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The Honorable Henry A. Waxman
Ranking Minority Member
Committee on Government Reform
House of Representatives

The Honorable Rod R. Blagojevich
House of Representatives

Subject: Weaponry: .50 Caliber Rifle Crime

As requested, enclosed with this letter is a copy of a briefing that OSI gave to representatives of the House Committee on Government Reform on July 15, 1999. At that time we briefed those present on the results of our review concerning how .50 caliber semiautomatic rifles have been used in domestic and international criminal activity. Based on Bureau of Alcohol, Tobacco and Firearms tracing information and information OSI developed, we found that .50 caliber semiautomatic rifles are linked to potential assassins, terrorist groups, drug dealers, international drug cartels, militia groups, and a religious cult.

We will make copies of this letter available to others on request. If you have any questions, please contact Assistant Director Ron Malfi at (202) 512-6722.

Robert H. Hast
Acting Assistant Comptroller General
for Special Investigations

Enclosure

162586

BRIEFING PAPER
Criminal Activity Associated with .50 Caliber Semiautomatic Rifles

For the House Committee on Government Reform

◆ **INTERVIEWS**

Law Enforcement Agencies – ATF, FBI, U.S. Customs Service, Department of Justice, Indiana State Police, West Virginia State Police, Los Angeles Police Department, Royal Canadian Mounted Police

◆ **QUESTION**

Are .50 caliber semiautomatic rifles associated with criminal activity?

◆ **SUMMARY OF SIGNIFICANT FINDINGS**

Our investigation revealed that .50 caliber semiautomatic rifles have been linked to domestic and international criminal activity. We have established a nexus to terrorist groups, outlaw motorcycle gangs, international drug cartels, domestic drug dealers, religious cults, militia groups, potential assassins, and violent criminals.

◆ **HIGHLIGHTS OF FINDINGS**

Background Information on .50 Caliber Semiautomatic Rifles

The most popular .50 caliber semiautomatic rifle is the Barrett Model 82A1, manufactured by Barrett Firearms. Developed in the early 1980s, it came into wide use by U.S. military forces during the Gulf War and was primarily used against long-range targets, such as vehicles, aircraft, and bunkers. U.S. military explosive ordnance disposal teams also use the Model 82A1 to destroy land mines and unexploded shells from a safe distance.

All branches of the U.S. military, some U.S. law enforcement agencies, and numerous foreign military units currently use the Model 82A1.

According to Bureau of Alcohol, Tobacco and Firearms (ATF) records, Barrett reported manufacturing and selling 2,839 rifles in the domestic (civilian) market, excluding rifles sold to U.S. government agencies, between 1987 and 1998. However, ATF records do not reflect the model number or caliber of the rifles Barrett manufactured or sold. (ATF admits that the forms used to collect data from firearms manufacturers lead to some confusion and inaccurate reporting.) According to Barrett Firearms literature and available material on the Internet, Barrett only manufactured .50 caliber semiautomatic or bolt-action rifles up to 1998, when it introduced Model 98, a .338 semiautomatic rifle. Barrett Firearms refused to cooperate with our inquiry. Therefore, the exact number of .50 caliber semiautomatic rifles sold in the domestic civilian market cannot be determined.

ATF Firearms Tracing Information

ATF routinely conducts gun traces for law enforcement agencies. The fact that a trace has been conducted does not necessarily mean that the firearm was involved in criminal activity.

ATF provided OSI with a list of 30 firearm trace requests generated between November 1992 and March 1999 concerning .50 caliber rifles. However, 2 of the requests were duplicates, leaving 28 separate weapons on which traces were conducted. All of the traces involved Barrett .50 caliber rifles, of which 27 were the semiautomatic model 82A1. One trace request appeared to involve a Barrett model 90, but efforts to develop additional information on this trace were unsuccessful.

Of the 27 traces involving Barrett semiautomatic model 82A1 rifles, we found that 18 were associated with criminal activity and 3 were not associated with criminal activity. No determination could be made regarding 6 traces.

In some cases, we found that although the criminal activity involved more than one .50 caliber semiautomatic rifle, the law enforcement agency had initiated a trace on only one firearm.

We also developed information on two criminal cases involving .50 caliber semiautomatic rifles not reported in the ATF tracing information. The Barrett model 82A1 was the weapon identified in both cases.

Examples of Possible Criminal Use of .50 Caliber Semiautomatic Rifles

The following pending cases were identified:

- **Alleged Castro Assassination Plot** – The U.S. Attorney in San Juan, Puerto Rico, is prosecuting seven Cuban-Americans who have been charged in a plot to assassinate Cuban President Fidel Castro during a 1997 visit to Margarita, an island off the coast of Venezuela. Two .50 caliber semiautomatic rifles seized from the defendants were to be used during the assassination.
- **Terrorist Organizations and Drug Cartels Acquiring .50 Caliber Semiautomatic Rifles** – Investigations are currently being conducted by federal law enforcement agencies involving the smuggling of .50 caliber semiautomatic rifles—purchased legally in the United States—to overseas locations by terrorist groups. Another investigation is targeting the movement of .50 caliber semiautomatic rifles from the United States to Mexico for use by drug cartels.
- **Illegal Alien Stockpiling Weapons** – In a case in Nevada, an illegal alien amassed a large quantity of weapons, including two .50 caliber semiautomatic rifles. The weapons were recovered following the execution of a search warrant.

The following closed cases were identified:

- **Religious Cult** – In 1989, two members of a church, described by ATF as a doomsday religious cult, were arrested and charged with federal firearms violations. The church followers had built underground bunkers in Gardner, Montana, to await the end of the world. The two suspects had used false

identification to purchase hundreds of firearms, including 10 .50 caliber semiautomatic rifles and thousands of rounds of ammunition.

- **Tax Protesters** – In a 1996 case in Georgia, ATF and Internal Revenue Service agents arrