IRRELEVANT PUBLIC COMMENTS RELATING TO REGISTRATION

#	Summarized Irrelevant Comment	DOJ Response
36.	I have had bullet-buttoned semiauto firearms for more than a decade and cannot find the receipts. Can I register mine with a “guesstimate?”	This comment is irrelevant because it is not specifically directed at the agency’s proposed action or to the procedures followed by the agency in proposing or adopting the action. Thus, the Department does not need to provide a response.
43.	<p>a. These new regulations add additional registration, which is unfair. My firearms were already registered when purchased; I should not have to register again.</p> <p>b. This is double taxation and fees on the part of the owner.</p>	These comments are irrelevant because they are not specifically directed at the agency’s proposed action or to the procedures followed by the agency in proposing or adopting the action. Thus, the Department does not need to provide a response.
44.	These regulations make no allowance for service members deployed overseas who cannot return home to register or modify their firearms in time.	This comment is irrelevant because it is not specifically directed at the agency’s proposed action or to the procedures followed by the agency in proposing or adopting the action. Thus, the Department does not need to provide a response.
48.	<p>a. The registration website is beyond difficult to use and to upload photos.</p> <p>b. The current registration process in unreasonable-you need access to a computer, camera and internet</p>	These comments are irrelevant because they are not specifically directed at the agency’s proposed action or to the procedures followed by the agency in proposing or adopting the action. Thus, the Department does not need to provide a response.
57.	I am not happy that you want more information about me than any other government agency has ever requested from me in my life.	This comment is irrelevant because it is not specifically directed at the agency’s proposed action or to the procedures followed by the agency in proposing or adopting the action. Thus, the Department does not need to provide a response.

IRRELEVANT PUBLIC COMMENTS RELATING TO REGISTRATION

#	Summarized Irrelevant Comment	DOJ Response
58.	<p>a. The DOJ has overstepped its authority in creating these regulations. The legislation as passed did not include any new restrictions on what one could or could not do with a registered assault weapon (RAW). Yet, the DOJ submitted regulations that would prohibit changing the magazine release mechanism on a RAW.</p> <p>b. Further, in redefining terms concerning overall length, the DOJ has again changed the meanings of legislated laws. I believe that the DOJ should have ONLY created a simple and straightforward mechanism to register AWs and stopped there. Changing the substantive meaning of legislation and defining new prohibitions oversteps their authority. DOJ should consider changing the regulations to simplify the registration process to stay within the mandates provided by the legislation.</p>	<p>These comments are irrelevant because they are not specifically directed at the agency’s proposed action or to the procedures followed by the agency in proposing or adopting the action. Thus, the Department does not need to provide a response.</p>
60.	<p>a. The fact is regarding transfer to family members any firearm that falls under the description of 'so called ' assault weapons, as part of an individual’s estate, is nothing more than stealing personal property that would, under normal circumstances, be handed down through a will or other inheritance procedure.</p> <p>b. This is a violation of the 5th amendment.</p> <p>c. The regulations are using public fear to take away legally owned firearms. This is a thinly disguised way to ban firearms.</p>	<p>These comments are irrelevant because they are not specifically directed at the agency’s proposed action or to the procedures followed by the agency in proposing or adopting the action. Thus, the Department does not need to provide a response.</p>

IRRELEVANT PUBLIC COMMENTS RELATING TO REGISTRATION

#	Summarized Irrelevant Comment	DOJ Response
63.	<p>My safe is jammed and I cannot open it. When unable to access my rifles, do these regulations then prohibit registration when I am able to access them? I can provide a photograph of the jammed safe and the drilled key lock. The standard method for accessing a jammed safe has failed. Eventually I will find a way to access my rifles. They are not within my residence but are at another property that I own in California. I do not plan to be there with time and tools for this project before the registration deadline.</p>	<p>This comment is irrelevant because it is not specifically directed at the agency's proposed action or to the procedures followed by the agency in proposing or adopting the action. Thus, the Department does not need to provide a response.</p>
64.	<p>a. I cannot recall how my firearms are currently configured. Am I required to guess when registering?</p> <p>b. One may or may not be configured as a rim fire and may now be exempt. May I later reconfigure it to a centerfire rifle for hunting?</p> <p>c. The other is probably configured exactly as it was when I purchased it in California just prior to when the registration bill was proposed. It has an adjustable stock and might have a factory-installed device to improve stability and accuracy. The adjustable stock is important because otherwise it will not fit into my gun safe.</p>	<p>This comment is irrelevant because it is not specifically directed at the agency's proposed action or to the procedures followed by the agency in proposing or adopting the action. Thus, the Department does not need to provide a response.</p>
68.	<p>a. What justification do you have for prohibiting me from using my rifle for hunting and my existing gun safe?</p> <p>b. Do these regulations prohibit legally using my property?</p> <p>c. Do they require that I purchase new firearms, ammunition, and a new gun safe? This justification needs to be detailed enough to inform the Small Claims Court judge in rendering a legal finding.</p>	<p>This comment is irrelevant because it is not specifically directed at the agency's proposed action or to the procedures followed by the agency in proposing or adopting the action. Thus, the Department does not need to provide a response.</p>

IRRELEVANT PUBLIC COMMENTS RELATING TO REGISTRATION

#	Summarized Irrelevant Comment	DOJ Response
86.	Concomitantly, the DOJ should seek another legislative amendment to further extend the “assault weapons” registration deadline by at least the amount of time that the DOJ has wasted in promulgating and enforcing its illegal regulatory scheme.	This comment is irrelevant because it is not specifically directed at the agency’s proposed action or to the procedures followed by the agency in proposing or adopting the action. Thus, the Department does not need to provide a response.
87.	<p>a. Currently, the State will not register firearms that are "featureless\ where featureless has been defined by your department as a firearm that lacks any of the features listed in Penal Code section 30515 (a pistol grip, a thumbhole stock, a folding or telescoping stock, a grenade launcher or flare launcher, a flash suppressor, or a forward pistol grip).</p> <p>b. Firearms that are not semiautomatic are not required to be registered.</p>	These comments are irrelevant because they are not specifically directed at the agency’s proposed action or to the procedures followed by the agency in proposing or adopting the action. Thus, the Department does not need to provide a response.
108.	<p>a. I am most concerned that by registering a firearm, it means someone can come knock on your door and take your firearm when it has been paid for and bought under current laws.</p> <p>b. I object to the fact that the laws were not grandfathered in as we were told when we initially purchased the firearms.</p>	This comment is irrelevant because it is not specifically directed at the agency’s proposed action or to the procedures followed by the agency in proposing or adopting the action. Thus, the Department does not need to provide a response.
113.	Working at a range, I want to follow the laws, but how do I know if someone that has a bullet-button AR-15 has that thing registered as an assault weapon? How am I supposed to know if they have taken all the legal precautions?	This comment is irrelevant because it is not specifically directed at the agency’s proposed action or to the procedures followed by the agency in proposing or adopting the action. Thus, the Department does not need to provide a response.

ALPHABETICAL LIST OF COMMENTERS

Last Name	First Name	Comments	Delivery Method
A.	Fadi	1	Email
Abello	Angelo	1	Email
Abrahamian	Wayne	1	Email
Abuelhaj	Lynn	1	Email
Acosta	Alexander	1	Email
Acosta	Jaime	1	Email
Acosta	Javier Tavarez	1	Email
Adams	Delores	1	Email
Adams	Joel	1	Email
Adams	Luke	1	Email
Adolph	Joseph	1	Email
Aguilar	Gregg	1	Email
Aguilar	James	1	Email
Albertson	Erik	1	Email
Alent	Joseph	1	Email
Alexander	Robert	1	Email
Alexander	Steven	1	Email
Alger	Terry	1	Email
Allan	Joshua	1	Email
Allen	Darryl	1	Email
Alvardo	Bryan	1	Email
Alvarez	Marco	1	Email
Alvarez Jr.	Vidal	1	Email
Amable	William	1	Email
Amaya	Vito	1	Email
Ambler	Steven	1	Email
Amirayan	Stephan	1	Email
Anderson	Donald	1	Email
Anderson	Kenneth R.	1	Email
Anderson	Scott	1	Email
Anderson	Tim L.	1	Email
Andrada	Noberto	1	Email
Andreoli	James	1	Email
Andres	Aaron	1	Email

Last Name	First Name	Comments	Delivery Method
Angel	John	1	Email
Araiza	Ruben	1	Email
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Armstrong	Cliff	1	Email
Arnold	Theodore	1	Email
Aschenberg	Julius	1	Email
Asher	Mike	1	Email
Ashford	Sean	1	Email
Atkins	Robert S.	1	Email
Aufranc	Will (x 2)	1	Email
Augustino	Jason	1	Email
Ausburn	Bruce	1	Email
Austin	Garland	1	Email
Avelar	Frederick	1	Email
Avila	Fernando	1	Email
Avila	Victor	1	Email
Awiszus	Tom	1	Email
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Bacon	David	1	Email
Bacon	Gary	1	Email
Bailey	Stan	1	Email
Baisch	Brent	1	Email
Baker	Mark	1	Email
Baker	Rodeny D.	1	Email
Bakker	Antonie	1	Email
Ball	Douglas	1	Email
Bankston	Paul	1	Email
Barajas	David	1	Email
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Barton	Zachary	1	Email
Bassett	Ed	1	Email
Bastian	Eric Von	1	Email
Batbie	Donald	1	Email
Bateman	Gordon	1	Email
Battles	Danny E.	1	Email
Baucom	Doug	1	Email
Beal	Tony	1	Email
Beard Sr.	Michael (x 2)	1	Email
Beaver	Ervin	1	Email
Bechel	Sam	1	Email
Becker	Christopher D.	1	Email
Bell	Cory (x 2)	1	Email
Bell	Jared	1	Email
Bell	Luc	1	Email
Bell	Lawrence	1	Email
Bellfy	Joshua	1	Email
Benard	Jeff	1	Email
Benavides	Arles A.	1	Email
Bender	Jonathan	1	Email
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Benitez	Eduardo	1	Email
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Last Name	First Name	Comments	Delivery Method
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Betzer	Mike	1	Email
Bevins	Zachary	1	Email
Bickford	Bryant	1	Email
Bigham	Michael	1	Email
Bigrigg	Paul E.	1	Email
Biltonen	John (x 2)	1	Email
Binkley	Gregory	1	Email
Bisig	Michael	1	Email
Bjel	Martin Richard	1	Email
Black	Eric	1	Email
Blackwell	Richard	1	Email
Blandino	Carlos A.	1	Email
Blankenship	William	1	Email
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Blohm	Michael	1	Email
Boardman	Mike	1	Email
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Bodmer	Jeff	1	Email
Bodnar	Brian	1	Email
Bohlen	Kirk	1	Email
Bohrer	Dakota Don	1	Email
Bole	Robert	1	Email
Bonotto	Brett	1	Email
Bookbinder	Ben (x 2)	1	Email
Bootz	Edwardo	1	Email
Borden	Kate	1	Email
Bordy	John	1	Email
Borjon	Michah	1	Email
Bornick	Robert	1	Email
Bowen	Jeff	1	Email
Boyd	James	1	Email

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Bradford	James	1	Email
Braid	Michael	1	Email
Braisted	Ryan	1	Email
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Burgess	Steven	1	Email
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Burns	Tyler	1	Email
Burtch	Greg	1	Email

Last Name	First Name	Comments	Delivery Method
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Buxton	Jerry	1	Email
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Byrn	Eddie (x 2)	1	Email
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Camacho	Joshua	1	Email
Camara	Jeff	1	Email
Camarena	Daniel (x 2)	1	Email
Camp	Curtis	1	Email
Campion	Richard	1	Email
Canby	Aron	1	Email
Cantellano	Ricardo	1	Email
Cantwell	Jason	1	Email
Carbone	Kevin	1	Email
Cardone	Thomas	1	Email
Carey	Christopher P.	1	Email
Carlin	Larry	1	Email
Carlson	Christopher	1	Email
Carnahan	Peter	1	Email
Carpenter	Brandon	1	Email
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Carpenter	Roy	1	Email
Carrasco	Arturo M.	1	Email
Carriere	Rick (x 2)	1	Email
Carter	Corey	1	Email
Carter	Shane	1	Email
Casias	Gary	1	Email
Castaneda	Sergio	1	Email

Last Name	First Name	Comments	Delivery Method
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Castellanos	Enrique	1	Email
Castellanos	Maria	1	Email
Castillo	Ignacio	1	Email
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Cavanaugh	John	1	Email
Cecil	Jeff	1	Email
Cee	Dee (x 2)	1	Email
Ceja	Arturo	1	Email
Ceja	Jose	1	Email
Ceja	Tom (x 2)	1	Email
Ceja	Victor	1	Email
Celis	Gustavo	1	Email
Cervantes	Jesus	1	Email
Cha	Lee	1	Email
Chacon	Oscar Alvarez	1	Email
Chambliss	Cliff	1	Email
Chan	John	1	Email
Chan	Tommy	1	Email
Chaney	Galen	1	Email
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Chapman	Kanan	1	Email
Chapman	Lance	1	Email
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Chavez	Elaine	1	Email
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Chechik	Mitch	1	Email
Checkal	Rodney	1	Email
Chen	Justin A.	1	Email

Last Name	First Name	Comments	Delivery Method
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Cheng	Casey (x 2)	1	Email
Chi	Craig (x 2)	1	Email
Chieffo	Michael	1	Email
Childs	Shane	1	Email
Cho	Kevin	1	Email
Chow	Johnny	1	Email
Choy	Andrew	1	Email
Chrisman	Todd	1	Email
Christian	Dan (x 2)	1	Email
Ciccarello	Steven	1	Email
Cilluffo	Ty	1	Email
Cital	Frank	1	Email
Cjen	James	1	Email
Clark	Dan	1	Email
Cleary	John	1	Email
Cliborne	Thomas	1	Email
Cloutier	Shawn	1	Email
Codeus	Brendan	1	Email
Cogburn	Larry	1	Email
Cohen	Marc	1	Email
Cohn	John	1	Email
Coladonato III	George	1	Email
Colburn	Walter J.	1	Email
Cole	Andrew	1	Email
Collins	Dena	1	Email
Collins	Scott	1	Email
Collins	Zachary (x 2)	1	Email
Colon	Karen	1	Email
Colon	Selwyn	1	Email
Conley	Brent	1	Email
Conlon	Robert	1	Email
Conner	Charles	1	Email
Conroy	Derek	1	Email

Attachment C

Last Name	First Name	Comments	Delivery Method
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Contreras	Steven	1	Email
Cook	Darrin	1	Email
Cookson	Zachary	1	Email
Coon	P. Michael	1	Email
Cooper	James	1	Email
Cornelius	Andrew	1	Email
Corona	Paul	1	Email
Corral	Robert	1	Email
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Cortes	Michael	1	Email
Cota	John	1	Email
Coterel	Brandon	1	Email
Cotta	Alan	1	Email
Cowan	Stewart	1	Email
Cox	Davin	1	Email
Cox	Michael	1	Email
Cox	Tom	1	Email
Craik	John	1	Email
Crandell	Ryan	1	Email
Crawford	Thomas	1	Email
Cristea	Brad	1	Email
Cronin	Miles	1	Email
Crosby	Joel	1	Email
Crowder	John	1	Email
Cruce	Michael	1	Email
Crum	William	1	Email
Crutchfield	Michael	1	Email
Cuenca	Mark	1	Email
Cuevas	Adrian	1	Email
Culbertson	Ronald B.	1	Email
Culbertson	Sharon	1	Email
Cullender	Robert	1	Email
Cullerton	Wesley	1	Email

Last Name	First Name	Comments	Delivery Method
Culotta	Mike	1	Email
Cunha	Jesse	1	Email
Curd	Gerald	1	Email
Curtis	John (x 2)	1	Email
Custer	Lane	1	Email
Cutler	Michael	1	Email
Daley	Dave	1	Email
Dalvi	Dinar	1	Email
Damon	John (x 2)	1	Email
Daniel	John (x 2)	1	Email
Danvers	Andrew H.	1	Email
Dardin	Steve	1	Email
Daughtrey	Michael	1	Email
Davalos	Cesar	1	Email
Davidson	Jeffrey	1	Email
Davidson	Mister	1	Email
Davile	Louis	1	Email
Davis	Jeremy	1	Email
Davis	Mark	1	Email
De Anda	Fidel	1	Email
de Castro	Richard	1	Email
De Guzman	Ira	1	Email
De Lazzaro	Anthony	1	Email
De Le Cruz	Nicholas	1	Email
Debasitis	Mark	1	Email
Decker	Elijah	1	Email
DeGregori	Peter	1	Email
Del Cid	Luis	1	Email
Delgadillo	Michael (x 2)	1	Email
DelGado	David	1	Email
Delgado	George	1	Email
DeMarinis	Richard	1	Email
Dempsey	Michael	1	Email
Derezotes	Gary	1	Email

Last Name	First Name	Comments	Delivery Method
Detmer	John	1	Email
Devlyne	Danny	1	Email
Dewalt	Michael	1	Email
Diaz	Hector	1	Email
Diaz	James	1	Email
Diaz	Mauricio (x 2)	1	Email
Dickerson	Rob	1	Email
Dickson	James	1	Email
Diebert	Donn	1	Email
Dignan	Susan	1	Email
Dileva	Jero S.	1	Email
DiStefano	David (x 2)	1	Email
Divinagracia	Paul	1	Email
Doan	Clyde	1	Email
Doan	Matthew	1	Email
Dobbins	Eugene	1	Email
Dobson	Michael	1	Email
Dominguez	Jesse	1	Email
Dominguez	Juan	1	Email
Donato	Anitamarie	1	Email
Dongallo Jr.	Rudy (x 2)	1	Email
Donovan	William	1	Email
Dooley	Jeffrey (x 2)	1	Email
Doran	Dan	1	Email
Doray	James J.	1	Email
Doring	Robert	1	Email
Dorman	Gene	1	Email
Downey	Kenneth	1	Email
Doyland	Chris	1	Email
Drago	John	1	Email
Dromlewicz	Kim	1	Email
Duarte	Frank	1	Email
Duckett	Josh	1	Email
Dukes	Michael	1	Email

Last Name	First Name	Comments	Delivery Method
Dulkevich	Steven	1	Email
Dunaway	Jeremy	1	Email
Dunkin	Nicholas	1	Email
Dunn	Brian D.	1	Email
Dunne	Michael	1	Email
Duns	John	1	Email
Duran	Damon	1	Email
Duran	Juan Flores	1	Email
Durbin	Scott	1	Email
Dye	Brian	1	Email
Dye	Jeffrey	1	Email
Dykema	James	1	Email
Earp	Matt	1	Email
Eastwood	Billy	1	Email
Echavarry	Dennis (x 2)	1	Email
Echer	David	1	Email
Echeverria	Gilbert	1	Email
Eckert	James	1	Email
Eckert	Julie	1	Email
Edgar	Sean	1	Email
Edgerton	Dixon (x 2)	1	Email
Edwards	Craig	1	Email
Edwards	Dennis	1	Email
Eichelberger	Daniel	1	Email
Ellett	Lee	1	Email
Elliott	Jason	1	Email
Ellis	Michael	1	Email
Engineer	Zubin	1	Email
Enloe	David	1	Email
Ennis	Kevin	1	Email
Enomoto	Michael	1	Email
Enriquez	John	1	Email
Ericksen	Matt	1	Email
Ernst	Landon	1	Email

Last Name	First Name	Comments	Delivery Method
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Espera	Donato	1	Email
Espino	Javier	1	Email
Espinoza	Jesse (x 2)	1	Email
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Espiritu	Patrick	1	Email
Esqueda	Brandon	1	Email
Esquivel	Daniel	1	Email
Estey	Mark	1	Email
Estrada	Daniel	1	Email
Estrada	Robert	1	Email
Eugenio Jr.	Ernesto	1	Email
Eulette	Jon	1	Email
Euritt	H. G.	1	Email
Evans	Charles	1	Email
Ewashko	Shawn	1	Email
Ewell	Steven	1	Email
Faber	Jason	1	Email
Facca	Mike	1	Email
Fadel	Michel	1	Email
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Faria	Ronald	1	Email
Farmer	Herman	1	Email
Farrell	Randy	1	Email
Farris	Mark	1	Email
Faulk	Rich	1	Email
Faurot	Christopher	1	Email
Fayne	Corey	1	Email
Feinberg	Jeremy	1	Email
Fellows	Matthew	1	Email
Fernandes	Michael (x 2)	1	Email

Last Name	First Name	Comments	Delivery Method
Fidler	Dan	1	Email
Filkins	Anne	1	Email
Filkins	Warren	1	Email
Fine	Sean	1	Email
Fingerle Jr.	Arthur	1	Email
Finkelstein	David	1	Email
Finn	Duane	1	Email
Fisher	Zachary	1	Email
Flannery	Devin	1	Email
Flores	Antonio	1	Email
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Frame	Steven	1	Email
Franchi	Gary J.	1	Email
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Frasquillo	Robert (x 2)	1	Email
Frazier	Mira	1	Email
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Frey	Mike	1	Email
Frink	Roger	1	Email
Frohmler	Richard	1	Email
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Galvan	Victor R.	1	Email
Galvez	Abel (x 2)	1	Email
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Garoutte	Bryan	1	Email
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Gaul	Randy L.	1	Email
Gay	John	1	Email
Geary	Patrick	1	Email
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Gonzalez	Jesus	1	Email

Last Name	First Name	Comments	Delivery Method
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Gonzalez	Luis	1	Email
Gonzalez	Manuel	1	Email
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Gonzalez	Sergio	1	Email
Goode	Carl	1	Email
Goodrich	Michael	1	Email
Goosic	Chuck	1	Email
Gordon	Luke	1	Email
Gosser	Andy	1	Email
Gouveia Sr.	Jason	1	Email
Grace	Gary (x 2)	1	Email
Grace	Joe	1	Email
Graeber	Ray	1	Email
Graham	Michael (x 2)	1	Email
Gramata Jr.	Michael	1	Email
Granzow	Matthew Erik	1	Email
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Green	Jesse	1	Email
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Greenwood	Ryan	1	Email
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Griffith	David	1	Email
Grimes	Brandt	1	Email
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Gronroos	Eric	1	Email
Grunwald	Geoff	1	Email
Guenthet	Charles	1	Email
Guerra	Mauricio	1	Email
Guevara	Oscar	1	Email
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Gurzi	Thomas	1	Email
Gustafson	Michael	1	Email
Ha	Dennis	1	Email
Haas	John (x 2)	1	Email
Haggerty	Timothy M.	1	Email
Hakobyan	Sarmen	1	Email
Haldeman	Jason	1	Email
Hale	Dennis	1	Email
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Hall	Eric D.	1	Email
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Harris	Russ	1	Email

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Hartsock	Robert	1	Email
Hartung	Steve	1	Email
Hartwig	Robert	1	Email
Hatanaka	Kevin	1	Email
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Hatfield	Brandon	1	Email
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Hermosillo	Nicholas	1	Email
Hernandez	Chad	1	Email
Hernandez	Gabino (Gabe) (x 2)	1	Email
Hernandez	Jose	1	Email
Hernandez	Levi	1	Email
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Heron	Randall	1	Email
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Hester	Sean P.	1	Email
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Hill	Jacob	1	Email
Hill	Toby	1	Email
Hinds	Thomas	1	Email
Hinkey	Chris	1	Email
Hitchcock	Lance	1	Email
Hocking	Bryan E.	1	Email
Hoffman	Tyler	1	Email

Last Name	First Name	Comments	Delivery Method
Holland	Nathan	1	Email
Holley	Kevin	1	Email
Holliday	Tim	1	Email
Hollingsworth	William R.	1	Email
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Holmes	Robert	1	Email
Holybee	Maurice	1	Email
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Hostetler	Scott	1	Email
Houtz	Michael W.	1	Email
Howard	David	1	Email
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Hsueh	Phil (x 2)	1	Email
Huertas	Luis	1	Email
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Hultz	Christopher	1	Email
Humphrey	Bruce	1	Email
Hunter	David	1	Email
Hurtado	Joseph	1	Email
Huynh	John	1	Email
Hyak	Larry	1	Email
Hyland	Noel	1	Email
Hyslop	Nicholas	1	Email

Last Name	First Name	Comments	Delivery Method
Ibarra	Leo	1	Email
Illo	Santiago	1	Email
Inlow	Jeffrey	1	Email
Inman	Steve	1	Email
Irvine	Donald (x 2)	1	Email
Izydorek	Edward	1	Email
Jackovich	Anthony	1	Email
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Johnson	Adam	1	Email
Johnson	David	1	Email
Johnson	Eric	1	Email
Johnson	J.	1	Email
Johnson	Richard	1	Email
Jone	Ross	1	Email
Jones	Bobby	1	Email
Jones	Gary	1	Email
Jones	Gordon	1	Email
Jones	Ronald	1	Email
Joye	Dan	1	Email
Judie	Greg E.	1	Email
Jung	Sammy	1	Email
Jurado	Art	1	Email
Kacer	Ryan	1	Email
Karcher	George C.	1	Email

Last Name	First Name	Comments	Delivery Method
Kasper	Patricia	1	Email
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Kathan	Steve	1	Email
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Keith	Dennis	1	Email
Kell	Dennis	1	Email
Kelley	Michael P.	1	Email
Kelley	Wendell	1	Email
Kelly	Declan	1	Email
Kelso	John	1	Email
Kemp	Roger	1	Email
Kerkes	Ben	1	Email
Kerkes	Shanell	1	Email
Kern	Michael	1	Email
Keroack	Benjamin	1	Email
Kerr	Forrest (x 2)	1	Email
Kessler	Carl	1	Email
Key	Patrick	1	Email
Khuu	Minh	1	Email
Kim	Andrew	1	Email
Kim	David	1	Email
King	Brady	1	Email
King	Kenneth	1	Email
Kirby Jr.	Earnest J.	1	Email
Kirkland	Lorna	1	Email
Kirkley	Tim	1	Email
Kiselev	Alex	1	Email
Knapp	Kenneth	1	Email
Kneip	Tony	1	Email
Knight	Alex K.	1	Email
Knight	Burke	1	Email

Last Name	First Name	Comments	Delivery Method
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Knox	Gabriel (x 2)	1	Email
Ko	Alan	1	Email
KoenigGonzalez	Felipe D.	1	Email
Koklas	Rob	1	Email
Kollar	William (x 2)	1	Email
Kolokithas	Ari	1	Email
Kolokithas	Janine	1	Email
Koos Sr.	David E.	1	Email
Kopp	John	1	Email
Kotterman	Jeff	1	Email
Kounlavouth	Paxton	1	Email
Kouns	Arthur	1	Email
Kouns	Jennifer	1	Email
Koyasako	Jon	1	Email
Kraft	Justin	1	Email
Kramer	Paul	1	Email
Krauel	Tom	1	Email
Krellwitz	Justin	1	Email
Kruse	Erik	1	Email
Kutner	David	1	Email
Kwiatkowski	Kim	1	Email
La Grua	Jeffrey A.	1	Email
Labib	Samer	1	Email
LaChioma	David	1	Email
Lackey	Paul	1	Email
LaCoste	Eric	1	Email
Lager	Pete	1	Email
Lai	Tyson	1	Email
Laine	Scott	1	Email
Lake	Chris	1	Email
LaManna	Eric	1	Email
Lang	Paul	1	Email
Langford	Andy	1	Email

Last Name	First Name	Comments	Delivery Method
Lantsberger	Philip	1	Email
Lapinski	Christopher	1	Email
LaPlant	Mike	1	Email
Larsen	Chris (x 2)	1	Email
Lau	Anthony	1	Email
Laubscher	Benjamin	1	Email
Laughlin	Donald L. (x 2)	1	Email
Lauterbach	Robert (x 2)	1	Email
Lavoie	Joseph	1	Email
Lawrence	Daniel	1	Email
Laws	Craig	1	Email
Lazar	Naz	1	Email
Leal	Benjamin	1	Email
Lee	Christopher	1	Email
Lee	Duane C.	1	Email
Lee	Jack	1	Email
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Lent	Joshua	1	Email
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Leung	Alex	1	Email
Levin	Roy	1	Email
Levy	Raymond	1	Email
Lewis	Tracy	1	Email
Lewison	Michael	1	Email
Li	Shenglan	1	Email
Liddell	Robert	1	Email
Lightman	David	1	Email
Lilley	John	1	Email
Lindsay	Philip	1	Email

Last Name	First Name	Comments	Delivery Method
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Litle	Terry	1	Email
Liu	James	1	Email
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Lohrman	Chris	1	Email
Lokey	David	1	Email
Lombard	Charles	1	Email
Lones	Terry	1	Email
Long	Gary	1	Email
Lopez	Angel J.	1	Email
Lopez	Antonio	1	Email
Lopez	Juan	1	Email
Lopez	Robert (x 2)	1	Email
Lopopolo	John	1	Email
Lortz	Richard	1	Email
Loschiavo	Vincent A.	1	Email
LoVasco	Christopher	1	Email
Loveland	Laura	1	Email
Loveland	Nicholas	1	Email
Lowell	James	1	Email
Lowery	Christopher	1	Email
Lozano	Alex	1	Email
Lozano	Andrew	1	Email
Lozano	David	1	Email
Lozano	Eric	1	Email
Lubanko	Michael	1	Email
Lucido	Brett D.	1	Email
Luengo	Christopher	1	Email

Last Name	First Name	Comments	Delivery Method
Luetzgerodt	Glendon	1	Email
Luevano	Jose	1	Email
Luevano Jr.	Jose L.	1	Email
Luis	Leslie	1	Email
Lujan	Ruben	1	Email
Luyten	Mark	1	Email
Lyzwanski	Olek	1	Email
MacDonald	Alexander	1	Email
MacGuire	James	1	Email
Macias	Daniel	1	Email
Mackenzie	Scott	1	Email
Mackinen	Matt	1	Email
Madden	Dan	1	Email
Malcomb	Eirk	1	Email
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Manfredi	Warren	1	Email
Mangabat	Henry	1	Email
Marcipan	Bill	1	Email
Marcus	Herring	1	Email
Marez	Alejandro	1	Email
Margolese	Michael	1	Email
Margolese-Taviv	Michal	1	Email
Marin	Gabriel	1	Email
Marler	Emory	1	Email
Mars	Themes	1	Email
Marshall	James H. (x 3)	1	Email
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Martinez	Paul	1	Email
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Last Name	First Name	Comments	Delivery Method
Martyn	Richard	1	Email
Marzillier	Fred	1	Email
Mason	Chris	1	Email
Massey	Steven	1	Email
Mataalii	Jared	1	Email
Matthews	Barney	1	Email
Matthews	Vernon	1	Email
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Mckean	Mark	1	Email
Mckenzie	Penny	1	Email
McKinnon	Lawrence	1	Email
McKnight	Edward	1	Email
McLean	Rebecca	1	Email
McVey	David T.	1	Email
Mcwilliams	James	1	Email
Mead	James	1	Email
Meagher	Michael	1	Email

Last Name	First Name	Comments	Delivery Method
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Medrano	Tony	1	Email
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Mejia	Jorge	1	Email
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Melendrez	Steven	1	Email
Melo	Javier	1	Email
Mendez	Douglas C (x 2)	1	Email
Mendoza	Jose	1	Email
Mercer	James	1	Email
Merchberger Jr.	Rick	1	Email
Meredith	Zach	1	Email
Mesa	Corey	1	Email
Meyer	Richard	1	Email
Meza	George	1	Email
Michaels	Mike	1	Email
Michelson	Brandon	1	Email
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Miller	Michael	1	Email
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Minato	Rick	1	Email
Mitchell	Megan T.	1	Email
Mitchell	Michael	1	Email
Mitts	Steven	1	Email
Miyasaki	Steve	1	Email
Mizar Sr.	Steve	1	Email
Mobley	Mark A.	1	Email

Last Name	First Name	Comments	Delivery Method
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Moffit	Gerry	1	Email
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Moseley	Jerry	1	Email
Mossburg	Ken	1	Email
Moy	Jing	1	Email
Moylan	Charles	1	Email
Mundt	Kirk	1	Email
Munro	Kenneth	1	Email
Murguia	Richard	1	Email
Murphy	Gary	1	Email
Murphy	Martin John	1	Email
Murrietta	Renaldo	1	Email
Mussetter	Jason	1	Email
Muth	Jeff	1	Email
N.	Ken	1	Email
Naefke	Lang	1	Email
Nail	James	1	Email
Nairne	Cindi	1	Email
Napolitano	Stevens	1	Email
Naranjo	Alejandro (x 2)	1	Email
Narayan	Shawn	1	Email

Last Name	First Name	Comments	Delivery Method
Narkthong	Natt	1	Email
Nash	Frank W.	1	Email
Navarro	Miguel	1	Email
Nelson	Grant	1	Email
Nelson	Josh	1	Email
Neri	Gilbert	1	Email
Nerona	Kevin	1	Email
Nettleton	Jeff	1	Email
Newman	Barry	n	Email
Newman	James	1	Email
Newman	Roger	1	Email
Newsom	Greg	1	Email
Newton	David	1	Email
Newton	Michael	1	Email
Nguyen	Henry	1	Email
Nguyen	Kevin	1	Email
Nguyen	Minh	1	Email
Nguyen	Vincent	1	Email
Nia	Arash	1	Email
Nichols	Brian	1	Email
Nidever	John	1	Email
Nielsen	Brian	1	Email
Niemic	Patrick	1	Email
Nieto	Alfredo	1	Email
Nigh	Donald	1	Email
Nikitin	Dimitriy	1	Email
Nikitin	John	1	Email
Nobriga	Don	1	Email
Noe	Miles	1	Email
Nolan	Ian	1	Email
Nolan	William	1	Email
Nollinger	Donald	1	Email
Norcia	Michael	1	Email
Nordby	Gary	1	Email

Last Name	First Name	Comments	Delivery Method
Nordlund	Richard	1	Email
Noren	Marvin	1	Email
Novotny	Dean	1	Email
Nozaki	Jeffrey	1	Email
Nunez	Edward	1	Email
Nuno	Eduardo	1	Email
Nushi	Alush	1	Email
Oakland	Veryl	1	Email
Oberto	John	1	Email
Obrien	Kelly	1	Email
O'Brien	Gary	1	Email
O'Brien	Gianmarco	1	Email
Ochoa	Alfonso	1	Email
Ochoa	David	1	Email
Odaka	Jason	1	Email
Odell	Tim	1	Email
O'Dell	Casey	1	Email
Oglesby	Oglesby	1	Email
Ohland	Doug	1	Email
Okun	Neil	1	Email
Olivas	John (x 2)	1	Email
Olvera Jr.	Raymond	1	Email
Omaque	Josef	1	Email
Oney	Kyle	1	Email
Ong	Aleister	1	Email
Ongsingco	Charlie	1	Email
Ornelas	Nathan	1	Email
Ornopia	Sebbe	1	Email
Ortega	Andre Anthony	1	Email
Ortega	Brian	1	Email
Osterberg	Todd	1	Email
Ou	Xiaopeng	1	Email
Overtoom	Chris	1	Email
Ow	Park	1	Email

Last Name	First Name	Comments	Delivery Method
Owens	Jonathan	1	Email
Padilla	Jesus	1	Email
Padilla	Joseph	1	Email
Padilla	Richard	1	Email
Paige	Richard L.	1	Email
Paine	Harold	1	Email
Paiva	Keith Michael	1	Email
Palmer	Joshua J.	1	Email
Pan	Yi	1	Email
Pannebaker	Fred	1	Email
Panther	Brent	1	Email
Papasergia	Pat	1	Email
Park	Bryan	1	Email
Parker	Dan (x 2)	1	Email
Parker	Joshua	1	Email
Parks	James	1	Email
Parris	Tacoma	1	Email
Parry	Seth	1	Email
Pasquini	Donald (x 2)	1	Email
Patten	Cory	1	Email
Patterson	Scott	1	Email
Payne	Michael	1	Email
Peccianti	Stephen	1	Email
Peck	Kevin	1	Email
Pedone	Jasin	1	Email
Pedrano	Rogiel	1	Email
Peeples	Nathan	1	Email
Peery	Steven	1	Email
Pena	Alex	1	Email
Pennington	Dane	1	Email
Pepper	Steven	1	Email
Peppers	Michael	1	Email
Perez	Adrian R.	1	Email
Perez	Ernie	1	Email

Last Name	First Name	Comments	Delivery Method
Perez	Frank J.	1	Email
Perez	James	1	Email
Perez	Johnny	1	Email
Perez	Mark	1	Email
Perez	Steven	1	Email
Perkes	David	1	Email
Perra	Matthew	1	Email
Peterson	Daniel	1	Email
Peterson	Greg	1	Email
Pettenger	Jon	1	Email
Pfanenstiel	Fantasy	1	Email
Pfanenstiel	Mark	1	Email
Phelps	Larry	1	Email
Phelps Sr.	Dennis	1	Email
Philippon	Greg (x 2)	1	Email
Phillips	Andrew	1	Email
Phillips	Bob	1	Email
Phillips	Chris	1	Email
Phillips	Christopher	1	Email
Phillips	David	1	Email
Phillips	John	1	Email
Phipps	Erinn	1	Email
Pickle	Dan	1	Email
Pickrell	Don	1	Email
Pierce	Jeremy	1	Email
Pierpont	George	1	Email
Pineda	Steven	1	Email
Pinson	Larry	1	Email
Piper	Michael	1	Email
Plancarte	George	1	Email
Pocoroba	Maxine G.	1	Email
Podkin	Douglas	1	Email
Poirier	Joseph T.	1	Email
Polkinghorne	James	1	Email

Last Name	First Name	Comments	Delivery Method
Pollay	Jeremy	1	Email
Pontipiedra	Jessie	1	Email
Ponzio	Albert	1	Email
Porter	Wes	1	Email
Portillo	Richard	1	Email
Postle	Cheng Chuan	1	Email
Postle	Rob	1	Email
Praisuwan	Peradej P.	1	Email
Press	Thomas	1	Email
Priest	Steve	1	Email
Prosser	Daniel	1	Email
Prouty	William A.	1	Email
Publici	Kenneth	1	Email
Pustka	Louis	1	Email
Quaid	Michael B.	1	Email
Racuya	Oliver	1	Email
Raines	Michael	1	Email
Ralles	Chris	1	Email
Ralphs	Steven	1	Email
Ramirez	Alexander	1	Email
Ramirez	Carlos	1	Email
Ramirez	Gabriel	1	Email
Ramirez	Jorge	1	Email
Ramirez	Randy	1	Email
Ramos	Christian (x 2)	1	Email
Ramsey	David S.	1	Email
Raney	Daniel	1	Email
Rasmussen	John Charles	1	Email
Ray	Walter	1	Email
Raymer	Michael	1	Email
Record	David	1	Email
Reed	Dave	1	Email
Rees	John	1	Email
Reeves	Ed	1	Email

Last Name	First Name	Comments	Delivery Method
Rehme	Jarred	1	Email
Reif	Troy (x 2)	1	Email
Reilly	Patrick	1	Email
Reinhard	John D.	1	Email
Reiss	James	1	Email
Reiss	John	1	Email
Reno	Roger	1	Email
Rentfro	Bob	1	Email
Reyes	Jeremy	1	Email
Reyna	Randall	1	Email
Reza	Maria C.	1	Email
Rhodes	Ronald (x 2)	1	Email
Rhodes	Troy D.	1	Email
Rhodes Jr.	Lyn	1	Email
Rice	Robert	1	Email
Richards	David (x 2)	1	Email
Richards	Greg	1	Email
Richardson	Dave	1	Email
Richardson	Douglas	1	Email
Richmond	Alan	1	Email
Rigrod	Andrew	1	Email
Riley	Dennis	1	Email
Riner	James	1	Email
Riner	Jonelle	1	Email
Rios	Cruz Alan	1	Email
Rising	Gregory M.	1	Email
Risso	Anthony (x 2)	1	Email
Ritchie	Karina	1	Email
Rivera	Eddie	1	Email
Rivera	Jason	1	Email
Roberts	Perry	1	Email
Robinson	Raymond	1	Email
Robles	Kimberly	1	Email
Robles Jr.	Juan	1	Email

Last Name	First Name	Comments	Delivery Method
Roby	Alan	1	Email
Rocchi	Ian	1	Email
Rocheleau	Kathi	1	Email
Rodriguez	Andrew	1	Email
Rodriguez	Carlos	1	Email
Rodriguez	David	1	Email
Rodriguez	Francisco	1	Email
Rodriguez	Jorge	1	Email
Rodriguez	Richard	1	Email
Rodriguez	Robert	1	Email
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Rogers	Richard	1	Email
Romanoff	Jan D.	1	Email
Romero	Diego	1	Email
Ronan	Chris I	1	Email
Rose	Adam	1	Email
Rose	Sean	1	Email
Rose	Will	1	Email
Rosemon	Victor	1	Email
Rosendall	Bruce	1	Email
Ross	Dean	1	Email
Ross	William	1	Email
Rossi	Christopher	1	Email
Rounsville	Ryan	1	Email
Rowe	Robert	1	Email
Rowland	Robert	1	Email
Rudolph	Colin	1	Email
Rudolph	Mackenzie	1	Email
Ruiz	Fidel	1	Email
Rupe	Bruce	1	Email
Russell	Andrew	1	Email
Russom	Charles	1	Email
Ryan	Craig (x 2)	1	Email

Last Name	First Name	Comments	Delivery Method
S	John	1	Email
Sabatino	Kevin	1	Email
Sabo	Joseph	1	Email
Saenz	Fernando	1	Email
Saenz	Stephen	1	Email
Salcedo	Hector	1	Email
Sanchez	Gabriel	1	Email
Sanchez	Medardo	1	Email
Sanchez	Pablo	1	Email
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Sandoval	Faustino	1	Email
Sargenti	Greg	1	Email
Sarnecki	Joseph	1	Email
Sato	Ryan K.	1	Email
Sawyer	Shawn	1	Email
Schallhorn	Ron	1	Email
Schamp	Jason (x 2)	1	Email
Schmale	Brenda	1	Email
Schmidt	Tim	1	Email
Schneider	Robert J. (x 2)	1	Email
Schoen	Michael J.	1	Email
Schoeneweis	Ronald	1	Email
Schoenfelder	Jason	1	Email
Schoonover	Jason	1	Email
Schreiber	Mathew	1	Email
Schroeder	Ted	1	Email
Schroeder	William	1	Email
Schutte	Carl	1	Email
Sciarappa	Michael	1	Email
Scofield	Billie	1	Email
Scroggins	Michael	1	Email
Seelinger	Sherman	1	Email
Segovia	Charlie	1	Email
Seitz	Mark	1	Email

Last Name	First Name	Comments	Delivery Method
Selga	Randolf	1	Email
Sellers	Paul	1	Email
Sepulveda	Aaron	1	Email
Sevilla	Eusebio	1	Email
Seward	Stacey	1	Email
Sexton	Derek	1	Email
Sharifi	Hassan (x 2)	1	Email
Sharp	Landon	1	Email
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Silva	Michael	1	Email
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Simpson	Blaine	1	Email
Sinclair	Lawrence	1	Email
Siordia	Daniel	1	Email
Skamnes	Robert	1	Email
Skiles	Todd	1	Email
Slabosnitskiy	Alexandr	1	Email
Slingerland	Vance	1	Email
Smith	Caitlin	1	Email

Last Name	First Name	Comments	Delivery Method
Smith	Cameron	1	Email
Smith	Chris I (x 2)	1	Email
Smith	Craig	1	Email
Smith	David	1	Email
Smith	Eric J.	1	Email
Smith	Jeff	1	Email
Smith	Jonathan	1	Email
Smith	Kelly	1	Email
Smith	Kenneth	1	Email
Smith	Kyle	1	Email
Smith	Michael	1	Email
Smith	Shannon	1	Email
Smith	Victoria	1	Email
Snider	Justin	1	Email
Solares	Luis	1	Email
Solis	Saul	1	Email
Sonesen	Kitrick	1	Email
Soper	Peter	1	Email
Soria	Martin	1	Email
Soto	Rudy	1	Email
Sotter	Anthony	1	Email
Soult	Troy	1	Email
Southwell	John	1	Email
Spencer	Randall	1	Email
Spratt	Eric D.	1	Email
Springer	Kyle	1	Email
Springs	Sterling	1	Email
St. Amand	Joe	1	Email
Stader	Stephen	1	Email
Stafford	Chester	1	Email
Standen	Mark	1	Email
Stanfield	Ted	1	Email
Stark	Jan	1	Email
Starkey	Bradley	1	Email

Last Name	First Name	Comments	Delivery Method
Staup	Thomas	1	Email
Steele	Frank L.	1	Email
Steele	Mike D.	1	Email
Stein	Joseph A.	1	Email
Stepanian	Justin	1	Email
Stephen	Cary	1	Email
Stephens	Wendy	1	Email
Stevens	Adam	1	Email
Stevens	Timothy J.	1	Email
Stevenson	Stephen	1	Email
Stewart	Leo	1	Email
Stewart	Rick	1	Email
Stewart	Stephen	1	Email
Stokes	Denis	1	Email
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Stueven	Jerry	1	Email
Subka	John	1	Email
Subryan	Randolph	1	Email
Suhovy	Alex	1	Email
Sumpter	Daniel	1	Email
Suzuki	Akira	1	Email
Swader	James	1	Email
Swallow	Lance	1	Email
Swann	Scott	1	Email
Swanson	Brittani	1	Email
Swanson	Mike	1	Email
Sylva	Michael	1	Email

Last Name	First Name	Comments	Delivery Method
Szabo	George	1	Email
Sziklay	Michael	1	Email
Tachibana	Shunji	1	Email
Tavera Jr.	Anselmo	1	Email
Taylor	David	1	Email
Taylor	Michael (x 2)	1	Email
Taylor	Randal	1	Email
Tenaglia	Mario (x 2)	1	Email
Terwilliger	Edward	1	Email
Thille	Nick	1	Email
Thomas	Chris	1	Email
Thomas	Joe	1	Email
Thompson	Christopher	1	Email
Thurston	Robert	1	Email
Ticzon	Herschel	1	Email
Timpa	Richard	1	Email
Tite	Cori	1	Email
Tite	Cori	1	Email
Todoulakis	Kelly	1	Email
Todoulakis	Kyle	1	Email
Toews	Erik	1	Email
Tomberlin	Jeramiah	1	Email
Topor	James (x 2)	1	Email
Tordoff	Dan	1	Email
Torres	Michael	1	Email
Torres	Miguel	1	Email
Toth	Philip	1	Email
Tran	Anh-khoa (x 2)	1	Email
Tran	Tien (x 2)	1	Email
Tran	Trang	1	Email
Tray	Howard	1	Email
Trefault	Brian	1	Email
Tregembo	James	1	Email
Trettenero	Chad	1	Email

Last Name	First Name	Comments	Delivery Method
Trinidad	Adolph	1	Email
Trippet	Jason	1	Email
Troncale	Jake	1	Email
Troxler	Mark	1	Email
Tsagalakis	Sotiros	1	Email
Tsay	Michael	1	Email
Tucker	Richard	1	Email
Turner	Cody	1	Email
Turner	Ed	1	Email
Turner	Sean	1	Email
Turnes	David	1	Email
Turrubiate	Osvaldo	1	Email
Twomey	Joseph	1	Email
Ubana	Clifford M.	1	Email
Ulloa	Oswaldo	1	Email
Umino	Robert	1	Email
Unknown	Drew (deekay@outdrs.n	1	Email
Unknown*	Unknown x 36	1	Email
Urquhart	William	1	Email
Vaca	David	1	Email
Valentine	James J.	1	Email
Valenzuela	Richard	1	Email
Valgos	Michael	1	Email
Valladares	Tanner	1	Email
Van	Brian	1	Email
Vang	Shoua	1	Email
Vanlandingham	Kevin	1	Email
VanLaningham	Edward	1	Email
Varner	Bob (x 2)	1	Email
Vaughan	Matthew	1	Email
Vawter	Brian	1	Email
Vejnoska	John	1	Email
Vera	Richard (x 2)	1	Email
Verrilli	Lou	1	Email

Last Name	First Name	Comments	Delivery Method
Vicente	Manuel	1	Email
Villa	Victor M.	1	Email
Villalobos	Shaun	1	Email
Villanueva	Richmond	1	Email
Villegas	Marcos	1	Email
Viola	A.	1	Email
Virzi	Nick	1	Email
Visitacion	Joseph (x 2)	1	Email
Volk	Mike	1	Email
von Bastian	Eric	1	Email
VonGehlken	Kolyn	1	Email
VonRanzow	Frank	1	Email
Voskuil	Mark	1	Email
Wadle	Nic	1	Email
Wahl	Jeffrey	1	Email
Waite	Carroll	1	Email
Walby	Terry	1	Email
Walker	Gary	1	Email
Walker	Jeffrey	1	Email
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Wallace	Scott	1	Email
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Wan	Mike	1	Email
Ward	D.	1	Email
Wardle	Burke	1	Email
Wares	Robert	1	Email
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Waters	Cleveland	1	Email
Wauters	Leon	1	Email
Wax	Charlie	1	Email
Weaver	George	1	Email
Webster	Brian	1	Email

Last Name	First Name	Comments	Delivery Method
Weiny	Ira	1	Email
Weis	Michael W.	1	Email
Weis	Robert	1	Email
Welch	Joe	1	Email
Welk	Jared	1	Email
Wells	Roger	1	Email
Welsh	Kenneth Alan	1	Email
Weringer	Kevin	1	Email
West	Phil	1	Email
Weston	Josiah	1	Email
White	Richard	1	Email
Whitesel	Justin	1	Email
Whitman	Steve	1	Email
Wickliffe	Charles D.	1	Email
Widener	Tim	1	Email
Wiedenmann	Gregg	1	Email
Wilcox	Michael	1	Email
Williams	Andrew	1	Email
Williams	Derek C.	1	Email
Williams	Ian	1	Email
Williams	Jason A.	1	Email
Williams	Ricky	1	Email
Williams	Stephen	1	Email
Williams	Tim	1	Email
Wilson	Andrew	1	Email
Wilson	Anthony T.	1	Email
Wilson	Nicholas	1	Email
Wilson	Stephen	1	Email
Wimberly	Matthew	1	Email
Winebrenner	Scott	1	Email
Winsby	Breanna	1	Email
Wirt	Greg	1	Email
Wisniew	Anthony	1	Email
Wittmann	Bill (x 2)	1	Email

Last Name	First Name	Comments	Delivery Method
Wollman	Isaac	1	Email
Wong	Anthony	1	Email
Wong	David	1	Email
Wong	Marsha	1	Email
Wong	Ronald	1	Email
Wood	David (x 2)	1	Email
Wood	Dean	1	Email
Wood	Mike	1	Email
Woods	Bernard	1	Email
Woodward	Matt	1	Email
Worden	Kefin	1	Email
Worthington	Donald	1	Email
Wren	Thomas O.	1	Email
Wright	Daniel	1	Email
Wright	Matt	1	Email
Wright	Zeke	1	Email
Yanez	Eduardo	1	Email
Yang	John	1	Email
Ybanez	George	1	Email
Ybarra	David	1	Email
Yee	Gregory	1	Email
Yee	Richard	1	Email
Yellen	Kenneth	1	Email
Young	Anthony	1	Email
Young	Preston	1	Email
Young	Stephen	1	Email
Yu	Avram (x 2)	1	Email
Zamora	Antonio	1	Email
Zamora	Javier	1	Email
Zapien	Isaac	1	Email
Zaragoza	Ronald	1	Email
Zarza	Mark D.	1	Email
Zavala	Dionicio	1	Email
Zdimal	Martin	1	Email

Last Name	First Name	Comments	Delivery Method
Zelonka	Jack	1	Email
Zettel	Micki Lynn	1	Email
Ziegler	Garrett	1	Email
Ziegler	Herbert F.	1	Email
SINGLE COMMENTS			
Anderson	Greg	2	Email
Adams	Unknown	10	Email
Ask	Robert	2	Email
Boss	Frank	2	Email
Burris	Carl	12	Email
Chih	Roger	6	Email
Claxton	Jerry	11	Email
Cook	Bruce	6	Email
De Leon	Feliciano	3	Email
Frolich	James	24	Hearing
Gatti	Michael	25	Email
Goldsmith	Kari	3	Email
Heyder	William	2	Email
Ireland	Greg	3	Email
Johnson	Terry	2	Email
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Lussier	Chris	3	Email
McAndrews	Joseph	3	Email
McIntyre	Joe	10	Email
Mettler	Charles	10	Email
Montgomery	Robert	2	Email
Montgomery	Unknown (ctmonty5@g	6	Email
O'Brien	James	3	Email
Officer	Sworn	3	Email
Paredes	Sam	104	Hearing
Penner	Larry	2	Email
Price	Ken	3	Email
Ramsey	Jack	3	Email

Last Name	First Name	Comments	Delivery Method
Ridge	William	6	Email
Ritchie	Rayna	49	Email
Sander	Will	2	Email
Sclafani	Pablo	3	Email
Soria	Ray	18	Email
Unknown	Don	2	Email
Unknown	ambrwb (ambrwm@aol	3	Email
Unknown	Francisco	17	Telephone
Willoughby	John	6	Email
Wood	C.D.	2	Email
Yablon	Alex	29	Email
COMMENTS 1 AND 2			
A	Greg (tennispro4@comd	1, 2	Email
Ackley	Russell	1, 2	Email
Aguilar	Maclovio (x 2)	1, 2	Email
Allred	David	1, 2	Email
Alvarez	Jay	1, 2	Email
Apthorpe	John R.	1, 2	Email
Ashmore	Terry	1, 2	Email
Basegio	Kyle A.	1, 2	Email
Blankenship	Steve	1, 2	Email
Blue	Michael	1, 2	Email
Borges	Mathew	1, 2	Email
Brosman	James	1, 2	Email
Brown	Michael	1, 2	Email
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Bullard	Kevyn	1, 2	Email
Cabral	Drew	1, 2	Email
Campbell	Ken	1, 2	Email
Cantada	Michael	1, 2	Email
Capretta	Timothy	1, 2	Email
Ciociola	Michael	1, 2	Email
Connon	Pat	1, 2	Email
Conversa	Patrick	1, 2	Email

Last Name	First Name	Comments	Delivery Method
Costantino	Carl	1, 2	Email
Crews	Jimmy Have	1, 2	Email
Cross	Martin	1, 2	Email
De Guzman	Joel (x 2)	1, 2	Email
DeForge	Scott	1, 2	Email
Denham	Marjorie	1, 2	Email
Denning	Justin	1, 2	Email
DiLeva	Dominick	1, 2	Email
Dodd Jr.	Andre	1, 2	Email
Dovlatian	Minas	1, 2	Email
Eakins	Michael (x 2)	1, 2	Email
Eckhart	Kevin	1, 2	Email
Enero	Richard	1, 2	Email
Eshleman	Robert	1, 2	Email
Evans	Richard	1, 2	Email
Francia	John	1, 2	Email
Fudge	Michael	1, 2	Email
Fuhrman	Richard	1, 2	Email
Gaskin	Shawn	1, 2	Email
Gilbert	Chrissy	1, 2	Email
Gilbert	Sean	1, 2	Email
Glaze	Ryan	1, 2	Email
Gonzales	David	1, 2	Email
Grainger	Derrick	1, 2	Email
Gutterres	Michael	1, 2	Email
Haddix	Trevor	1, 2	Email
Hanlon	Ryan	1, 2	Email
Hopkins	Brett	1, 2	Email
Hughes	Patrick	1, 2	Email
Jasper	Charles	1, 2	Email
Jasso	Rodolfo	1, 2	Email
Johnson	Carl L.	1, 2	Email
Johnson	Kent	1, 2	Email
King	Beau	1, 2	Email

Last Name	First Name	Comments	Delivery Method
Kopito	Steve	1, 2	Email
Kulyas	Mark	1, 2	Email
Land	Kevin	1, 2	Email
Lee	Bryan	1, 2	Email
Lindley	Mark E. (x 2)	1, 2	Email
Lizaraga	Chris	1, 2	Email
Loen	Taylor	1, 2	Email
Lomeli	Jose	1, 2	Email
Longbrook	Brent	1, 2	Email
Looney	Craig A.	1, 2	Email
Macias	Karl	1, 2	Email
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Parrinello	Grant	1, 2	Email
Pasquarello	Joseph	1, 2	Email
Payne	JasonJas	1, 2	Email
Pennington	Robert	1, 2	Email
Prete	Ric	1, 2	Email
Price	Jeremy	1, 2	Email
Rinehart	Kristopher	1, 2	Email
Runnalls	Russell W.	1, 2	Email
Schwartz	E.B. (x 4)	1, 2	Email
Seibel	Jacob (x 2)	1, 2	Email
Seiff	Jerry (x 2)	1, 2	Email
Sevey	James	1, 2	Email
Shaof	David	1, 2	Email
Shattuck	Jacob	1, 2	Email

Last Name	First Name	Comments	Delivery Method
Shoaf	Daniel	1, 2	Email
Smith	Allen	1, 2	Email
Spangberg	Ted	1, 2	Email
Starritt	Andrew	1, 2	Email
Sullivan	Alan	1, 2	Email
Surdich	Brett	1, 2	Email
Tafoya	Gil	1, 2	Email
Tarcov	Matthew	1, 2	Email
Tell	Adam	1, 2	Email
Thornhill	Rainer	1, 2	Email
Tinus	Laurent (x 2)	1, 2	Email
Tribble	Sara	1, 2	Email
Turriaga	Raymond	1, 2	Email
Vasquez	Saul	1, 2	Email
Webb	Brian	1, 2	Email
Wellner	John	1, 2	Email
Wieland	Dan	1, 2	Email
Wiest	James	1, 2	Email
Wilson	Peter	1, 2	Email
Wiseman	Gene	1, 2	Email
Wonser	Jim	1, 2	Email
Yang	Cai	1, 2	Email
Tucker	Kevin M.	1, 2	Email
COMMENTS 1 AND 3			
Akins	Michael J.	1, 3	Email
Alcorn	Mark	1, 3	Email
Allen	Norman	1, 3	Email
Baruch	Joshua	1, 3	Email
Beard	Roger	1, 3	Email
Benavides	Roberto	1, 3	Email
Bertiger	Ben	1, 3	Email
Bligh	Josh	1, 3	Email
Bollinger	David	1, 3	Email
Bradley	Luke	1, 3	Email

Last Name	First Name	Comments	Delivery Method
Brevik	Bart	1, 3	Email
Brown	Warren	1, 3	Email
Bussean	Lance (x 2)	1, 3	Email
Cahoon	Theodore (x 2)	1, 3	Email
Campbell	Dave	1, 3	Email
Cannavan	Patrick (x 2)	1, 3	Email
Conley	Donald	1, 3	Email
Daigle	Val	1, 3	Email
Danner	Jeff	1, 3	Email
Deleon	Damien R.	1, 3	Email
Dixon	Scott	1, 3	Email
DuPont	Stephen	1, 3	Email
Folks	Jesse	1, 3	Email
Forrest	Lew	1, 3	Email
Frey	Thomas	1, 3	Email
Gillman	Brandon	1, 3	Email
Gomez	Steven	1, 3	Email
Graeber	Lou	1, 3	Email
Gray	Chance	1, 3	Email
Hagler	John	1, 3	Email
Heldebrant	Paul	1, 3	Email
Henson	Paul B. (x 2)	1, 3	Email
Higham	Terry	1, 3	Email
Hoffman	Matthew	1, 3	Email
Huerta	Ryles	1, 3	Email
Jakobs	Terry	1, 3	Email
Lamb	Calvin	1, 3	Email
Lemster	Garrett	1, 3	Email
Lissow	Mike	1, 3	Email
Liu	Craig	1, 3	Email
Loveless	George	1, 3	Email
Lucien	Sim (x 2)	1, 3	Email
Massey	James	1, 3	Email
McCaffery	Dan (x 2)	1, 3	Email

Last Name	First Name	Comments	Delivery Method
McCoy	Kirk	1, 3	Email
Miller	William	1, 3	Email
Mondor	Edmond	1, 3	Email
Mork	Michael	1, 3	Email
Pachacek	Frank	1, 3	Email
Paul	David	1, 3	Email
Pritchard	Jade	1, 3	Email
Quick	Paul	1, 3	Email
Ragusa	Matthew	1, 3	Email
Reuscher	George	1, 3	Email
Roberts	Don	1, 3	Email
Rodman	Michael	1, 3	Email
Roe	Jonathan (x 2)	1, 3	Email
Ruff	Adam	1, 3	Email
Ruiz	Roberto	1, 3	Email
Sehlhorst	Robert	1, 3	Email
Shute	Kyle	1, 3	Email
Sills	Linda	1, 3	Email
Stanfield	Stan	1, 3	Email
Stepp	Troy (x 2)	1, 3	Email
Unknown	qwkrick.e (qwkrick.e@gr	1, 3	Email
Verdugo	Alex	1, 3	Email
Weisbrod	Brian	1, 3	Email
Wolter	Bryan	1, 3	Email
COMMENTS 1 AND 4			
Anderson	Donal	1, 4	Email
Asbury	Luke	1, 4	Email
Benbrook	Lynn	1, 4	Email
Carnathan	Dale	1, 4	Email
Foster	John	1, 4	Email
Groza	George	1, 4	Email
Hambright	Thomas	1, 4	Email
Loufek	Casey	1, 4	Email
Reed	Ron	1, 4	Email

Last Name	First Name	Comments	Delivery Method
Sepp	Andrew	1, 4	Email
Smith	Bret	1, 4	Email
COMMENTS 1 AND 5			
Bjerk	Thomas	1, 5	Email
Bunker	Art	1, 5	Email
Hatch	David	1, 5	Email
Hunrichs	Kenneth	1, 5	Email
McKee	Kent	1, 5	Email
Nguyen	Long	1, 5	Email
COMMENTS 1 AND 6			
Corner	Michael (x 2)	1, 6	Email
Jackson	Dywane	1, 6	Email
Kroesch	Michael (x 2)	1, 6	Email
Lance	Thomas K.	1, 6	Email
Leland	Mark	1, 6	Email
Loveall	Tom	1, 6	Email
MULTIPLE COMMENTS			
A.	Gary	1, 2, 4	Email
Abrams	Cheryl	2, 3	Email
Adams	Steve	38, 54	Email
Adler	Mike	1, 43	Email
Agadzhanov	Suren	1, 16	Email
Agil	Ibrahim	1, 7	Email
Allen	Clay	1, 2, 3	Email
Ammons	Randy	1, 2, 3	Email
Antonucci	Greg	1, 2, 3, 4	Email
Armenta	Samuel J.	1, 2, 31, 38	Email
Armsby	Garett	1, 24	Email
Avila	Daniel	1, 2, 3, 10	Email
Azzam	Bandaly	1, 2, 4, 7	Email
Baird	Mark	2, 3, 6, 7, 38, 39	Email
Baldwin	Leland	1, 2, 3	Email
Banker	Bret	2, 6	Email
Baratti	Paul (x 2)	1, 2, 3, 4	Email

Last Name	First Name	Comments	Delivery Method
Barber	Gerald	6, 20, 31, 35, 38, 54	Hearing
Barnett	Gary	2, 3, 34, 43	Email
Barton	Ronald	1, 2, 4	Email
Basciano	Joseph	1, 2, 4, 20	Email
Bauer	Erik K.	1, 2, 20	Email
Bebb	Michael	1, 2, 3	Email
Bell	Michael	1, 2, 3, 6	Email
Beltran	Justin	2, 3, 20	Email
Berg	Ryland	4, 110, 114	Hearing
Bircher	Robert	1, 2, 4	Email
Birds	Mike (x 2)	1, 2, 3, 5, 20	Email
Black	Jim (x 2)	1, 2, 3, 4	Email
Boals	Daniel	1, 2, 3	Email
Bohan	Timothy	1, 2, 20, 32	Email
Bouck	Guy	2, 3	Email
Boyce	Mike	1, 2, 3	Email
Boyle	Scott	1, 2, 5, 7, 27	Email
Bradley	Ron	1, 2, 4	Email
Breault	Daniel	1, 2, 3, 4	Email
Bredon	Peter	1, 2, 3	Email
Brewer	Michael	2, 5, 8	Email
Broaddus	Douglas	1, 5, 9	Email
Brown	Matthew	2, 3	Email
Bullington	Michael	2, 3, 6	Email
Burgess	Gholie	1, 2, 4	Email
Busby	Christian	2, 42	Email
Cahill	Andre	2, 3, 28	Email
Caloss	Dario	1, 2, 3, 55	Email
Cannone	Leonard	1, 2, 3	Email
Canova	Richard	1, 2, 4	Email
Caron	Dina	1, 2, 3	Email
Caron	Jason	1, 2, 3	Email
Carson	Lincoln	1, 2, 115	Email
Case	Matthew	1, 3, 4	Email

Last Name	First Name	Comments	Delivery Method
Casner	Chad	1, 2, 3, 4	Email
Cavallero	David V.	1, 2, 3	Email
Cetti	Larry (x 2)	2, 4, 20, 31, 105	Hearing
Chaloukian	David	1, 3, 4	Email
Chaplin	David	1, 2, 3	Email
Chen	Eric	2, 4	Email
Churchill	Clark (x 4)	2, 3, 46, 70, 77, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 104	Email, hearing
Cone	Adrian	1, 2, 3, 4	Email
Correia	August	2, 3, 9	Email
Crago	Sara	3, 20, 31, 38, 43, 53	Email
Crago Jr.	Tom	3, 20, 31, 38, 43, 53	Email
Cushman	Willard	2, 3, 5	Email
Czoka	Larry	1, 3, 6	Email
Dahlke	Taylor J.	1, 2, 4	Email
Dambrosio	Mark	1, 12	Email
Davis	Kevin	2, 3	Email
Dawson	Terry	1, 2, 3, 4	Email
DeChenne	Michael	1, 2, 7	Email
DeLuz	Craig	7, 56, 58	Hearing
Dickson	Lindsay (x 2)	1, 2, 3, 32	Email
DiGuseppe	Raymond M. (x 2)	1, 3, 61, 62, 70, 82, 83, 84, 85, 86	Email & USPS
Doyle	Paul (x 2)	1, 2, 20	Email
Drancea	Tudo	1, 3, 4, 5	Email
Drozd	Christopher	1, 2, 31	Email
Du Bois	Ryan	1, 38, 44, 45	Email
Dugan	JB "Jay" (x 2)	1, 2, 3	Email
Dunlava	Steven	1, 2, 3	Email
Dunn	Lawrence	1, 3, 4, 5	Email
Ehorn	Justin	1, 2, 10, 16	Email
Eisenga	Duztyynn	1, 14	Email
Elam	Rich	2, 57	Email
Elliott	Kevin	1, 2, 3	Email
Enfiedjian	Nikos	1, 2, 3, 4	Email
Estevez, Jr.	Ismael	1, 2, 3	Email

Last Name	First Name	Comments	Delivery Method
Fall	Drew	1, 7	Email
Fasanaro	Guy	1, 5, 6	Email
Felten	Gabriel	1, 2, 4	Email
Feola	Joe	1, 2, 4	Email
Folweiler	Sean	1, 2, 4	Email
Fong	Tracy	1, 2, 3	Email
Fong	Adams	1, 4, 6, 10	Email
Fortney	William (x 3)	1, 2, 3	Email
Fox	Jim	2, 3, 20, 24, 30	Email
Freeman	Joshua (x 2)	1, 2, 3	Email
Freeman	Patrick M.	2, 3, 4, 20	Email
Frilot	Daniel	2, 3, 20	Email
Froehlich	Kevin	1, 2, 3	Email
Fujita	Harry	1, 2, 3	Email
Fuller	Pat	1, 2, 6, 7	Email
G.	Joe	10, 47	Email
Gallagher	Colin	2, 3	Email
Garfin	Matt	2, 3, 31	Email
Gdstein	Glenn	2, 3	Email
Giddings	Eric	2, 3, 4, 8, 56	Email
Gilardi	Michael (x 2)	1, 3, 4	Email
Gison	Raymond	2, 3, 6, 31, 81	Email
Goit	John	1, 2, 6	Email
Gomes	Mark	1, 2, 3, 5	Email
Gonzales	Ryan	2, 4, 5	Email
Gonzalez	Mario	2, 38	Email
Goode	Stephen	2, 3, 32, 110	Hearing
Goodman	Charlie	2, 3	Email
Grove	Robert (x 2)	1, 2, 3, 4	Email
Grover	Jared	2, 7	Email
Gurnett	Gary	2, 3	Email
Haddock	Ritchie (x 2)	2, 3, 40, 60, 79, 101, 107, 108, 109, 110	Hearing
Hansen	Mike	3, 47	Email
Hanson	Mark A.	2, 3, 10, 31	Email

Last Name	First Name	Comments	Delivery Method
Harris	Mike	2, 31, 38	Email
Harrison	Mike	1, 2, 35, 43	Email
Hasey	Raymond (x 2)	62, 63, 64, 65, 66, 67, 68, 69, 77, 78, 79, 80	Email
Hass	Michael	1, 2, 3, 6	Email
Haugan	Dennis (x 2)	1, 2, 4	Email
Haynes	Stephen (x 2)	1, 3, 4	Email
Heider	Ryan	1, 2, 3	Email
Hendrickson	John	1, 2, 4	Email
Hernandez	Daniel (x 2)	1, 2, 3, 4	Email
Hill	Charles	2, 3, 40	Email
Holt	Tim	1, 2, 3	Email
Hughes	James	1, 2, 4	Email
Hutcheson	James	2, 4	Email
Irving	James	1, 2, 3	Email
Isaacson	Ralph	2, 3	Email
Ivers	Rory	1, 7	Email
Jacobo	Daniel	1, 2, 4	Email
Jacobs	Stehen	1, 2, 3, 4, 6, 31	Email
James	Howard	1, 3, 47	Email
Jason	Rios	1, 2, 3, 40, 59	Email
Jassem	Hank	1, 2, 3, 26	Email
Jeanpierre	Todd	3, 40	Email
Jensen	Sandy	1, 12	Email
Johnson	Jim	1, 2, 3, 4, 5	Email
Johnson	Devon	1, 2, 3, 5	Email
Johnson	Fred	1, 2, 3, 7	Email
Johnson	Jeff	1, 2, 4	Email
Johnston	Matt	1, 3, 5	Email
Juarez	Sam	1, 2, 3	Email
Justice	Mark	1, 2, 19	Email
Kailes	Gary	1, 2, 3	Email
Kcomt	Michael	1, 6, 24	Email
Keegan	Steven (x 2)	1, 2, 3, 4, 5	Email
Kerr	Don	3, 31, 40	Email

Last Name	First Name	Comments	Delivery Method
Kiernan	Mark	1, 2, 60	Email
Kightly	Ken	1, 3, 4	Email
Klein	Erik	1, 2, 3, 20	Email
Klungreseter	John	1, 2, 3, 4	Email
Knotts	Roger (x 2)	1, 2, 4, 5, 31	Email
Kostyuk	Nikita (x 2)	1, 2, 4, 13	Email
Krstolic	Craig	1, 2, 3	Email
Kuhlmann	William	1, 116	Email
Lagomarsino	Wesley	2, 3, 30	Email
Landes-Brown	Elijah (x 2)	1, 4, 6	Email
Lanphar	James	1, 2, 6	Email
Latam	Chris	1, 2, 3	Email
Lawrence	James	1, 3, 12	Email
Leaf	Randolph	1, 2, 4	Email
Leafe	Gregory	2, 4, 79, 104	Hearing
Leavitt	Eric	1, 2, 3	Email
Lee	George	3, 26, 61, 70, 83, 85	Hearing
Legaspi	Ritchie	2, 5	Email
Leong	Doug	2, 6	Email
Levitt	Damien (x 2)	1, 2, 117	Email
Lewis	Jeffrey	1, 4, 25	Email
Limacher	Donald	1, 3, 4	Email
Lindly	James	3, 6	Email
Lo	Nick	3, 24, 31	Email
Lord	Marvin	1, 2, 3	Email
Lowe	Brenda K.	4, 6	Email
Luke	Dave	1, 3, 24	Email
MacDonald	Deborah	1, 2, 3, 20	Email
MacIntyre	Scott	1, 3, 20	Email
Magda	Charles	2, 4	Email
Marcellus	Craig	2, 3, 4	Email
Martinez	Eduardo	1, 2, 3, 4	Email
Martinez	Eddie	2, 3, 15, 20, 48	Email
Massey	James (x 2)	1, 2, 3, 7	Email

Last Name	First Name	Comments	Delivery Method
McCracken	Greg	2, 4	Email
McEntyre	Greg	1, 2, 3, 5, 9	Email
Meinert	James	1, 2, 4	Email
Mendoza	Michael	3, 7	Email
Messineo	Frank	3, 4, 5, 6	Email
Meurer	Jack	2, 6	Email
Meyer Sr.	Gary L.	1, 2, 3	Email
Micheletti	Ryan	1, 2, 3, 5, 20	Email
Molinari	Guy	1, 2, 3	Email
Morgan	Richard	1, 2, 5, 20, 38	Email
Morrow	Brian K.	1, 2, 4	Email
Muh	Victor	1, 2, 3	Email
Munger	Burt	1, 2, 9	Email
Munn	Michael	1, 2, 3	Email
Natareno	Alex	1, 2, 3	Email
Newhouse	William (x 2)	1, 2, 6	Email
Newman	Karel	3, 21, 22	Email
Nguyen	Daniel	2, 4, 31	Email
Nguyen	Phuong	30, 43	Email
Nyland	Dean	1, 2, 3	Email
O'Brien	Daniel W.	2, 3, 4, 32	Email
Oehrke	John	1, 2, 3	Email
Oliman	Roman	2, 3, 4, 5, 32, 54, 101, 112, 113	Hearing
Oliver	Josh	1, 2, 3	Email
Olson	Tyler	2, 3, 5, 23, 31	Email
Pace	John	1, 2, 3, 5, 41	Email
Paisley	Mike (x 2)	1, 2, 3	Email
Palma	Michael	1, 2, 5, 7	Email
Peltack Sr.	Chris	2, 6, 7	Email
Pierce	Ted	1, 2, 3, 4, 5, 6	Email
Pipes	Gordon	1, 3, 31	Email
Poli	Len	2, 3	Email
Post	Sam	1, 2, 3	Email
Powell	John	1, 2, 5	Email

Last Name	First Name	Comments	Delivery Method
Pratt	James	1, 2, 3	Email
Purtscher	Tony (x 2)	1, 2, 23	Email
Putz	Eric (x 2)	1, 2, 4	Email
Quinn	Kevin	1, 3, 20, 50, 51	Email
Radoicich	Beau	3, 7, 26, 52	Email
Ramey	David	1, 3, 6	Email
Ramme	Andrew	1, 2, 3	Email
Ramos	Gilbert	1, 2, 4, 5, 6	Email
Rankin	Eric	1, 2, 5, 20	Email
Raymer	Tyler	1, 2, 3	Email
Reckling	Gary	1, 2, 3	Email
Reeder	Darrell	2, 3, 4	Email
Reid	Daniel	50, 70, 72, 102, 103	Hearing
Rice	Danny	2, 3, 6	Email
Richards	Manning	1, 2, 3	Email
Riglick	Charles	2, 3, 106	Hearing
Ritter	Bill	1, 3, 20	Email
Roach	Anthony	1, 2, 3	Email
Robbins	Thomas	1, 2, 3	Email
Robey	S (lr20164me@yahoo.co	1, 2, 3	Email
Rocha	Tony	1, 36	Email
Rogers	Jim	2, 3, 6	Email
Rosal	Jiovanni	1, 3, 6	Email
Rose	Kenneth	1, 2, 6, 31, 38	Email
Ross	Robert L.	1, 2, 5	Email
Roth	Taylor	1, 2, 117	Email
Rubalcaba	Javier	1, 3, 6, 24	Email
Rubin	Garry	3, 32	Email
Ruiz	Rene	1, 2, 3, 26	Email
Ryti	Robert	1, 2, 3, 6, 12, 24, 38	Email
Salciccioli	Joseph	2, 3	Email
Samarin	Noah	1, 2, 3	Email
Sami	Nabil	4, 101, 104	Hearing
Sanchez	Edward A.	1, 3, 4	Email

Last Name	First Name	Comments	Delivery Method
Sarmiento	Bernard	2, 4	Email
Schachter	Daniel	1, 2, 4	Email
Schader	Ryan (x 4)	1, 2, 3, 4, 6	Email
Schafer	Barak	4, 7	Email
Schmidt	Fred	1, 10	Email
Schmidt	Randy L.	1, 11	Email
Schrader	Mike	1, 26	Email
Sedano	James	1, 2, 115	Email
Seeman	Joshua	1, 2, 3	Email
Sekulich	Craig	2, 10, 24	Email
Serna	Gilbert	2, 3, 6	Email
Seshiki	Alan	1, 2, 4	Email
Sevey	Jim (x 2)	1, 2, 3	Email
Sfetku	Emmett	1, 2, 3	Email
Silvoso III	Joseph	1, 70, 71, 72, 73, 74, 75, 76,	Email
Sims	Joe	1, 2, 3	Email
Sloan	Bryan	1, 2, 6	Email
Sobel	Bruce	1, 2, 3	Email
Spaulding	Richard	101, 111	Hearing
Stone	Harry	2, 3, 6, 31	Email
Sun	Tao	20, 46	Email
Tary	Alex	1, 2, 12	Email
Taylor	Nathan	1, 13, 58	Email
Templeton	James (x 2)	1, 4, 7	Email
Thomas	William	1, 2, 3, 4, 6	Email
Thorpe	Timothy E.	1, 2, 3	Email
Throop	Kyle	1, 2, 3	Email
Turner	David	1, 3, 4, 5	Email
Unknown	Thomas (toyjo3@gmail.com)	1, 2, 3, 4, 24	Email
Unknown	Russ	2, 4, 48	Email
Unknown	John (jweav2002@suddenlink.net)	3, 4, 7	Email
Unknown	Manny (hk308@pacbell.com)	3, 6	Email
Unknown	James (semaj405@yahoo.com)	6, 37	Email
Valdez	Ernesto	1, 2, 3, 4	Email

Last Name	First Name	Comments	Delivery Method
Vallasteros	Alex	1, 2, 20	Email
Van Zile	Tyler	1, 2, 7, 15	Email
Vargas	Jesus	1, 2, 3, 4	Email
Ventura	Dilfido	2, 31	Email
Wanstreet	Brent	1, 43	Email
Watt	Alan	3, 6, 10, 31, 41	Email
Welch	Jake	1, 3, 6	Email
White	Andy (x 2)	1, 2, 3	Email
Wigley	Jason	1, 2, 3	Email
Williams	Chuck	1, 2, 6, 12	Email
Windus	Walter	1, 2, 5	Email
Wolfe	Steven	1, 3, 43	Email
Wolfe	Robert (x 2)	1, 3, 6	Email
Wopschall	Steve	1, 4, 15, 33, 34, 35	Email
Wright	Justin	1, 2, 3, 4, 6	Email
Wright	Dan	2, 3, 4, 24	Email
Yancey	Tim	1, 2, 4, 20	Email
Young	Gary C.	2, 3	Email
Zuccarino	Tony	1, 2, 6	Email
IRRELEVANT COMMENTS NOT SUMMARIZED			
Burris	Robert	Irrelevant	Email
Davis	Jason	Irrelevant	Email
Exline	Gregory	Irrelevant	Email
Hedgpeth	Bob	Irrelevant	Email
Miller	Ralph	Irrelevant	Email
Sanford	Chris	Irrelevant	Email
Shook	Jack	Irrelevant	Email
Stoffel	Charles	Irrelevant	Email
Thomsen	Richard	Irrelevant	Email
Unknown	Unknown (as.t.roska@g)	Irrelevant	Email
Unknown	Unknown (patl@pacific.	Irrelevant	Email
V	Hector (h_a_cleaning@h	Irrelevant	Email
LATE COMMENTS			
Buckmaster	Michael	1	Email
Customs	Turismo	2, 4	Email

Last Name	First Name	Comments	Delivery Method
DeSpain	Darlene	1	Email
Fuerte	Raymond	1	Email
Haskill	Sharon	1	Email
Haskill	Steven	1	Email
Hilly	Richard	2, 20	Email
Hubert	Rory	1, 2	Email
Korff	Kevin	1	Email
Learned	Michael	1	Email
Martinez	Efrain	1	Email
Meinert	James	1	Email
Rodriguez	Ruben	1	Email
Tracey	Sammuel	1	Email
Unknown	Unknown* (x 3)	1	Email
Van Norman	Brian	1, 4	Email

15-DAY PUBLIC COMMENTS AND DEPARTMENT OF JUSTICE RESPONSES

#	Summarized Comment	DOJ Response
1.	General opposition to the Assault Weapon Definition regulations.	We received a number of non-specific, generalized comments in opposition to the regulation. The Department is adopting the regulation for the reasons stated in the Initial Statement of Reasons.
2.	Law-abiding gun-owners are being blamed for the acts of criminals.	No change has been made in response to this comment because this is a generalized comment in opposition to the regulation. The Department is adopting the regulation for the reasons stated in the Initial Statement of Reasons. As stated in the Initial Statement of Reasons, the proposed regulation will ensure that a single set of definitions applies across the entire California Assault Weapons Control Act, and will provide uniform guidance on assault weapons to the public, the judiciary, district attorney's offices, and law enforcement, thereby supporting the enforcement of California's Assault Weapons Control Act through the prosecution of persons who violate that law.

#	Summarized Comment	DOJ Response
3.	<p>The Assault Weapon Definition regulations infringe on Second Amendment and/or other Constitutional rights.</p>	<p>No change has been made in response to these comments. The proposed regulation does not infringe on Second Amendment rights because the regulation supports the enforcement of an assault weapons ban, which courts across the country have uniformly found to comply with Second Amendment requirements. The Fourth Circuit Court of Appeals has held that assault weapons are not protected by the Second Amendment. <i>Kolbe v. Hogan</i>, 849 F.3d 114, 137 (4th Cir. 2017). The Fourth Circuit and three other federal courts of appeals have also upheld assault weapons bans similar to California’s Assault Weapons Control Act after either applying intermediate scrutiny analysis or finding that assault weapons were not common at the time of ratification. <i>Kolbe</i>, 849 F.3d at 140-41 (holding alternatively that Maryland’s assault weapons ban survives intermediate scrutiny); <i>New York State Rifle and Pistol Ass’n, Inc. v. Cuomo</i>, 804 F.3d 242, 269 (2nd Cir. 2015) (holding that New York and Connecticut’s ban on assault weapons do not violate the Second Amendment); <i>Heller v. District of Columbia</i>, 670 F.3d 1244, 1263 (D.C. Cir. 2011) (upholding the District of Columbia’s ban on assault weapons after intermediate scrutiny analysis); <i>Friedman v. City of Highland Park</i>, 784 F.3d 406, 410 (7th Cir. 2015) (upholding a city ordinance banning possession of assault weapons because states may prohibit civilian possession military-grade firearms and city residents have ample means to exercise their right of self-defense). Nor does the proposed regulation infringe upon other unspecified constitutional rights, such as due process rights, because it is being promulgated in full compliance with the notice-and-comment requirements of the Administrative Procedure Act.</p>
4.	<p>a. The regulations are arbitrary and “made up”.</p> <p>b. The regulations are unclear.</p>	<p>a. No change has been made in response to this comment because this is a generalized comment in opposition to the regulation. The Department is adopting the regulation for the reasons stated in the Initial Statement of Reasons. In developing these regulations, the Department relied upon the technical documents identified in the Initial Statement of Reasons addendum.</p> <p>b. No change has been made in response to this comment because this is a generalized comment in opposition to the regulation. The Department is adopting the regulation for the reasons stated in the Initial Statement of Reasons.</p>

#	Summarized Comment	DOJ Response
5.	<p>a. Opposition to the general characteristics defining an “assault weapon” as set by statute, separate from those characteristics’ specification in this proposed rulemaking.</p> <ul style="list-style-type: none"> • “The pistol grip is suppose to be a accessory to help control the firearm a lot better” • “Why no flash suppressor, completely blinds the shooter on the range at night” <p>b. The definition of “assault weapon” is arbitrary.</p>	<p>a. No change has been made in response to these comments because the Department determines that these comments object to the underlying statute rather than to the way the agency proposes to interpret it. Penal Code section 30515 defines the term “assault weapon” by identifying the characteristics that these comments oppose.</p> <p>b. No change has been made in response to these comments because the Department determines that these comments object to the underlying statute rather than to the way the agency proposes to interpret it. Penal Code section 30515 defines the term “assault weapon” by identifying certain characteristics. The proposed regulations interpret and specify those statutorily identified characteristics.</p>
6.	<p>a. General opposition and dissatisfaction towards DOJ because “questionable tactics” are being used to adopt these regulations.</p> <p>b. DOJ is making up their own laws/rules.</p>	<p>No change has been made in response to these comments. The underlying assault weapon laws were passed by the Legislature. These regulations are being proposed pursuant to the California Administrative Procedure Act (APA), which requires a public notice and comment procedure. The Department issued the Notice of Proposed Rulemaking for the regulations on November 22, 2017. In accordance with the APA, a 47-day public comment period ran from this date through January 8, 2018, when the Department also held an in-person public hearing. Notice of additional documents being added to the rulemaking file was sent to the public in accordance with the APA, on October 19, 2018. An additional 18-day public comment period ran from that date through November 6, 2018.</p>
7	<p>Provide those of us who received Notification by email of the Notice of Availability of Additional Documents, with the electronic version of the text of your proposal referred to in the notice.</p>	<p>The Department interprets this comment as a procedural objection to the fact that the Department did not attach the Initial Statement of Reasons addendum when it provided, via email, notice that additional documents were being added to the rulemaking file. However, the APA does not require the Department to email an electronic copy of the ISOR addendum to everyone who received the Notice. The Initial Statement of Reasons addendum was available for public inspection on the Department’s website and at the Department’s office, per Gov. Code 11347.1.</p>

#	Summarized Comment	DOJ Response
8	<p>a. The regulations illegally overextend the allowable scope and reach of the law, thus affecting firearms not intended to be regulated by the Legislature.</p> <p>b. The definitions include the Yugo 59/66, which, with modification, is currently legal.</p> <p>c. The definitions include shotguns, which were not included in the underlying legislation.</p>	<p>a. No change has been made in response to this comment because this is a generalized comment in opposition to the regulation. The proposed definitions implement, interpret and make specific the characteristics of assault weapons as set by statute. The Department is adopting the regulation for the reasons stated in the Initial Statement of Reasons.</p> <p>b. No change has been made in response to this comment because the comment is inaccurate. The Department referenced the “Owner’s Manual Yugo Model 59/66 Rifle” while developing the term “spigot,” a type of muzzle device that allow grenades to be fired from them, such that spigots are an indicator of a grenade launcher being present on a firearm. A “grenade launcher” is included in the statutory list of characteristics the presence of which may qualify a rifle as an assault weapon (Penal Code § 30515(a)(1)(D). As the commenter notes, without modification, a semiautomatic, centerfire rifle with a grenade launcher is currently illegal in the state of California. The proposed definition of “spigot” implements, interprets and makes specific this characteristic of assault weapons as set by statute. The Department is adopting the regulation for the reasons stated in the Initial Statement of Reasons. The Department is not authorized to issue opinions on the legality of a particular modified item. For legal advice or interpretation, the Department suggests that individuals seek the advice of a knowledgeable attorney.</p> <p>c. No change has been made in response to this comment because the comment is inaccurate. Penal Code section 30515(a)(6), (7) and (8) explicitly include specified types of shotguns in the statutory definition of “assault weapon.” These proposed regulations interpret and implement those statutory definitions.</p>
9.	<p>I still don’t understand what a Bullet Button is could you please clarify this and maybe even include a picture of what you are calling a Bullet Button.</p>	<p>No change has been made in response to this comment. The Department is adopting the regulation for the reasons stated in the Initial Statement of Reasons. The term “bullet button” has a meaning that is generally familiar to those directly affected by the regulation, and is defined in the regulation itself.</p>

#	Summarized Comment	DOJ Response
10.	<p>Ability to disassemble the firearm action is not a definition easily understood, most firearms are completely built to be disassembled for cleaning purposes, not a definition at all.</p>	<p>No change has been made in response to this comment. The Department disagrees that the regulation does not meet the “clarity” requirement of Gov. Code section 11349.1. The term “disassembly of the firearm action,” as defined in the proposed regulation, can be reasonably and logically interpreted to have only one meaning, has a meaning that is generally familiar to those directly affected by the regulation, and is defined in the regulation itself.</p> <p>Alternatively, it is possible to interpret this comment as objecting to the underlying statute, rather than to the way the agency proposes to interpret it. Penal Code section 30515(b) refers to “disassembly of the firearm action” as a procedure required to remove an ammunition feeding device contained in, or permanently attached to a firearm, in order for that device to meet the definition of the term “fixed magazine.” To comment on the fact that most firearms are capable of being disassembled is possibly an objection to the inclusion of this particular characteristic in the definition of “assault weapon” in the underlying statute, and is not a comment specifically directed at the proposed regulation.</p>
11	<p>These definitions require the retention of bullet button devices on weapons registered as “assault weapons” despite the obvious fact that the only purpose of the bullet buttons prior to the legislative changes was to keep the weapons from being “assault weapons” in the first place. Removal of the magazine locks or “bullet buttons” DO NOT fundamentally change the nature, function or lethality of the firearm(s) in question, nor does it make sense from the practical or legal standpoint to require that such devices remain on weapons already declared and registered as “assault weapons”.</p>	<p>No change has been made in response to this comment. This comment pertains to the registration of bullet-button assault weapons, and the limitations imposed by that registration process, not the definitions of terms related to the identification of an assault weapon that are the subject of this rulemaking. The comment appears to refer to 11 CCR section 5477, which is a regulation prohibiting post-registration modification of the magazine release device.</p>

#	Summarized Comment	DOJ Response
12	<p>Some of the more dubious and not understandable "definitions" include:</p> <ul style="list-style-type: none"> Ability to accept a detachable magazine Action Bullet-button -- Seriously, what the hell is that supposed to be? Detachable magazine Featureless FMBUS Permanently attached to 	<p>No change has been made in response to this comment because the Department disagrees that the regulation does not meet the "clarity" requirement of Gov. Code section 11349.1. The terms indicated by the commenter, as defined in the proposed regulation, can be reasonably and logically interpreted to have only one meaning, has a meaning that is generally familiar to those directly affected by the regulation, and/or is defined in the regulation itself. The Department is adopting the regulation for the reasons stated in the Initial Statement of Reasons.</p>
13	<p>Regarding the update of definition (m) "detachable magazine," while the definition has been expanded, the source provided, CA penal code 30515, provides no information related to magnets and their effects on "bullet buttons" now included in the proposed definition. This leaves the definition vague and requires clarity on what the magnets are, what they do to the bullet button, and why the action of placing a magnet on a bullet button pulls it into the scope of a detachable magazine.</p> <p>Suggestion: Provide a source that clarifies what is being referred to by a magnet left on a bullet button and why it changes the status of a bullet button.</p>	<p>No change has been made in response to this comment. In its definition of the term "detachable magazine," the Department has provided three examples of common firearms that, in the specified configurations, do not meet the definition of having a "detachable magazine," including certain firearms with bullet-button style devices. These examples help the definition of "detachable magazine" meet the "clarity" requirement of Gov. Code section 11349.1.</p> <p>The proposed definition of "bullet-button" provides that "Bullet-button means a product requiring a tool to remove an ammunition feeding device or magazine ... A bullet-button equipped fully functional semiautomatic firearm does not meet the fixed magazine definition under Penal Code section 30515(b)." As provided in the proposed definition of "detachable magazine," an AR-15 style firearm that has a bullet-button style device, as defined, with a magnet left on the bullet-button constitutes a detachable magazine because the magnet is a tool that, in conjunction with the bullet-button, allows the ammunition feeding device to be removed without disassembly of the firearm action. The term "magnet" itself can be reasonably and logically interpreted to have only one meaning in this context. It is not practical for the Department to propose a definition for every word used in every proposed definition. Instead, the Department has focused on proposing definitions for key terms that are essential to a proper understanding of the proposed definitions.</p>

#	Summarized Comment	DOJ Response
14	<p>Regarding section (rr), some pistols on the Roster of Handguns Certified for Sale but which were not eligible for registration as Assault Weapons, such as the Walther P22 CA, meet the above definition of having a "threaded barrel". This effectively outlaws a previously legal firearm without the ability to retain possession through registration of it as an Assault Weapon.</p>	<p>No change has been made in response to this comment. A weapon with a "threaded barrel" that does not meet the statutory definition of assault weapon will not be considered an assault weapon simply because it has a "threaded barrel." The Department is not authorized to issue opinions on the legality of a particular weapon. For legal advice or interpretation, the Department suggests that individuals seek the advice of a knowledgeable attorney.</p>
15	<p>Regarding section (cc), the sentences "Unfinished receivers may be found in various levels of completion" and "As more finishing work is completed the precursor part gradually becomes a firearm" describe a continuum of the state of being an "unfinished receiver". No definitive point is given at which point a block of aluminum, for example, is legally distinct from an "unfinished receiver". For example, working backwards from completion, at what point is a receiver no longer classified as an "unfinished receiver"? Does a rectangular block of metal with no distinguishing features, which can eventually be tooled into a receiver (colloquially referred to as a "0% receiver"), meet the definition of an "unfinished receiver"?</p>	<p>No change has been made in response to this comment. The Department relied upon the cited references in the Initial Statement of Reasons addendum in developing this term. The term "unfinished receiver," as defined in the proposed regulation, can be reasonably and logically interpreted to have only one meaning, has a meaning that is generally familiar to those directly affected by the regulation, and is defined in the regulation itself. The commenter's reference to the "colloquial" designation is itself evidence that the term is generally familiar.</p> <p>The proposed definition of the term "receiver, unfinished" provides clarity to the term "receiver," which itself provides clarity to the term "disassembly of the firearm action," which is included in the definition of "fixed magazine" in Penal Code section 30515(b). The proposed definition of "receiver, unfinished," is only legally relevant insofar as it provides clarity to the term "receiver." It is not practical for the Department to propose a comprehensive definition for every word used in every proposed definition. Instead, the Department has focused on proposing definitions for key terms that are essential to a proper understanding of the proposed definitions.</p>

#	Summarized Comment	DOJ Response
16	<p>Regarding sections (a) (p) (n) and (b) together would classify certain shotguns as Assault weapons which were not eligible for registration, such as the Benelli M4. Removing the magazine on a M4 requires screwing off the magazine retention cap and sliding the chamber and barrel forward, disconnecting it from the receiver, and allowing the magazine tube to be disconnected. At no point in this process is the "Action" interrupted or disassembled, though the firearm is effectively rendered non-functional. This effectively outlaws a previously legal firearm without the ability to retain possession through registration of it as an Assault Weapon.</p>	<p>No change has been made in response to this comment. The definitions in section 5471, which the proposed regulation would make applicable generally, are precisely the definitions under which an assault weapon could be registered pursuant to Penal Code section 30900(b)(1). Any firearm that met the definition of "assault weapon" under section 5471 during the registration period would still meet that definition under the proposed regulation. The proposed definitions only apply "to the identification of assault weapons pursuant to Penal Code section 30515" and do not expand the scope or applicability of the terms beyond what is provided by that Penal Code section. To the extent the comment suggests that the definitions in 11 CCR section 5471 (a), (b), (n), and (p) render the Benelli M4 an assault weapon that was required to be registered, that would only be the case if that firearm fell within the definition of Penal Code section 30515(a)(7), "A semiautomatic shotgun that has the ability to accept a detachable magazine." Such weapons were explicitly required to be registered by the Department's registration regulations (11 CCR § 5469 et seq.). The Department is not authorized to issue opinions on the legality of a particular weapon. For legal advice or interpretation, the Department suggests that individuals seek the advice of a knowledgeable attorney.</p>
17	<p>Regarding section (z), the definition is reliant upon biological dimensions (which vary from person to person). As such, it is ambiguous- as a grip which may allow a large, male hand to place the "web of the trigger hand" "beneath or below the top of the exposed portion of the trigger while firing", may not allow the hand of a small female to do the same. There must be a standard reference.</p>	<p>No change has been made in response to this comment. The Department disagrees that the phrase "web of the trigger hand" is ambiguous. The phrase can be reasonably and logically interpreted to have only one meaning, and has a meaning that is generally familiar to those directly affected by the regulation. The relevant characteristic is whether the "web of the trigger hand" can be placed "beneath or below" a specified characteristic of a firearm. The "web" of the hand is a flap of skin, the height of which does not differ substantially enough between people to affect the use of the definition as a standard of general application in determining whether a pistol grip allows for a pistol style grasp. The phrase was included in the definition of "pistol grip that protrudes conspicuously beneath the action of the weapon" in former 11 CCR section 5469 (since repealed) regarding the identification of assault weapons. It is included here for clarity, and consistency with a previous regulatory scheme.</p>

#	Summarized Comment	DOJ Response
18.	<p>Because the amended Initial Statement of Reasons only adds documents for which DOJ allegedly relied upon in drafting its definitions, we are dismayed that DOJ has not addressed any of the concerns raised in prior public comments. What’s more, DOJ’s notice is set to expire on November 24, 2018—<i>less than three weeks after the close of this public comment period</i>. Considering it took DOJ nearly five months to respond to public comments and submit this proposed regulation to the Office of Administrative Law (“OAL”) when originally proposed, we are gravely concerned that DOJ will once again attempt to deny the public a meaningful opportunity to participate in the regulatory process by largely ignoring public comments in an attempt to rush the proposal through.</p> <p>DOJ’s attempt to extend the application of regulatory definitions adopted pursuant to a limited APA exception clearly demonstrate DOJ’s disregard for the APA, OAL’s role, and the importance of public participation in the rulemaking process. For these reasons and those stated below, DOJ should abandon its current path and instead propose substantive regulatory definitions that afford members of the public a meaningful opportunity to comment.</p>	<p>No change has been made to the regulation in response to these comments. The Department’s responses to all public comments received during the prior public comment period (November 22, 2017 through January 8, 2018) are being submitted to the Office of Administrative Law (“OAL”) herewith, as part of the Department’s Final Statement of Reasons, as required under the Administrative Procedure Act (“APA”). (Gov. Code § 11346.9(a)(3).) The Department’s responses to all public comments received during the subsequent public comment period (October 19, 2018 to November 6, 2018) are also being submitted to OAL herewith, as part of the Department’s Final Statement of Reasons. The Department has complied with the notice and public comment requirements of the APA, and herewith submits its responses to those comments for review by OAL.</p>
19.	<p>The APA exception only applied to regulations regarding registration—not the enforcement of California law in other responses. The proposed regulation, if adopted, will once again apply those same definitions to general enforcement purposes. In other words, DOJ is attempting to sidestep OAL’s prior disapproval and is otherwise seeking to adopt definitions in a manner that bypasses the requirements of the APA.</p>	<p>No change has been made to the regulation in response to this comment. As part of the current rulemaking proceeding, the Department has provided notice and the opportunity for public comment on all of the definitions to be adopted by the proposed regulation, in conformance with the requirements of the APA.</p>

#	Summarized Comment	DOJ Response
20	<p>Our letter also discussed the fact that DOJ received over 2,277 individual public comments to which DOJ rejected every single proposed alternative. Instead, DOJ stated none of those proposed alternatives were potentially more effective or less burdensome—largely because proposed section 5460 does not itself contain any of the definitions for which it applies. The following month, DOJ withdrew the proposed regulation from consideration by OAL.</p>	<p>No change has been made to the regulation in response to this comment. During the public comment period that ran from November 22, 2017 through January 8, 2018, the Department received 2,277 comment submissions, though not all submissions were unique. The Department’s discussion of proposed alternatives described in this comment appears in the Initial Statement of Reasons, and was not in response to the public comments received from November 22, 2017 through January 8, 2018. The Department’s responses to those public comments are being submitted to OAL herewith, as part of the Department’s Final Statement of Reasons, as required under the APA.</p>

<p>21. “Ability to Accept a Detachable Magazine”</p> <p>a. In addition to the objections raised in prior comment letters which DOJ has yet to adequately respond to, DOJ appears to have forgotten that the term “detachable magazine” had been previously negotiated and ultimately approved, and that prior attempts by DOJ to redefine this term have failed— and with good reason. DOJ’s amended Initial Statement of Reasons clarify that their definition for this term was composed using California Penal Code sections 30515(a) and 30900(b)(1). Law-abiding gun owners should also be able to rely upon those same Penal Code provisions in order to determine what is or is not legally permissible in California— which DOJ’s definition does not allow for.</p> <p>b. The registration period for firearms now classified as an “assault weapon” has ended. DOJ’s definition, which it now seeks to apply for purposes of enforcement, was not in effect during this registration period. As a result, gun owners who currently own firearms affected by this definition but did not register due to their mistaken belief could suffer unjust enforcement.</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. The Department’s responses to all public comments received during the prior public comment periods (November 22, 2017 through January 8, 2018, and October 19, 2018 through November 6, 2018) are being submitted to OAL herewith, as part of the Department’s Final Statement of Reasons, as required under the APA. The proposed definition of “Ability to Accept a Detachable Magazine” is consistent with California Penal Code sections 30515(a) and 30900(b)(1). Bullet-button shotguns fall within the statutory definition of an assault weapon. Penal Code section 30515, subdivision (a)(7) defines as an assault weapon, “A semiautomatic shotgun that has the ability to accept a detachable magazine.” (Pen. Code, § 30515, subd. (a)(7).) This encompasses shotguns equipped with a bullet button. A bullet-button shotgun has the “ability to accept a detachable magazine” because the bullet button allows the magazine to be easily removed without disassembling key components of the weapon. In addition, Section 30900(b)(1) specifies that certain weapons, “including those weapons with an ammunition feeding device that can be readily removed from the firearm with the use of a tool,” were required to be registered with the Department prior to July 1, 2018, in order to be exempt from a prohibition on the possession of statutorily defined assault weapons. As commonly understood and as used in the assault weapons law, the term “weapons” encompasses shotguns. The phrase “including those weapons” indicates that the registration requirement applies to weapons equipped with a bullet button, including bullet-button shotguns. (See <i>Ornelas v. Randolph</i> (1993) 4 Cal.4th 1095, 1101 [the word “includes” is ordinarily a term of enlargement]; see also <i>People v. Arnold</i> (2006) 145 Cal.App.4th 1408, 1413-1414 [interpreting the phrase “the term ‘firearm’ includes the frame or receiver of the weapon” to mean that a “frame or receiver” is sufficient to constitute a firearm, regardless of whether a “frame or receiver” would satisfy the definition of “firearm” provided in another statutory provision].) Bullet-button shotguns thus constitute assault weapons under Penal Code section 30515(a), and were required to be registered under Penal Code section 30900(b)(1).</p> <p>b. The definition of “Ability to Accept a Detachable Magazine” proposed to be adopted through this rulemaking proceeding is found in 11 CCR section 5471(a), which was in effect at the time of the referenced registration period. If owners of bullet-button shotguns did not register their weapons based on a</p>
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#	Summarized Comment	DOJ Response
		mistaken belief, that belief conflicted with plain language of the bullet-button assault weapons registration regulations issued by the Department.
22.	<p>“Action” As stated in the referenced source, the term “action” is defined as “the combination of the receiver or frame and breech bolt together with the other parts of the mechanism by which a firearm is loaded, fired and unloaded.” DOJ’s chosen definition, however, expands upon this by limiting the definition to “semiautomatic” firearms. But as the referenced source makes clear, the term “action” is not limited in its application to “semiautomatic” firearms. DOJ is therefore pursuing a definition that is contrary to the meaning commonly understood by firearm experts and the general public.</p>	<p>No change has been made to the regulation in response to this comment. The proposed definition of “action” has been limited to semiautomatic weapons because the concept is only relevant to semiautomatic weapons, for the purposes of the assault weapons as set forth in Penal Code section 30515(a)(1) through (a)(8). The weapons described in those subsections are all semiautomatic.</p>

<p>23. “Barrel”</p> <p>a. ATF Ruling 2005-4 concerns “Certain integral devices intended to diminish the report of paintball guns,” ultimately holding that such devices are not in fact “silencers” within the meaning of the Gun Control Act of 1968 or the National Firearms Act. It is therefore unclear why or how this ATF Ruling was used by DOJ in composing the definition for the term “barrel.” In addition to this ruling lacking any substantive value for the definition at issue, the subject of its discussion does not in any way concern “assault weapons.” Further clarification on how ATF Ruling 2005-4 was used in composing this definition is therefore needed.</p> <p>b. DOJ also references California’s definitions for the terms “rifle” and “shotgun” as being used to compose the definition at issue.²¹ But as with the above ATF ruling, these definitions do not appear to provide anything of substance. They do not even mention the word “barrel,” instead referring to a “rifled bore” and “smooth bore” respectively. Further clarification, therefore, is needed to determine how this source was used in composing the definition at issue.</p> <p>c. The amended Initial Statement of Reasons also states that DOJ relied upon specific pages found in ATF’s Guidebook regarding the Importation and Verification of Firearms. Specifically, DOJ references pages from the “Firearms Verification” section of this document. But the pages referenced do not define or describe the term “barrel” anywhere. Instead, these pages only refer to the term generally as it is used to identify rifles, shotguns, firearms, and any other weapon as defined under federal law. Further clarification, therefore, is needed to determine how this source was used in composing the definition at issue.</p> <p>d. DOJ references several pages of the U.S. Marine Corps Technical Manual for the m16A2 Rifle. This firearm, however, is a “weapon designed for either automatic fire (3-round bursts) or semiautomatic fire (single shot) through the use of a selector lever.” Such a firearm is therefore defined as a “machinegun” that cannot be classified as an “assault weapon” under California law. Referencing the instruction manual for such a firearm is</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. The Department relied on this source for its discussion of certain functions and capabilities of the barrel of a firearm, which are relevant to defining the term “barrel.”</p> <p>b. The Department relied on these definitions for their references to “rifled bore” and “smooth bore,” which describe basic features of a barrel, and are relevant to defining the term “barrel.”</p> <p>c. The Department relied on this source for its general discussion of basic features of various firearms, all of which have a barrel, and which are relevant to defining the term “barrel.”</p> <p>d. The Department relied on this source for its discussion of topics relevant to the general concept of a barrel. The m16A2 rifle has a barrel and, as the comment notes, can operate in fully automatic or semiautomatic modes.</p>
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#	Summarized Comment	DOJ Response
	inappropriate for the purposes of identifying the features and characteristics of an “assault weapon” without further clarification.	
24.	<p>“Barrel Length” DOJ’s references contain nearly identical language to that chosen for the definition at issue. Thus, the primary question is whether such a definition and the references to federal sources are even necessary under California law. We are unaware of a single Penal Code provision that will be impacted should this definition be adopted, as the procedures for measuring a firearm’s barrel have been exclusively a matter of federal concern. Indeed, all of California’s “assault weapon” restrictions do not in any way concern the length of a firearm’s barrel. Adopting a state specific definition, despite relying on federal sources, will only cause more confusion among California gun owners.</p>	<p>No change has been made to the regulation in response to this comment. “Barrel length” is a basic piece of identifying information collected for every weapon reported to or registered with DOJ, much like information about a weapon’s manufacturer or model. (Pen. Code, § 11106, subd. (b)(2)(D) (the Department’s registry “shall consist of” specified information, including barrel length of the firearm).) A definition of “barrel length” is also necessary to provide guidance to the public, the judiciary, district attorney’s offices, and law enforcement on the appropriate way to measure the barrel of a firearm, which is relevant to whether a weapon constitutes “[a] semiautomatic, centerfire rifle that has an overall length of less than 30 inches.” (<i>Id.</i>, § 30515, subd. (a)(3).)</p>

#	Summarized Comment	DOJ Response
25.	<p>“Bullet”</p> <p>a. DOJ notes that it composed this definition using the NRA Institute for Legislative Action Glossary and ATF’s Guidebook regarding the Importation & Verification of Firearms. The definition of “bullet” in the current version of the NRA’s Glossary is nearly identical to that which DOJ has adopted. But NRA’s Glossary was designed and intended for press inquiries. Nor were they intended to be used for the purposes of drafting laws and regulations. NRA’s Glossary was instead designed and written in such a way to better help a layman’s understanding (specifically members of the media) when authoring or reporting on firearm related issues. What’s more, at no point did DOJ attempt to communicate with our clients to determine if a more suitable and appropriate definition for use in a criminal law context could be or had been crafted. This therefore serves as a primary example of how DOJ has denied members of the public, including our clients, a meaningful opportunity to participate in rulemaking process. What’s more, DOJ has not provided any reason or justification as to why this definition is necessary for the purpose of defining terms used to identify “assault weapons,” let alone how it also satisfies any of the other APA requirements.</p> <p>b. Regarding the reference to ATF’s Guidebook regarding the Importation & Verification of Firearms, pages 15 and 17 are specifically mentioned. Page 15 concerns the general definition for the term “ammunition” under federal law. But the only discussion of projectiles concern “armor piercing ammunition,” whose projectiles encompass only a subclass of those available. Page 17, however, only discusses the definition of a “pistol” under federal law. Because it is unclear exactly how these ATF sources are relevant, further clarification is needed to determine how these sources were used in composing the definition at issue.</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. The Department relied on the NRA Glossary as an indicator of the common understanding of this term. The APA does not require the Department to communicate with the authors of the sources it refers to or relies on in drafting regulations. The definition of “bullet” is necessary because it appears in other terms used to identify assault weapons, and that are the subjects of proposed definitions: “Bullet-button” and “Detachable magazine.” In addition, “bullet” is defined differently from “Cartridge” so as to distinguish bullets and cartridges, which are both referenced in the definition of “Detachable magazine.”</p> <p>b. The definition of “ammunition” on page 15 is relevant to the Department’s definition of “bullet” because it includes a diagram of a cartridge, which depicts a bullet at the top of the cartridge. The definition of “pistol” on page 17 provides reference to and contextual use of the term “bullet.”</p>

#	Summarized Comment	DOJ Response
26.	<p>“Bullet-Button”</p> <p>It is unclear what is meant by “knowledge and experience of the Department’s Bureau of Firearms staff.” For the purposes of the APA’s “necessity” standard, evidence of necessity “includes, but is not limited to, facts, studies, and <i>expert opinion</i>.” The problem with DOJ’s general statement is the regulation at issue concerns highly technical definitions for terms used in firearm nomenclature. Experts are therefore necessary to define such terms to ensure their accuracy. While we do not object to DOJ relying on expert opinions and analysis for the purposes of adopting a proposed regulation, those experts and any materials they relied upon should be disclosed to the public. DOJ should therefore identify the individuals, state their qualifications and experience, and provide any relevant materials relied upon by those individuals in composing the definition at issue. To do otherwise unnecessarily and improperly limits the ability of members of the public to provide meaningful comments on the amended Initial Statement of Reasons as applied to this definition.</p>	<p>No change has been made to the regulation in response to this comment. The Department has been administering the Assault Weapons Control Act since its inception, in 1989. A regulation promulgated by the Department in 2000 defined a “detachable magazine” as “any ammunition feeding device that can be removed readily from the firearm with neither disassembly of the firearm action <i>nor use of a tool</i> being required.” (Former Cal. Code Regs., tit. 11, § 5469, subd. (a) (2000), emphasis added.) The regulation also specified that “[a] bullet or ammunition cartridge is considered a tool.” (<i>Ibid.</i>) Bullet-button weapons entered the market in California in response to this regulation. Based on its long experience dealing with such weapons, the Department has sufficient institutional knowledge and field expertise to define the term “bullet-button” for the purpose of identifying assault weapons. The APA does not require that the Department identify specific individuals involved in the drafting of a regulation or state their qualifications and experience. The Department has identified relevant materials relied upon in drafting each of the proposed definitions.</p>

#	Summarized Comment	DOJ Response
27.	<p>“Bore”</p> <p>a. The definition found in NRA’s Glossary for the term “bore” generally mirrors that of DOJ’s definition. But as stated above, this definition was never intended to be adopted in a criminal law context. Rather, it was only intended to provide a layman with a general understanding of its meaning.</p> <p>b. The term “bore” is technically the British word for the term “gauge,” which is how the British measure the size of a round or cartridge (usually for a shotgun). As NRA’s Glossary notes, the term “gauge” is defined as “the <i>bore</i> size of a shotgun determined by the number of round lead balls of <i>bore</i> diameter that equals a pound.” This is unlike U.S. measurement techniques, which typically refer to the diameter of the grooves of a firearm’s barrel. DOJ’s chosen definition, therefore, is a <i>gross</i> over- simplification. NRA’s Glossary was again written for the purposes of helping members of the media generally understand firearm terminology—not adopting regulations with potential criminal implications. And as with other definitions for which DOJ allegedly relied upon NRA’s Glossary for, at no point did DOJ attempt communicating with our clients on the matter.</p> <p>c. The reference to ATF’s Guidebook regarding the Importation and Verification of Firearms further illustrates DOJ’s misunderstanding of the term. Specific references to pages 17, 19, 25, and 27 are given, all of which include discussions on pistols, rifles, “AOWs,” and destructive devices. Notably absent is a reference to the page discussing shotguns (firearms for which the term is usually associated with). Even so, none of the pages referenced in the ATF Guidebook provide any information defining the term—let alone that which somehow assisted DOJ in composing its own definition.</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. The Department relied on the NRA Glossary as an indicator of the common understanding of this term.</p> <p>b. The term “bore” has been defined by the Department so as to be relevant to the identification of assault weapons. It is not intended to cover all possible uses of the term. The APA does not require the Department to communicate with the authors of the sources it refers to or relies on in drafting regulations.</p> <p>c. All of the cited pages include references to the term “bore.” The Department relied on this source for its discussion of topics relevant to the general concept of “bore.”</p>

#	Summarized Comment	DOJ Response
28.	<p>“Caliber” DOJ’s “copy and paste” approach to NRA’s Glossary and Mr. Woodard’s book is inappropriate. DOJ’s definition, for example, fails to define the term “lands,” nor is the term defined elsewhere either in the Penal Code or DOJ’s regulations. This makes it difficult for someone lacking the necessary knowledge of what is meant by that term to understand exactly how such a measurement is taken. DOJ’s chosen definition will thus only cause further confusion. What’s more, it is unclear what purpose adopting such a definition serves, raising serious questions as to its necessity.</p>	<p>No change has been made to the regulation in response to this comment. The Department relied on the NRA Glossary and Mr. Woodard’s book as indicators of the common understanding of this term. It is not practical for the Department to propose a definition for every word used in every proposed definition. Instead, the Department has focused on proposing definitions for key terms that are essential to a proper understanding of the proposed definitions. The definition of “caliber” is necessary because that term is used in the description of information required to be engraved, casted, stamped, or otherwise conspicuously placed on an assault weapon manufactured by an unlicensed subject. (11 CCR 5474.2(a)(3)(B)(ii).) The definition will help the public, the judiciary, district attorney’s offices, and law enforcement determine if a firearm manufactured by an unlicensed subject meets the requirements for an exception to the general prohibition on possession of assault weapons.</p>
29.	<p>“Cartridge” In addition to those issues raised above, a primary concern with these referenced materials is that DOJ appears to have wholly ignored the definition for the term “ammunition” found in the California Penal Code—which itself contains the definition DOJ is seeking to adopt. It is therefore unclear what purpose adopting this definition has. What’s more, adopting the definition without the additional clarifying language found in the Penal Code’s definition for the term “ammunition” appears to contradict its express language and will only serve to cause further confusion among gun owners.</p>	<p>No change has been made to the regulation in response to this comment. The Department relied on the NRA Glossary and Mr. Woodard’s book as indicators of the common understanding of this term. The definition of “cartridge” is necessary because it appears in other terms used to identify assault weapons, and that are the subjects of proposed definitions: “Centerfire,” “Detachable magazine,” “Rimfire,” and “Semiautomatic.” In addition, “Cartridge” is defined differently from “Bullet” so as to distinguish bullets and cartridges, which are both referenced in the definition of “Detachable magazine.” The statutory definition of “ammunition” is not relevant for the purpose of identifying assault weapons, and reference to that definition in the context of identifying assault weapons would confuse the public, the judiciary, district attorney’s offices, and law enforcement. All definitions relevant to the identification of assault weapons will appear in 11 CCR 5471, as incorporated by the proposed 11 CCR 5460.</p>

#	Summarized Comment	DOJ Response
30.	<p>“Centerfire”</p> <p>a. DOJ chose to ignore Mr. Woodard’s book for this definition despite it being labelled the “bible” to understanding cartridges, a discussion of which necessarily includes defining the term “centrefire.” Instead, DOJ only chose to rely on NRA’s Glossary and Mr. Barnes book. DOJ should clarify this inconsistency as to why Mr. Woodard’s information was ignored when DOJ was composing its definition for this term.</p> <p>b. Mr. Barnes goes further to note that there is a third type of case commonly known as “caseless,” meaning the case itself is made from combustible material that is consumed when fired. Yet DOJ failed to include a definition for this type of case despite including a definition for rimfire (even though “rimfire” is not mentioned anywhere in the Penal Code as applied to “assault weapons”). For this and other reasons stated above, clarification is needed from DOJ in order to afford the public a meaningful opportunity to provide comment.</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. The APA does not require the Department to consider every possible resource when drafting regulations. The Department relied on the NRA Glossary and Mr. Barnes’s book as indicators of the common understanding of this term.</p> <p>b. The term “centerfire” is relevant to the identification of assault weapons because it is used in Penal Code section 30515(a)(1)-(3). The term “rimfire” has been defined to distinguish rimfire cartridges from centerfire cartridges, and because the assault weapons defined in Penal Code section 30515(a)(4)-(5) can be either centerfire or rimfire. The Department did not propose a definition for “caseless” because that type of ammunition is extremely uncommon and only associated with machine guns and destructive devices, and is thus not relevant to the identification of assault weapons. It is impracticable and unnecessary to define every tangential or contrasting term (such as “caseless”) in order to adequately define the term “centerfire.”</p>

#	Summarized Comment	DOJ Response
31.	<p>“Contained In”</p> <p>a. It is unclear what is meant by “knowledge and experience of the Department’s Bureau of Firearms staff.” DOJ should identify which staff, state their experience and training, and provide any information relied upon by staff to provide members of the public a meaningful opportunity to comment on the references to the amended Initial Statement of Reasons.</p> <p>b. With the only other reference for this definition being Penal Code section 30515(b), DOJ is providing a circular reference to the language in the Penal Code for a term which it is simultaneously trying to define. This is reflected in DOJ’s chosen language for the definition, which itself is a restatement of Penal Code section 30515(b). As stated in the APA, regulations must generally not serve the same purpose as a state or federal statute. Although it is true that this standard does not necessarily prohibit state agencies from printing relevant portions of the enabling legislation in a regulation, doing so must be necessary to satisfy the clarity requirement of the APA. Here, the definition most certainly fails that standard. Nor can it be said to be necessary under the APA.</p> <p>c. Lastly, DOJ’s chosen definition limits the examples given to AR-15 style firearms. By doing so, DOJ is ignoring numerous firearms owned by California gun owners that do not fit that classification, leaving those gun owners in the dark as to what exactly DOJ’s chosen language for this definition means to them. Further clarification from DOJ is needed on this issue.</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. The Department has been administering the Assault Weapons Control Act since its inception, in 1989. A regulation promulgated by the Department in 2000 defined a “detachable magazine” as “any ammunition feeding device that can be removed readily from the firearm with neither disassembly of the firearm action <i>nor use of a tool</i> being required.” (Former Cal. Code Regs., tit. 11, § 5469, subd. (a) (2000), emphasis added.) The regulation also specified that “[a] bullet or ammunition cartridge is considered a tool.” (<i>Ibid.</i>) Bullet-button weapons entered the market in California in response to this regulation. To address this issue, the Legislature amended the definition of “assault weapon” to reference a “fixed magazine,” which the Legislature defined as defined as “an ammunition feeding device contained in, or permanently attached to, a firearm in such a manner that the device cannot be removed without disassembly of the firearm action.” (Pen. Code, § 30515, subs. (a)(1), (a)(4), (b).) Based on its long experience dealing with such weapons, the Department has sufficient institutional knowledge and field expertise to define the term “contained in” for the purpose of identifying a “fixed magazine,” as it relates to the identification of assault weapons. The APA does not require that the Department identify specific individuals involved in the drafting of a regulation or state their qualifications and experience. The Department has identified relevant materials relied upon in drafting each of the proposed definitions.</p> <p>b. The definition of “contained in” is necessary because that term appears in the statutory definition of “fixed magazine,” which must be interpreted in order to identify the assault weapons described in Penal Code section 30515(a). The proposed definition makes it clear to the public, the judiciary, district attorney’s offices, and law enforcement that a firearm with a fixed magazine is one with a magazine “that cannot be released from the firearm while the action is assembled.”</p> <p>c. The examples provided in the proposed definition are specific to AR-15 style firearms because such firearms are extremely popular. It is not practical for the Department to provide examples for every other type of firearm.</p>

#	Summarized Comment	DOJ Response
32.	<p>“Department” While we do not object to the chosen language for this definition, the issue is again one of necessity and non-duplication. As DOJ’s own definition states, this is a “standard definition” that commonly understood. DOJ has not provided any additional references as to why enacting such a definition is necessary given the registration period for newly-classified “assault weapons” has ended. What’s more, DOJ has not provided any reason as to why this definition is necessary to define the terms used in Penal Code section 30515, as was stated in DOJ’s “Problem Statement” for the Initial Statement of Reasons associated with this proposed regulation.</p>	<p>No change has been made to the regulation in response to this comment. This term has been defined because it is used throughout the regulations governing the most recent assault weapons registration process (11 CCR 5469 et seq.), and reference to those regulations may be required in order to identify a lawfully-possessed assault weapon. It may be necessary to determine whether a firearm has been lawfully registered such that it is exempt from the general prohibition on possession of assault weapons.</p>

#	Summarized Comment	DOJ Response
33.	<p>“Detachable Magazine” The references provided in the amended Initial Statement of Reasons do not add anything of substance to this definition. As with prior comments, DOJ should specify who drafted the additional language, state their credentials, and provide any information relied upon by those individuals in order to provide members of the public a meaningful opportunity to comment. What’s more, if DOJ has now decided this definition is somehow necessary, it should specify why the definition was recently repealed.</p>	<p>No change has been made to the regulation in response to this comment. The Department has been administering the Assault Weapons Control Act since its inception, in 1989. A regulation promulgated by the Department in 2000 defined a “detachable magazine” as “any ammunition feeding device that can be removed readily from the firearm with neither disassembly of the firearm action <i>nor use of a tool</i> being required.” (Former Cal. Code Regs., tit. 11, § 5469, subd. (a) (2000), emphasis added.) The regulation also specified that “[a] bullet or ammunition cartridge is considered a tool.” (<i>Ibid.</i>) Bullet-button weapons entered the market in California in response to this regulation. Based on its long experience dealing with such weapons, the Department has sufficient institutional knowledge and field expertise to define the term “detachable magazine” for the purpose of identifying assault weapons. The APA does not require that the Department identify specific individuals involved in the drafting of a regulation or state their qualifications and experience. The Department has identified relevant materials relied upon in drafting each of the proposed definitions.</p> <p>The previous definition of “detachable magazine” as it applied to the general identification of assault weapons was repealed as part of the promulgation of regulations governing the most recent assault weapons registration process. This was reasonably necessary for the registration process in that it helped to prevent any confusion that would otherwise stem from applying two separate sets of definitions. However, the registration period has ended and the term “detachable magazine” still requires interpretation for the identification of assault weapons, which is why the Department proposed to adopt this definition through the current rulemaking proceeding.</p>

<p>“Disassembly of the Firearm Action”</p> <p>a. It is unclear what is meant by “knowledge and experience of the Department’s Bureau of Firearms staff.” DOJ should identify which staff, state their experience and training, and provide any information relied upon by staff to provide members of the public a meaningful opportunity to comment on the references to the amended Initial Statement of Reasons.</p> <p>b. It is also unclear why, let alone to what extent, DOJ relied upon the “Field Stripping” section of Colt’s Operator’s Manual. This reference involves the cleaning and maintenance of just one type of firearm. What’s more, the firearm in question is “capable of automatic or semiautomatic fire, with the M4 Carbine featuring 3 round Burst control,” meaning such firearms are classified as “machineguns” within the meaning of California law. It is therefore inappropriate of DOJ to rely on such materials in drafting regulations for <i>semiautomatic</i> firearms.</p> <p>c. DOJ has also referenced several ATF publications that do not appear to provide any substantive justification for the composed definition. Specifically, DOJ references “unserviceable firearms” as discussed in ATF’s National Firearms Act Handbook. But these references primarily concern those firearms incapable of being readily restored to a firing condition—not how to disassemble a firearm’s action. As ATF notes in this reference, the most common method for rendering a firearm to be unserviceable is “to weld the chamber of the barrel closed and weld the barrel to the receiver.” Therefore, further clarification from DOJ is necessary in order to afford members of the public a meaningful opportunity to comment on the chosen reference.</p> <p>d. DOJ has for unknown reasons chosen to focus on a style of firearm in crafting its definition as opposed to all “assault weapons.” By doing so, DOJ is ignoring numerous firearms owned by California gun owners that do not fit that classification, leaving those gun owners in the dark as to what exactly DOJ’s chosen language for this definition means to them. Further clarification from DOJ is needed on this issue.</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. The Department has been administering the Assault Weapons Control Act since its inception, in 1989. A regulation promulgated by the Department in 2000 defined a “detachable magazine” as “any ammunition feeding device that can be removed readily from the firearm with neither disassembly of the firearm action <i>nor use of a tool</i> being required.” (Former Cal. Code Regs., tit. 11, § 5469, subd. (a) (2000), emphasis added.) The regulation also specified that “[a] bullet or ammunition cartridge is considered a tool.” (<i>Ibid.</i>) Bullet-button weapons entered the market in California in response to this regulation. To address this issue, the Legislature amended the definition of “assault weapon” to reference a “fixed magazine,” which the Legislature defined as defined as “an ammunition feeding device contained in, or permanently attached to, a firearm in such a manner that the device cannot be removed without disassembly of the firearm action.” (Pen. Code, § 30515, subds. (a)(1), (a)(4), (b).) Based on its long experience dealing with such weapons, the Department has sufficient institutional knowledge and field expertise to define the term “disassembly of the firearm action” for the purpose of identifying a “fixed magazine,” as it relates to the identification of assault weapons. The APA does not require that the Department identify specific individuals involved in the drafting of a regulation or state their qualifications and experience. The Department has identified relevant materials relied upon in drafting each of the proposed definitions.</p> <p>b. As this comment notes, the “Field Stripping” section of Colt’s Operator’s Manual discusses the cleaning and maintenance of a firearm. Such activities are generally relevant to defining the concept of “disassembly of the firearm action.” The fact that the “Field Stripping” section of Colt’s Operator’s Manual discusses a specific firearm does not lessen the value of the general principles that may be inferred from that source.</p> <p>c. As this comment notes, the references to “unserviceable firearms” as discussed in ATF’s National Firearms Act Handbook concern methods for rendering a firearm unserviceable, including by “weld[ing] the chamber of the barrel closed and weld the barrel to the receiver.” Such activities are generally relevant to defining the concept of “disassembly of the firearm action.”</p>
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#	Summarized Comment	DOJ Response
		<p>d. The term “disassembly of the firearm action” is relevant to the Legislature’s recent amendment of the definition of “assault weapon” to reference a “fixed magazine,” which the Legislature defined as defined as “an ammunition feeding device contained in, or permanently attached to, a firearm in such a manner that the device cannot be removed without disassembly of the firearm action.” (Pen. Code, § 30515, subds. (a)(1), (a)(4), (b).) The examples provided in the proposed definition are specific to several types of firearms because those firearms are extremely popular. It is not practical for the Department to provide examples for every other type of firearm.</p>
35.	<p>“Featureless” a. It is unclear why DOJ is relying upon ATF materials in crafting definitions applicable to California law, especially considering the chosen newsletter is now over 20 years old and no longer applicable following the sunseting of the Federal “Assault Weapon” Ban in 2004. That said, the chosen reference only concerns the frame or receiver of a firearm. b. It is equally unclear why such a definition is in fact necessary. By its nature, a firearm is either an “assault weapon” or it is not. Considering DOJ has refused to provide members of the public with guidance as to how to make a so-called “featureless” firearm, the need to define the term is questionable and doing so will only serve to cause confusion among California gun owners.</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. The federal Bureau of Alcohol, Tobacco, Firearms and Explosives is an established and well-respected source of information regarding firearms. The federal assault weapons ban and California’s Assault Weapons Control Act were initially enacted within years of each other. The source is relevant because the frame or receiver of a firearm is often where a “characteristic[] associated with that weapon, as listed in Penal Code section 30515” would be affixed or located on a firearm.</p> <p>b. The term “featureless” has been defined because it used in the regulations governing the most recent assault weapons registration process (11 CCR 5469 et seq.), and reference to those regulations may be required in order to identify a lawfully-possessed assault weapon. It may be necessary to determine whether a firearm has been lawfully registered such that it is exempt from the general prohibition on possession of assault weapons.</p>

#	Summarized Comment	DOJ Response
36.	<p>“Fixed Magazine”</p> <p>DOJ is providing a circular reference as it is merely referring to the language in the Penal Code for a term which it is simultaneously trying to define. Such a circular reference and definition is neither necessary nor does it provide additional clarity as required by the APA. What’s more, the chosen language of the definition will only serve to cause confusion should the proposed regulation be enacted. This is because the definition fails to reference DOJ’s definition for the term “ability to accept a detachable magazine,” which directly contradicts this definition when viewed in context of Penal Code section 30515.</p>	<p>No change has been made to the regulation in response to this comment. The proposed regulation will adopt previously promulgated definitions for the purpose of identification of assault weapons. It is entirely appropriate for the set of regulatory definitions that will be used to identify assault weapons to include a statutory definition enacted by the Legislature. This will enable the public, the judiciary, district attorney’s offices, and law enforcement to easily locate the definition. This comment does not explain how the statutory definition of “Fixed magazine” contradicts the proposed definition of “Ability to accept a detachable magazine.” Nothing in the plain language of Penal Code section 30515 indicates that the definition of “Fixed magazine” cannot overlap with or be equivalent to the definition of “Ability to accept a detachable magazine.”</p>
37.	<p>“Flare Launcher”</p> <p>DOJ’s definition for this term provides nothing of substance. It is for that reason that DOJ’s reference to ATF Ruling 95-3 is entirely unnecessary. If DOJ sought to provide additional guidance and clarity for the public, it would have instead chosen to use relevant language from ATF Ruling 95-3 and not merely restate the obvious definition of the term. For this reason, further clarification from DOJ is warranted.</p>	<p>No change has been made to the regulation in response to this comment. The Department has proposed to adopt a definition for “Flare Launcher” because that term appears in Penal Code section 30515(a)(1)(D). As required by the APA, the Department listed the source it referred to in drafting the definition (ATF Ruling 95-3), although the Department ultimately did not decide to adopt specific language from that source.</p>

#	Summarized Comment	DOJ Response
38.	<p>“Flash Suppressor”</p> <p>a. In addition to the above comments regarding the use of NRA’s Glossary, it is disingenuous for DOJ to suggest that this definition was merely expanded upon. As previously worded, the definition reads “any device designed, intended, or that functions to perceptibly reduce or redirect muzzle flash from the shooter’s field of vision.” The added language, however, doesn’t just attempt to clarify, but instead serves to encompass other types of devices that were not previously classified as “flash suppressors.”</p> <p>b. DOJ has still failed to adequately address any of the concerns raised in our previous opposition letters, including how if this definition is necessary, why was it repealed in the first place?</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. The Department relied on the NRA Glossary as an indicator of the common understanding of this term. The APA does not require the Department to communicate with the authors of the sources it refers to or relies on in drafting regulations. The definition proposed to be adopted here consists of the previously existing definition, plus specific examples of items that would qualify as “flash suppressors,” because they are “designed, intended, or function[] to perceptibly reduce or redirect muzzle flash from the shooter’s field of vision.”</p> <p>b. Comments submitted during a previous public comment period are being submitted to OAL herewith, as part of the Department’s Final Statement of Reasons, as required under the APA. The previous definition of “Flash suppressor” as it applied to the general identification of assault weapons was repealed as part of the promulgation of regulations governing the most recent assault weapons registration process. This was reasonably necessary for the registration process in that it helped to prevent any confusion that would otherwise stem from applying two separate sets of definitions. However, the registration period has ended and the term “Flash suppressor” still requires interpretation for the identification of assault weapons, which is why the Department proposed to adopt this definition through the current rulemaking proceeding.</p>

#	Summarized Comment	DOJ Response
39.	<p>“FMBUS”</p> <p>a. It is unclear what is meant by “knowledge and experience of the Department’s Bureau of Firearms staff.” DOJ should identify which staff, state their experience and training, and provide any information relied upon by those staff to provide members of the public a meaningful opportunity to comment on the references to the amended Initial Statement of Reasons.</p> <p>b. DOJ also appears to be contradicting its own regulations that were recently adopted pursuant to Assembly Bill No. 857. Instead of adopting the term and definition as applied in other respects, DOJ instead chose to adopt the term “self-assembled” and “self-manufactured” firearm. While these definitions concern the same issue, they are wholly different from one another. And it is in that difference that enforcement of this definition will cause further public confusion. In fact, NRA and CRPA have been contacted on multiple occasions by members and gun owners who have already suffered this confusion.</p> <p>c. What’s more, the registration period for newly classified “assault weapons” has now ended. And because this definition will not serve any purpose in helping members of the public identify firearms classified as an “assault weapon” (as is DOJ’s stated purpose for this proposed regulation), it does not satisfy the necessity requirements of the APA.</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. The Department has been administering the Assault Weapons Control Act since its inception, in 1989. Based on its long experience dealing with assault weapons, as well as its experience with firearms manufactured by persons or entities other than licensed firearms manufacturers, the Department has sufficient institutional knowledge and field expertise to define the term “FMBUS” for the purpose of identifying an assault weapons. The APA does not require that the Department identify specific individuals involved in the drafting of a regulation or state their qualifications and experience. The Department has identified relevant materials relied upon in drafting each of the proposed definitions.</p> <p>b. Assembly Bill 857 is not part of the Assault Weapons Control Act, and regulations implementing that legislation are not directly relevant to regulations implementing the Assault Weapons Control Act. The Department is not required to adopt the same definitions for the same terms, if those terms appear in different statutory schemes that address different issues. Whether a particular firearm qualifies as a “FMBUS” subject to the registration requirements and potentially exempt from the prohibition on possession of assault weapons under the Assault Weapons Control Act, and whether the same firearm is subject to the requirements of Assembly Bill 857, are different questions that each require their own separate analysis.</p> <p>c. The term “FMBUS” has been defined because it used in the regulations governing the most recent assault weapons registration process (11 CCR 5469 et seq.), and reference to those regulations may be required in order to identify a lawfully-possessed assault weapon. It may be necessary to determine whether a firearm has been lawfully registered such that it is exempt from the general prohibition on possession of assault weapons.</p>

#	Summarized Comment	DOJ Response
40.	<p>“Forward Pistol Grip”</p> <p>Nothing in the amended Initial Statement of Reasons provides any substantive materials for members of the public to comment on. But as stated above with other regulatory definitions that previously existed, if it is somehow necessary to enact, why was the definition repealed to begin with?</p>	<p>No change has been made to the regulation in response to this comment. The previous definition of “Forward pistol grip” as it applied to the general identification of assault weapons was repealed as part of the promulgation of regulations governing the most recent assault weapons registration process. This was reasonably necessary for the registration process in that it helped to prevent any confusion that would otherwise stem from applying two separate sets of definitions. However, the registration period has ended and the term “Forward pistol grip” still requires interpretation for the identification of assault weapons, which is why the Department proposed to adopt this definition through the current rulemaking proceeding.</p>

#	Summarized Comment	DOJ Response
41.	<p>“Frame”</p> <p>a. This term has also been defined by DOJ in a separate regulation to mean “the basic unit of a firearm that is a handgun.” Yet DOJ makes no mention of this definition in the referenced materials for the amended Initial Statement of Reasons. As a result, the regulation is already causing confusion by referring to the term “handgun” in one definition and “pistol” in the other. What’s more, the term has been commonly understood by gun owners and members of the public without DOJ’s definition for decades, raising serious questions as to the necessity of the definition.</p> <p>b. DOJ’s references to ATF publications also raise additional questions. Most notably, the referenced ATF materials indicate that the term “frame” is not limited to handguns but applies to <i>firearms</i>, generally. It is also unclear why DOJ is referencing ATF Ruling 2004-5 regarding the “7.62mm Aircraft Machine Gun” of the United States Military for purposes of this definition. Therefore, DOJ should clarify why and how it relied upon these sources in composing the definition at issue.</p> <p>c. Lastly, DOJ’s definition directly conflicts with the definition of the term “firearm” as found in California Penal Code section 16520. Pursuant to this section, the term “firearm” only “includes the frame or receiver of the weapon” as applied to specifically listed Penal Code sections. Notably absent from this list, however, is Penal Code section 30515. <i>Expressio unius est exclusio alterius</i> is a canon of statutory construction holding that, when a legal document includes a list, anything not in that list is assumed to be purposely excluded. Because California’s “assault weapon” restrictions are specifically excluded from this list, a frame or receiver of a firearm alone can never constitute a “firearm” for the purposes of Penal Code section 30515. DOJ’s chosen definition thereby is in direct conflict with this provision as it defines the term to mean “the basic unit of a <i>firearm</i>.”</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. The definition of “Frame” contained in 11 CCR 5507(l) applies to the implementation of Assembly Bill 857, which is not part of the Assault Weapons Control Act. Regulations implementing that legislation are not directly relevant to regulations implementing the Assault Weapons Control Act. The Department is not required to adopt the same definitions for the same terms, if those terms appear in different statutory schemes that address different issues. Whether a particular firearm qualifies as a “FMBUS” subject to the registration requirements and potentially exempt from the prohibition on possession of assault weapons under the Assault Weapons Control Act, and whether the same firearm is subject to the requirements of Assembly Bill 857, are different questions that each require their own separate analysis. The Department has proposed a definition of “Frame” to adopt through this rulemaking proceeding because that term is used in another proposed definition (“Action”) and is also used in the regulations governing the most recent assault weapons registration process (11 CCR 5469 et seq.). Reference to those regulations may be required in order to identify a lawfully-possessed assault weapon. It may be necessary to determine whether a firearm has been lawfully registered such that it is exempt from the general prohibition on possession of assault weapons.</p> <p>b. ATF Ruling 2004-5 states that in certain contexts, a “frame” is legally considered a firearm. The Department relied on this source for its discussion of topics relevant to the general concept of a “frame.”</p> <p>c. Penal Code section 16520 does not prohibit a frame from being classified as an assault weapon; rather, it specifies that a frame can be considered a firearm. Whether a particular firearm constitutes an assault weapon depends on the requirements of the Assault Weapons Control Act, not on Penal Code section 16520. The Legislature’s decision to define “Firearm” for the purposes of certain Penal Code provisions does not restrict the Department’s delegated authority to define a related term as part of its efforts to implement the Assault Weapons Control Act. A statutory definition that is, by its terms, limited to certain provisions does not prevent an agency from adopting in another context a definition of different term.</p>

#	Summarized Comment	DOJ Response
42.	<p>“Grenade Launcher”</p> <p>As with the definition of “flare launcher,” DOJ’s references and definition for this term provides nothing of substance. Such items are already classified as “destructive devices” and have been for decades. DOJ adopting this definition adds nothing of substance and is otherwise circular in nature. For this reason, further clarification from DOJ as to the purpose of these references is warranted.</p>	<p>No change has been made to the regulation in response to this comment. The Department has proposed to adopt a definition for “Grenade Launcher” because that term appears in Penal Code section 30515(a)(1)(D).</p>
43.	<p>“Permanently Attached To”</p> <p>ATF Ruling 2005-4 concerns certain integral devices intended to diminish the report of paintball guns. Likewise, the other referenced ATF publications concern permanently attached <i>muzzle devices</i>, not <i>magazines</i> as is the subject of this definition. What use any of these publications have for the purpose of composing this definition warrants further clarification from DOJ in order to allow the public a meaningful opportunity to provide comment.</p>	<p>No change has been made to the regulation in response to this comment. The Department referenced the sources listed in the Initial Statement of Reasons addendum for their discussions of certain functions and features of firearms that are relevant to the concept of whether something is “permanently attached to” a firearm.</p>

#	Summarized Comment	DOJ Response
44.	<p>“Overall Length of Less Than 30 Inches”</p> <p>a. The referenced case by DOJ concerned a defendant charged with possession of a “short-barreled firearm” and not an “assault weapon” as these regulations purport to concern. What’s more, the decision was issued well before the Legislature adopted California’s restrictions against certain firearms with an overall length of less than 30 inches. It is for this reason that DOJ should have sought meaningful input from members of the public instead of referring to now outdated and potentially distinguishable legal opinions.</p> <p>b. The cited references to ATF’s guidebook are equally confusing and lack substantive value for members of the public to comment on. Pages 21-22 merely concerns the definition of the term “firearm” under federal law, noting that firearms with a certain overall lengths or barrel lengths are “[s]ubject to NFA regulations.” Whereas pages 25, 29-30, and 32 only concern “Any Other Weapons” and “Antique” firearms. Further clarification from DOJ as to how such references assisted in composing the substantive definition is warranted to provide members of the public a meaningful opportunity to comment.</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. <i>People v. Rooney</i>, 17 Cal.App.4th 1207 (1993), held that the trial court properly measured the defendant’s rifle without extending its folding stock because that method of measurement was consistent with the legislative purpose of the relevant statute (former Pen. Code, § 12020), which was to prevent possession of guns suitable for unlawful purposes due to their concealability and ease of handling. This finding is still relevant to the formulation of the definition of “Overall Length of Less Than 30 Inches,” which provides that “Folding and telescoping stocks shall be collapsed prior to measurement.”</p> <p>b. The Department consulted this source for its discussion of general concepts relating to the significance of a firearm’s overall length or barrel length. The Department consulted, but did not adopt, federal standards, as part of its process for determining the most appropriate definition of “overall length of less than 30 inches” under the Assault Weapons Control Act.</p>
45.	<p>“Pistol”</p> <p>A primary concern with DOJ adopting this definition is the fact that California Penal Code section 16530 already defines the term, raising issues of necessity and nonduplication. But DOJ’s definition differs from the Penal Code definition, which also raises issues of consistency and clarity. For these reasons, further clarification from DOJ is necessary in order to afford members of the public a meaningful opportunity to comment.</p>	<p>No change has been made to the regulation in response to this comment. The Legislature’s decision to define “Pistol” for the purposes of certain Penal Code provisions does not restrict the Department’s delegated authority to define the same term as part of its efforts to implement the Assault Weapons Control Act. A statutory definition that is, by its terms, limited to certain provisions does not prevent an agency from adopting in another context a different definition of that term.</p>

#	Summarized Comment	DOJ Response
46.	<p>“Pistol Grip That Protrudes Conspicuously Beneath the Action of the Weapon”</p> <p>As a threshold matter, the only change from the previously enforced definition for this term is the addition of the language regarding bullpup firearm designs. That said, the current version of NRA’s Glossary defines the term to mean “[t]he handle of a handgun or protrusion on the buttstock or fore- end of a shoulder-operated gun that resembles the grip or handle of a handgun.” This definition also notes that a “ ‘semi-pistol grip’ is one less pronounced than normal” whereas “a ‘vertical pistol grip’ is more pronounced than normal.” Setting aside the issues raised above regarding the use of NRA’s Glossary, it is entirely unclear how DOJ relied upon this information in expanding upon the previously adopted definition. The same is true for Mr. Smith and Mr. Hogg’s book. As a result, further clarification from DOJ is necessary to afford members of the public a meaningful opportunity to comment on the amended Initial Statement of Reasons.</p>	<p>No change has been made to the regulation in response to this comment. The Department relied on the NRA Glossary as an indicator of the common understanding of this term. The Department relied upon the listed sources for their relevance to the general concept of a pistol grip, including their discussion of more traditional weapon designs, of which a bullpup is not.</p>

<p>“Receiver,” “Receiver, Lower,” “Receiver, Upper”</p> <p>47. a. This term is defined differently by DOJ elsewhere for no apparent reason. DOJ has defined the term in 11 C.C.R. section 5507(p) to mean “the basic unit of a firearm that is a long gun.” In other words, DOJ specifically limits the application of this definition in certain respects.</p> <p>b. As explained above, California Penal Code section 16520 prohibits a receiver from being classified as an “assault weapon,” thereby raising serious questions about the definition’s necessity, clarity, and consistency.</p> <p>c. NRA’s Glossary defines the term “receiver” to mean “[t]he housing for a firearm’s breech (portion of the barrel with chamber into which a cartridge or projectile is loaded) and firing mechanism.” Setting aside the above issues raised regarding DOJ’s use of NRA’s Glossary, the definitions differ in that DOJ’s definition classifies the term as a firearm, whereas NRA’s definition does not. A good reason for this is because an upper receiver or lower receiver, in and of itself, does not necessarily constitute the serialized part which is treated as a “firearm” for the purposes of state or federal law. DOJ’s definition, on the other hand, does not make this distinction, which can result in confusion among gun owners.</p> <p>d. The reference to ATF’s Guidebook regarding the Importation & Verification of Firearms appears to add nothing of substance for members of the public to provide meaningful comment on. For these reasons, further clarification and/or explanation from DOJ is necessary.</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. The definition of “Receiver” contained in 11 CCR 5507(p) applies to the implementation of Assembly Bill 857, which is not part of the Assault Weapons Control Act. Regulations implementing that legislation are not directly relevant to regulations implementing the Assault Weapons Control Act. The Department is not required to adopt the same definitions for the same terms, if those terms appear in different statutory schemes that address different issues. It is not clear what the comment means by stating that “DOJ specifically limits the application of this definition in certain respects.”</p> <p>b. The definition of “receiver” is necessary because that term is a component of the definitions of “action,” “contained in,” “disassembly of the firearm action,” “frame,” “pistol,” “receiver, lower,” “receiver, unfinished,” “receiver, upper,” “semiautomatic,” “stock,” “stock, folding,” and stock, telescoping.” Each of these terms is necessary to define what constitutes an “assault weapon,” as explained in the Initial Statement of Reasons. Penal Code section 16520 does not prohibit a receiver from being classified as an assault weapon; rather, it specifies that a receiver can be considered a firearm. Whether a particular firearm constitutes an assault weapon depends on the requirements of the Assault Weapons Control Act, not on Penal Code section 16520. The Legislature’s decision to define “Firearm” for the purposes of certain Penal Code provisions does not restrict the Department’s delegated authority to define a related term as part of its efforts to implement the Assault Weapons Control Act. A statutory definition that is, by its terms, limited to certain provisions does not prevent an agency from adopting in another context a definition of different term.</p> <p>c. The Department relied on the NRA Glossary as an indicator of the common understanding of this term. The Department adopted a different definition of the term than that provided by the NRA Glossary because one of the purposes of defining “Receiver” in the context of the identification of assault weapons is to provide guidance regarding as to when firearms in different states of assembly may be considered assault weapons. The NRA Glossary definition does not address this issue.</p>
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#	Summarized Comment	DOJ Response
		d. The Department relied on the ATF’s Guidebook regarding the Importation & Verification of Firearms for its general discussion of concepts that are relevant to defining the basic parts of a firearm, including the receiver.
48.	<p>“Receiver, Unfinished”</p> <p>a. DOJ’s chosen definition serves as a prime example of DOJ’s own inconsistency. In a separate regulation, DOJ defines the term “Receiver or <i>frame</i>, unfinished” using an identical description. Choosing to expand the definition to include frames in this context will only result in confusion among gun owners.</p> <p>b. The referenced ATF materials also provide little or no substance for members of the public to provide meaningful comment on. The primary concern for each of these publications is to determine whether an object is considered a firearm for purposes of federal law. They do not attempt to specifically define objects that are not yet considered firearms as DOJ is attempting to do here. What purpose DOJ has in adopting this definition remains unclear and requires further clarification.</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. The definition of “Receiver or frame, unfinished” contained in 11 CCR 5507(r) applies to the implementation of Assembly Bill 857, which is not part of the Assault Weapons Control Act. Regulations implementing that legislation are not directly relevant to regulations implementing the Assault Weapons Control Act. The Department is not required to adopt the same definitions for the same or similar terms, if those terms appear in different statutory schemes that address different issues.</p> <p>b. The Department relied on ATF materials regarding “80%” or “unfinished” receivers for their general discussion of concepts that are relevant to defining when a receiver should be considered “unfinished.”</p>
49.	<p>“Rifle”</p> <p>The term “rifle” is already defined by the California Penal Code. DOJ has also defined the term in the context of another regulation for purposes of registration. While the language among these definitions are identical, the issue is again one of necessity, especially for a term that is already commonly understood among gun owners. Further clarification from DOJ on this issue is therefore warranted.</p>	<p>No change has been made to the regulation in response to this comment. The Legislature’s decision to define “Rifle” for the purposes of certain Penal Code provisions does not restrict the Department’s delegated authority to define the same term as part of its efforts to implement the Assault Weapons Control Act. A statutory definition that is, by its terms, limited to certain provisions does not prevent an agency from adopting in another context the same definition of that term.</p>

#	Summarized Comment	DOJ Response
50.	<p>“Rimfire”</p> <p>DOJ’s chosen language mirrors that found in NRA’s Glossary and is largely consistent with Mr. Barnes’ book. Setting aside the issues raised above regarding the use of NRA’s Glossary, it is unclear why DOJ needs to define this term. The term is not mentioned anywhere in California’s “assault weapon” restrictions, let alone Penal Code section 30515. Enacting a definition applicable to this code section, therefore, will only serve to cause confusion and is otherwise not necessary.</p>	<p>No change has been made to the regulation in response to this comment. The Department relied on the NRA Glossary as an indicator of the common understanding of this term. The term “rimfire” has been defined to distinguish rimfire cartridges from centerfire cartridges, and because the assault weapons defined in Penal Code section 30515(a)(4)-(5) can be either centerfire or rimfire. The term “centerfire” is relevant to the identification of assault weapons because it is used in Penal Code section 30515(a)(1)-(3).</p>
51.	<p>“Second Handgrip”</p> <p>The cited reference to ATF’s National Firearms Act handbook merely states that “certain alterations to a pistol or revolver, such as the addition of a second vertical handgrip, create a weapon that no longer meets the definition of pistol or revolver.” If such firearms are no longer capable of meeting the definition of a <i>pistol</i> or <i>revolver</i>, clarification is needed on how this reference was appropriate for DOJ to rely upon in composing a definition applicable to a <i>pistol</i>.</p>	<p>No change has been made to the regulation in response to this comment. The Department consulted this source for its discussion of general concepts relating to the possibility of altering a pistol or revolver to accept a second handgrip. The Department consulted, but did not adopt, federal law, which provides that the addition of a second handgrip to a pistol or revolver places that weapon into the category of “Any Other Weapon.” State law is not consistent with federal law on this point. (Penal Code § 30515(a)(1)(4)(B).)</p>

#	Summarized Comment	DOJ Response
52.	<p>“Semiautomatic”</p> <p>a. As stated above, it is unclear what is meant by “knowledge and experience of the Department’s Bureau of Firearms staff.” DOJ should identify which staff, state their experience and training, and provide any information relied upon by staff to provide members of the public a meaningful opportunity to comment on the references to the amended Initial Statement of Reasons.</p> <p>b. Setting aside the above comments regarding the use of NRA’s Glossary, DOJ’s chosen language wildly expands upon the NRA’s definition. As defined in the NRA’s Glossary, the term “semiautomatic” simply means “[a] firearm designed to fire a single cartridge, eject the empty case and reload the chamber each time the trigger is pulled.” Whether and how this definition was used by DOJ in adopting any of the additional language should be clarified to afford members of the public a meaningful opportunity to comment.</p> <p>c. It is unclear how DOJ relied upon the cited Penal Code sections in composing this definition. The referenced sections are all in relation to California’s “assault weapon” restrictions and do not provide any guidance regarding what constitutes a “semiautomatic” firearm for the purposes of these restrictions. Further clarification on how these sections assisted DOJ in composing the substantive definition is therefore needed to provide members of the public a meaningful opportunity to comment.</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. The Department has been administering the Assault Weapons Control Act since its inception, in 1989. Based on its long experience dealing with such weapons, the Department has sufficient institutional knowledge and field expertise to define the term “semiautomatic” for the purpose of identifying assault weapons. The APA does not require that the Department identify specific individuals involved in the drafting of a regulation or state their qualifications and experience. The Department has identified relevant materials relied upon in drafting each of the proposed definitions.</p> <p>b. The Department relied on the NRA Glossary as an indicator of the common understanding of this term. The weapons described in Penal Code section 30515(a)(1) through (a)(7) are all semiautomatic. One of the purposes of defining “Semiautomatic” in the context of the identification of assault weapons is to clarify when a firearm in various conditions or stages of assembly can be considered an assault weapon. The NRA Glossary definition does not address this issue.</p> <p>c. The Department relied upon the cited Penal Code sections for their general discussions of issues that arise when a firearm is in various conditions or stages of assembly, which is relevant to whether the firearm can operate in a semiautomatic matter such that it can be considered an assault weapon.</p>

#	Summarized Comment	DOJ Response
53.	<p>“Shotgun with a Revolving Cylinder”</p> <p>a. The reference to the book <i>Military Small Arms of the 20th Century</i>, as with other references to military firearms, does not appear to be an appropriate comparison. For example, much of the discussion in the cited reference focuses on multi-barreled machine guns including the Vulcan, Mini- gun, and other aircraft cannons and machineguns. To say that this discussion is somehow useful in composing the definition is therefore questionable. The same is true for the manual of the SRM Arms Model 1216, a shotgun that does not incorporate a revolving cylinder design. Further clarification from DOJ is therefore warranted as to why or how these references assisted DOJ in composing the definition at issue.</p> <p>b. This term has not been defined since the enactment of Senate Bill No. 23 (“SB 23”) in 1999, nor was it changed or modified following the enactment of SB 880 and AB 1135. Further clarification from DOJ as to why this definition is only now necessary is warranted.</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. The Department relied these sources for their discussion of concepts that are generally relevant to “Shotgun with a Revolving Cylinder,” including discussions of historical and recent technological development, as well as mechanisms involved in the basic functioning of shotguns.</p> <p>b. The term “Shotgun with a Revolving Cylinder” appears in Penal Code section 30515(a)(7), and must be interpreted in order to determine whether a particular shotgun constitutes an assault weapon. The Department has been delegated authority by the Legislature to implement the Assault Weapons Control Act, and that includes the authority to define terms that are relevant to the identification of assault weapons. The Department has determined that effective implementation of the Assault Weapons Control Act requires that various terms relating to the identification of assault weapons should be defined.</p>
54.	<p>“Shroud”</p> <p>The reference to California Penal Code section 30515(a)(4)(C) provides nothing of substance for members of the public to provide meaningful comment on. As with other definitions containing circular references in the amended Initial Statement of Reasons, this reference and substantive definition raises concerns of necessity and nonduplication. Further clarification from DOJ is therefore needed.</p>	<p>No change has been made to the regulation in response to this comment. The Department has proposed to adopt a definition for “Shroud” because that term appears in Penal Code section 30515(a)(4)(C). It is appropriate for the Department to rely on that Penal Code provision in drafting the definition of “Shroud,” so as to maintain consistency between the term as used in the statute and the regulatory definition of the term.</p>

#	Summarized Comment	DOJ Response
55.	<p>“Spigot”</p> <p>The cited reference does not provide any substantive information for members of the public to provide comment on. Instead, the cited reference merely notes that the Yugo Model 59/66 was distinguished from other SKS variants by nature of its “spigot-style grenade launcher permanently attached to the muzzle and a folding grenade launcher sight.” Such a device is therefore a grenade launcher under federal and state law. The question, then, is why such a definition is necessary when such devices have been prohibited as “destructive devices” for decades and the term “grenade launcher” is already listed as a prohibited feature.</p>	<p>No change has been made to the regulation in response to this comment. The definition of “Spigot” makes clear that some muzzle devices are also spigots, which allow grenades to be fired from them, such that spigots are an indicator of a grenade launcher being present on a firearm.</p>

#	Summarized Comment	DOJ Response
56.	<p>“Stock,” “Stock, Fixed,” “Stock, Folding,” “Stock, Telescoping”</p> <p>a. Penal Code sections 17090 and 17190 provide California’s definitions for “rifle” and “shotgun.” But these definitions do not otherwise appear to provide anything of substance other than noting such firearms are “designed or redesigned, made or remade, and intended to be fired from the shoulder.” Likewise, the reference to ATF’s Open Letter to FFLs on the Redesign of “Stabilizing Braces” appears to provide nothing of substance because this letter concerns certain products applicable to <i>pistols</i> and not rifles, carbines, or shotguns as DOJ’s definition notes.</p> <p>b. As for the other cited references, DOJ is once again referring only to manuals for firearms generally classified as machineguns under state and federal law. Further clarification from DOJ is therefore warranted.</p> <p>c. DOJ has already demonstrated it is incapable of applying its own definition in a uniform manner, raising serious questions as to the APA’s clarity requirement for regulations. NRA and CRPA have received several questions from members and gun owners regarding certain adjustable stocks that, while incapable of meeting the definition for a “telescoping” stock, DOJ has nonetheless arbitrarily deemed them to be. These stocks typically have adjustable fit features that can move but do not telescope off the buffer tube or receiver extension. Yet when processing SB 880 and AB 1135 registrations, DOJ has nonetheless required gun owners to mark such products as telescoping stocks. Further clarification from DOJ is therefore warranted.</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. The Department relied on the listed sources for the general discussions of firearms and their constituent parts that are relevant to the concept of what constitutes a stock, and the various possible configurations and capabilities of a stock.</p> <p>b. A stock that can be placed on a semiautomatic weapon can also be placed on a machine gun. The fact that the specific firearm discussed in this source is a machinegun does not render that discussion irrelevant, because the concepts in the discussion are relevant to various types of firearms, not just machineguns. Firearms such as rifles, pistols, and machine guns can have various types of stocks. The same stocks that can be put on a machine gun can also be placed on a semiautomatic weapon. The Department relied on the cited references for their general discussion of stocks, fixed stocks, folding stocks and telescoping stocks, which are relevant to defining the terms “stock,” “fixed stock,” “folding stock,” and “telescoping stock.” The number of rounds fired from the referenced weapons with each individual trigger pull is inconsequential to the proposed definition of the “stock,” as it relates to the definition of an assault weapon.</p> <p>c. It is not clear what the comment means by “DOJ has already demonstrated it is incapable of applying its own definition in a uniform manner[.]” The Department cannot comment on individual assault weapon registration applications, but the stocks as described in the comment fall within the definition of “Stock, Telescoping” in use for the most recent registration period, and that is proposed to be adopted for the identification of assault weapons through this rulemaking action. A stock with “adjustable fit features that can move” is “a stock which is shortened or lengthened by allowing one section to telescope into another portion,” even if the adjustable fit features “do not telescope off the buffer tube or receiver extension.”</p>

#	Summarized Comment	DOJ Response
57.	<p>“Those Weapons with an Ammunition Feeding Device that Can be Readily Removed from the Firearm with the Use of a Tool”</p> <p>DOJ has adopted a definition for a “term” when in fact the definition is designed to identify certain types of firearms. The reference to California Penal Code section 30900(b)(1) provides nothing of substance for members of the public to provide meaningful comment on. As with other definitions containing circular references in the amended Initial Statement of Reasons, this reference and substantive definition raises concerns of necessity and nonduplication. Further clarification from DOJ is therefore warranted.</p>	<p>No change has been made to the regulation in response to this comment.</p> <p>Penal Code section 30900(b)(1) specifies that certain weapons, “including those weapons with an ammunition feeding device that can be readily removed from the firearm with the use of a tool,” were required to be registered with the Department prior to July 1, 2018, in order to be exempt from a prohibition on the possession of statutorily defined assault weapons. This category includes “weapons” with bullet-button style magazine releases. As commonly understood and as used in the assault weapons law, the term “weapons” encompasses rifles, pistols, and shotguns. The proposed definition is necessary because reference to Penal Code section 30900(b)(1) may be required in order to identify a lawfully-possessed assault weapon. It may be necessary to determine whether a firearm has been lawfully registered such that it is exempt from the general prohibition on possession of assault weapons.</p>
58.	<p>“Thumbhole Stock”</p> <p>The reference to the previous definition of “thumbhole stock” in the former 11 C.C.R. section 5469 former provides nothing of substance for members of the public to provide meaningful comments on. Outside of our prior comments to which DOJ has yet to adequately respond to, DOJ has still failed to answer why this regulation is now necessary if this definition was previously repealed.</p>	<p>No change has been made to the regulation in response to this comment. Comments submitted during a previous public comment period are being submitted to OAL herewith, as part of the Department’s Final Statement of Reasons, as required under the APA. The previous definition of “Thumbhole Stock” as it applied to the general identification of assault weapons was repealed as part of the promulgation of regulations governing the most recent assault weapons registration process. This was reasonably necessary for the registration process in that it helped to prevent any confusion that would otherwise stem from applying two separate sets of definitions. However, the registration period has ended and the term “Thumbhole Stock” still requires interpretation for the identification of assault weapons, which is why the Department proposed to adopt this definition through the current rulemaking proceeding.</p>

<p>59. “Threaded Barrel, Capable of Accepting a Flash Suppressor”</p> <p>a. The reference to Heckler & Koch’s MP5 Submachinegun Operators Manual does not provide anything of substance for members of the public to provide meaningful comment on. The cited page merely contains a list of nomenclature terms for the MP5. What’s more, the firearm is a “submachinegun, with it’s detachable large capacity magazine and select-fire operation.” DOJ is therefore once again referring to an instruction manual for a firearm that is strictly prohibited in California by nature of it being classified as a machinegun.</p> <p>b. DOJ’s reference to ATF’s Guidebook also serves as a prime example of DOJ’s fundamental misunderstanding of firearm terminology that could have been avoided if it sought meaningful input from the public. The specific reference notes that a frame or receiver of a destructive device is “[t]hat part of a firearm which provides housing for the hammer, bolt or breechblock, and firing mechanism, and which is usually threaded at its forward portion <i>to receive</i> the barrel.” This definition, therefore, has zero relation to a threaded barrel capable of accepting a flash suppressor, and instead is only in reference to the frame of a destructive device that has threading for purposes of accepting some type of barrel.</p> <p>c. Further clarification how either of these references assisted DOJ in composing the definition is warranted. DOJ should also state why such a definition is necessary given the term was first adopted following the enactment of SB 23 in 1999, was not changed with the enactment of SB 880 and AB 1135, and during that time was never specifically defined by DOJ. What’s more, adopting this definition now will only cause confusion among gun owners as DOJ is attempting to specify that barrels with features already mounted are still considered threaded barrels by DOJ. Otherwise, DOJ should clarify if barrels that have permanently attached devices also constitute threaded barrels.</p>	<p>No change has been made to the regulation in response to these comments.</p> <p>a. The Department relied on this source for its discussion of the possibility of attaching an object to the end of a barrel, a concept that is not limited to submachine guns, and that is relevant to the concept of a threaded barrel that is capable of accepting a flash suppressor. The fact that the specific firearm that is the subject of discussion is a machinegun does not render that discussion irrelevant, because the concepts in the discussion are relevant to various types of firearms, not just machineguns.</p> <p>b. The discussion of a frame of a destructive device that has threading for purposes of accepting some type of barrel is relevant to the concept of an object that has threading for purposes of accepting some type of device. The fact that the specific object that is the subject of discussion is not a barrel does not render that discussion irrelevant, because the concepts in the discussion are relevant to various types of objects, including a barrel that is threaded.</p> <p>c. The term “Threaded Barrel, Capable of Accepting a Flash Suppressor” appears in Penal Code section 30515(a)(4)(A), and must be interpreted in order to determine whether a particular pistol constitutes an assault weapon. The Department has been delegated authority by the Legislature to implement the Assault Weapons Control Act, and that includes the authority to define terms that are relevant to the identification of assault weapons. The Department has determined that effective implementation of the Assault Weapons Control Act requires that various terms relating to the identification of assault weapons should be defined. The Department has proposed adding specific information about firearms with lugs in lieu of threads because firearms with lugs have been manufactured worldwide, and some are in the United States. In the event that these weapons end up in California, the proposed definition provides guidance to California firearms owners. The purpose of having lugs at the end of a barrel is to attach a flash suppressor. If a barrel has a permanently attached device, it is no longer “capable of accepting a flash suppressor,” and thus falls outside the definition.</p> <p>In regards to the comment’s request for clarification: a barrel with a permanently attached device would, by definition, not meet the plain</p>
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#	Summarized Comment	DOJ Response
		<p>meaning of Penal Code section 30515(a)(4) regarding a “threaded barrel, capable of accepting a flash suppressor, forward handgrip, or silencer.” A threaded barrel with a permanently attached device would not be capable of accepting another device. The Department determines that this comment objects to the underlying statute rather than to the way the agency proposes to interpret it.</p>
60.	<p>We believe it improper for DOJ to only reference technical and/or operator manuals for machineguns when composing definitions used to identify semiautomatic firearms. There are far more appropriate sources available for DOJ to rely upon.</p>	<p>No change has been made to the regulation in response to this comment. The Department relied on references relating to various types of firearms, including machineguns. The fact that a source may discuss a machinegun does not render that source irrelevant, because the concepts discussed can be relevant to various types of firearms, not just machineguns.</p>
61.	<p>DOJ has not once contacted our clients (or any stakeholder to our knowledge) to seek their input in composing the definitions at issue in this proposed regulation. Instead, DOJ appears to be relying upon that information which it has on hand—likely from its own equipment purchases for purposes of equipping its agents. It is for this reason that DOJ should reconsider its current approach and instead seek the meaningful input of stakeholders and the gun-owning public before composing definitions from its limited and narrow perspective.</p>	<p>No change has been made to the regulation in response to this comment. As part of the current rulemaking proceeding, the Department has provided notice and the opportunity for public comment on all of the definitions to be adopted by the proposed regulation, in conformance with the requirements of the APA. The Department has thereby received numerous comments from stakeholders. The sources relied upon by the Department are not limited to those on hand from prior equipment purchases.</p>
62.	<p>In several lawsuits challenging the underlying definitions and Penal Code provisions associated with the proposed regulation, DOJ’s own attorneys have provided conflicting accounts as to their exact nature and effect. For example, DOJ noted in one filing that all the previous definitions used to identify “assault weapons” were not in fact repealed, and instead “consolidated” in section 5471 along with other definitions that apply to the registration of newly-classified “assault weapons.” If true, there should be no need to adopt these definitions now.</p>	<p>No change has been made to the regulation in response to this comment. The previous definitions used for the identification of assault weapons were repealed as part of the promulgation of regulations governing the most recent assault weapons registration process. This was reasonably necessary for the registration process in that it helped to prevent any confusion that would otherwise stem from applying two separate sets of definitions. However, the registration period has ended and the previous definitions are still required in order to properly identify assault weapons, which is why the Department proposed to adopt these definitions through the current rulemaking proceeding. The litigation described in this comment concerned regulations governing the registration of assault weapons, and the reference to definitions being “consolidated” was made in the context of the continued application of the previous definitions to the registration process, and not to the identification of assault weapons generally.</p>

#	Summarized Comment	DOJ Response
63.	<p>DOJ’s own experts have testified that it is already impossible for a layman, including law enforcement officers, to accurately classify a firearm as an “assault weapon” under California law. Specifically, Detective Mersereau of the LAPD recently stated that “LAPD does not keep statistics on the number of assault weapons . . . recovered citywide <i>due to the expertise needed to determine whether a weapon is actually and assault weapon.</i>” If, through its own expert, DOJ truly believes this to be the case, no amount of definitions or otherwise will help members of the public accurately identify a firearm as an “assault weapon” under California law without expert assistance.</p>	<p>No change has been made to the regulation in response to this comment. The expert report referenced in the comment was produced as part of litigation concerning the constitutionality of the Assault Weapons Control Act, not whether definitions to be used for the identification of assault weapons comply with the requirements of the APA. Even taking the quoted statement at face value, it only demonstrates the need for a set of comprehensive definitions of terms relating to the identification of assault weapons, for use by the public, the judiciary, district attorney’s offices, and law enforcement.</p>
64	<p>All of DOJ’s listed references in the amended Initial Statement of Reasons appear to be limited to that which DOJ had on hand as a result of prior equipment purchases for the Department or otherwise. Nor has DOJ made a reasonable effort to afford members of the public an opportunity to comment on any of the substantive definitions. Instead, the amended Initial Statement of Reasons appears to be nothing more than a rushed attempt to provide legal support for definitions that were illegally adopted and now the subject of litigation.</p>	<p>No change has been made to the regulation in response to this comment. The sources relied upon by the Department are not limited to those on hand from prior equipment purchases. As part of the current rulemaking proceeding, the Department has provided notice and the opportunity for public comment on all of the definitions to be adopted by the proposed regulation, in conformance with the requirements of the APA. The Department has thereby received numerous comments from stakeholders.</p>

#	Summarized Comment	DOJ Response
65.	<p>DOJ’s notice about of its intent to continue pursuit of this proposed regulation, issued on October 19, 2018, was procedurally defective. The notice stated that the additional materials were then immediately available on the Attorney General’s website. However, based upon our efforts to access them there, the documents were not actually available at the link provided (https://oag.ca.gov/firearms/regs) until at least 24 to 48 hours later.</p>	<p>No change has been made to the regulation in response to this comment. The referenced documents were available on the website, as indicated in the Department’s notice. The notice of proposed rulemaking, text of the proposed regulations, and Initial Statement of Reasons for this proposed regulation were originally issued in November 2017, and the Department’s website for firearms-related rulemaking activities lists the most recent rulemaking proceedings first. When the additional materials for this rulemaking proceeding were first posted to the website on October 19, 2018, they appeared further down the webpage, below the materials for rulemaking proceedings the Department initiated after November 2017. In response to an inquiry regarding the availability of the additional materials for this rulemaking proceeding, the Department moved all materials for this proceeding to the top of the webpage. However, no materials were subsequently added – all materials were available on the Department’s website on October 19, 2018, as indicated in the Department’s Notice of Availability of Additional Documents. Because the Department provided a comment period of 18 days, instead of the required 15 days, even if there had been a 24-48 hour delay in making the materials available that would not impact the Department’s compliance with the requirement to provide a 15-day comment period.</p>
66.	<p>It is indeed apparent that the DOJ is attempting to use the formal APA process it invoked for section 5460 as a means to somehow retroactively legitimize the section 5471 definitions by bootstrapping them into <i>this</i> APA process. The APA doesn’t work that way. The public was entitled to a full and fair opportunity to consider and comment upon the section 5471 definitions <i>before</i> they were implemented <i>in any manner</i> – including for the limited purpose that the DOJ ostensibly used them in processing registrations of the newest category of “assault weapons.”</p>	<p>No change has been made to the regulation in response to this comment. The definitions in 11 CCR 5471 were promulgated pursuant to a statutory exemption from APA procedures, as set forth in Penal Code section 30900(b)(5). As part of the current rulemaking proceeding, the Department has provided notice and the opportunity for public comment on all of the definitions to be adopted by the proposed regulation (11 CCR 5469)—which are the definitions that appear in 11 CCR 5471—in conformance with the requirements of the APA.</p>

#	Summarized Comment	DOJ Response
67.	<p>The text of this regulation that the DOJ portrays as “necessary” to the proper enforcement of the assault weapons law – “The definitions of section 5471 of this chapter shall apply to the identification of assault weapons pursuant to Penal Code section 30515” – is redundant given the effect of the existing regulatory scheme under the AWCA. By the very terms of 11 CCR § 5459, the definitions in section 5471 already have the effect of “apply[ing] to the identification of assault weapons pursuant to PC section 30515, without limitation to [the] context of the new registration process” – which is the purported purpose behind the DOJ’s proposal to adopt 11 CCR § 5460 as a new regulation.</p>	<p>No change has been made to the regulation in response to this comment. The definitions in 11 CCR 5471 were promulgated pursuant to a statutory exemption from APA procedures, as set forth in Penal Code section 30900(b)(5). That provision applies to regulations promulgated “for the purpose of implementing” the registration process for bullet-button assault weapons described in Penal Code section 30900(b). As set forth in 11 CCR 5471, the definitions in that section apply “[f]or purposes of Penal Code section 30900 and Articles 2 and 3 of” Chapter 39 of Division 5 of Title 11 of the California Code of Regulations, which are the articles pertaining to assault weapon registration. As promulgated, the definitions in 11 CCR 5471 thus apply only to the registration process. The Department is undertaking the current rulemaking proceeding in accordance with all APA notice-and-comment requirements in order to apply the definitions in 11 CCR 5471 beyond the registration process, to the identification of assault weapons generally.</p>
68.	<p>11 CCR § 5471 itself states the “assault weapon” definitions contained therein apply “[f]or purposes of section 30900” (11 CCR § 5471), and both section 30900 and 30515 are part of the same chapter of the Penal Code – Chapter 2, of Part 6, Title 4, Division 10. The DOJ even makes note of this in its Notice of Proposed Rulemaking, saying “[t]his chapter contains the statutory provisions restricting the possession, sale, and use of assault weapons.” Well, the intent of that chapter is “to place restrictions on the use of assault weapons and <i>to establish a registration and permit procedure for their lawful sale and possession.</i>” (§ 30505, subd. (a), emphasis added.) And, under the express terms of the AWCA’s general prohibition against possession of “assault weapons,” <i>any</i> violation of this chapter subjects one to criminal sanction. (§ 30605, subd. (a), italics added.) Thus, section 30900 is part and parcel of the AWCA’s enforcement mechanisms, such that a failure to comply with the registration requirement necessarily subjects a person to the same sanctions applicable to any other form of unlawful possession under the AWCA.</p>	<p>No change has been made to the regulation in response to this comment. The definitions in 11 CCR 5471 were promulgated pursuant to a statutory exemption from APA procedures, as set forth in Penal Code section 30900(b)(5). That provision applies to regulations promulgated “for the purpose of implementing” the registration process for bullet-button assault weapons described in Penal Code section 30900(b). The Department’s authority to promulgate regulations pursuant to the APA exemption contained in Penal Code section 30900(b)(5) was limited to regulations implementing the registration process. The Department is undertaking the current rulemaking proceeding in accordance with all APA notice-and-comment requirements in order to apply the definitions in 11 CCR 5471 beyond the registration process, to the identification of assault weapons generally.</p>

#	Summarized Comment	DOJ Response
69.	<p>The redundancy behind proposed 11 CCR § 5460 evinces an ulterior motive for the proposal, most naturally seen as an effort by DOJ to insulate itself against the adverse legal consequences and public dissension stemming from its failure or refusal to submit the section 5471 <i>themselves</i> to the formal APA review process. Indeed, in attempting to make this end-run around the required APA process, the DOJ has now backed itself into a corner concerning the challenged regulations. Because 11 CCR § 5460 would have essentially the same effect as the “assault weapon” definitional terms under 11 CCR § 5471 at the heart of the regulatory scheme, and because the DOJ has expressly acknowledged that proper promulgation of 11 CCR § 5460 requires compliance with the formal APA process, <i>it has effectively conceded</i> that those core definitional terms it forced through by regulatory fiat are subject to the APA. And therefore, the entire series of those regulations – all 44 in total – was subject to the very same process that the DOJ now attempts to invoke, belatedly, with its proposal to add 11 CCR § 5460; that is, public notice, public comment, appropriate consideration of and response to the public’s concerns, and review by the OAL to ensure necessity, clarity, and consistency in the regulations. <i>All</i> of these regulations are invalid as a matter of law, because “no state agency ‘shall issue, utilize, enforce, or attempt to enforce any . . . regulation . . .’ unless it does so pursuant to the APA.”</p>	<p>No change has been made to the regulation in response to this comment. The definitions in 11 CCR 5471 were promulgated pursuant to a statutory exemption from APA procedures, as set forth in Penal Code section 30900(b)(5). That provision applies to regulations promulgated “for the purpose of implementing” the registration process for bullet-button assault weapons described in Penal Code section 30900(b). The Department’s authority to promulgate regulations pursuant to the APA exemption contained in Penal Code section 30900(b)(5) was limited to regulations implementing the registration process. The Department is undertaking the current rulemaking proceeding in accordance with all APA notice-and-comment requirements in order to apply the definitions in 11 CCR 5471 beyond the registration process, to the identification of assault weapons generally.</p>

#	Summarized Comment	DOJ Response
70.	<p>To whatever extent 11 CCR § 5460 may have any meaningful significance independent of the existing regulatory scheme’s effect, it could not purge this illegality infecting the whole lot. In fact, the DOJ has simply further complicated matters by attempting to portray 11 CCR § 5460 as having a meaningfully independent effect “necessary” to the proper enforcement of the assault weapons law. If, as the DOJ insists, this regulation truly is <i>necessary</i> to ensure “concrete,” “clear,” and “uniform” guidance “to the public, the judiciary, district attorney’s offices, and law enforcement” on the assault weapons law, then the scheme as it currently stands is unconstitutionally vague because it invites discriminatory or arbitrary enforcement of the assault weapons law.</p>	<p>No change has been made to the regulation in response to this comment. All definitions relevant to the identification of assault weapons will appear in 11 CCR 5471, as incorporated by the proposed 11 CCR 5460. This will help prevent, rather than invite, discriminatory or arbitrary enforcement of the Assault Weapons Control Act.</p>
71.	<p>CGF, FPC, FPF, SAF, and CAL-FFL do not support the DOJ’s proposal to adopt 11 CCR § 5460 as some sort of patch ostensibly “necessary” to plug a [hole] in its scheme – a move that they see as merely a means to artificially buttress or perpetrate a procedurally and substantively invalid series of “assault weapons” regulations.</p>	<p>No change has been made to the regulation in response to this comment. The definitions in 11 CCR 5471 were promulgated pursuant to a statutory exemption from APA procedures, as set forth in Penal Code section 30900(b)(5). As part of the current rulemaking proceeding, the Department has provided notice and the opportunity for public comment on all of the definitions to be adopted by the proposed regulation (11 CCR 5469)—which are the definitions that appear in 11 CCR 5471—in conformance with the requirements of the APA.</p>
72	<p>The NRA-ILA definition is cited as the source for expanding the Flash Suppressor definition. The only thing that I can assume was perhaps taken from the NRA-ILA definition is the concept of “muzzle attachment” that seems to be reworded in definition (r) as “any device attached to the end of the barrel”.</p> <p>Unfortunately, this means that the rest of the expansion of definition (r) from the original definition is unaccounted for: “A hybrid device that has either advertised flash suppressing properties or functionally has flash suppressing properties would be deemed a flash suppressor. A device labeled or identified by its manufacturer as a flash hider would be deemed a flash suppressor.”</p> <p>As such, this does not meet the APA Necessity Standard.</p>	<p>No change has been made in response to this comment. The Department relied on the “NRA Institute for Legislative Action Glossary” definition of “Flash Hider/Flash Suppressor” for its general discussion of basic features of a “flash suppressor,” as well as the specific characteristic that a “flash suppressor” is “intended” to reduce visible muzzle flash. The Department relied on the cited reference when expanding the definition of “flash suppressor” to specify that the term refers to devices “advertised” as having flash suppressing properties, or “labeled or identified” as such by its manufacturer. These specifications implement the term “intended” as used in the first part of the proposed definition.</p>

ATTACHMENT E

From: [HDC Internet](#)
To: [Kelan Lowney](#)
Cc: [Jacqueline Dosch](#)
Subject: Re: Website Update
Date: Friday, October 19, 2018 2:32:33 PM

Hi Kelan,

The Firearms Regulations page (**Proposed:** Regulations regarding Assault Weapon Definitions – Title 11, Division 5, Section 5460) has been updated.

<https://oag.ca.gov/firearms/regs>

Thanks,

Rod

From: Kelan Lowney <Kelan.Lowney@doj.ca.gov>
Date: Friday, October 19, 2018 at 12:52 PM
To: HDC Internet <HDC.Internet@doj.ca.gov>
Cc: Jacqueline Dosch <Jacqueline.Dosch@doj.ca.gov>
Subject: Website Update

Good afternoon,

I would like to have the following published on our public webpage:

<https://oag.ca.gov/firearms/regs>

All changes will be made under “Current Rulemaking Activity.” Eight sections down there is a section that currently begins with the word “Withdrawal.” Please modify that section so that it looks like the text at the bottom of this email.

Most of the text will remain the same, except for two changes. First, the title (“Proposed...”) is moved to the top (currently the “Withdrawal” subsection is at the top). Second, we would like to add a new subsection underneath the “Proposed” title and above the “Withdrawal” subsection, to be called “Notice of Availability...”

All of the bulleted, underlined statements should be hyperlinks to documents. All of the previous documents should remain hyperlinked, and we are adding documents, hyperlinked to the top two bullets. Those documents are attached to this email, with the same titles as the bullets.

Please let me know you have any questions. We would like to get this posted today, if possible. Thank you!

Proposed: Regulations regarding Assault Weapon Definitions – Title 11, Division 5,

Section 5460

Notice of availability of documents and 15-day public comment period

- Notice of Availability of Additional Documents
- Initial Statement of Reasons Addendum

The 15-day Comment period will close at 5:00 pm on November 6, 2018

Withdrawal

- Notice of Withdrawal

Notice Register Publication Date: November 24, 2017

Public Hearing: The Department will hold a public hearing to receive public comments on the proposed regulatory action from 10:00 a.m.- 12:00 p.m. on Monday, January 8, 2018, at the following location:

Resources Building Auditorium
1416 9th Street, Sacramento, California

Public Notice and Related Documents:

- Notice of Proposed Rulemaking (Including Informative Digest)
- Text of Proposed Regulations
- Initial Statement of Reasons
- Std. 399 Fiscal Impact Statement
- Std. 400 (Part A)

ALPHABETICAL LIST OF COMMENTERS

Last Name	First Name	Comments	Delivery Method
Blair	Douglas	1, 3, 12	Email
Briggs	Carey	14, 15, 16, 17	Email
Castro	Johnny	2, 3, 5	Email
DiGuseppe	Raymond	65, 66, 67, 68, 69, 70, 71	Email
Durham	Edward	3, 5	Email
Durham	Nathaniel	13	Email
Gallagher	Collin	1, 2, 6, 7, 8, 65	Email
Hinkey	Chris	1	Email
Hollender	Ed & Rosemary	3, 6	Email
Lopez	Zulema	1	Email
Lynch	John	1, 3	Email
Michel & Assoc.		18-64	Email & mail
Radoicich	Beau	72	Email
Robertson	Jim	4, 5, 10	Email
Salvin	David	1, 8, 11	Email
Stone	Harry	1, 3	Email
Thomas	Robert	9	Email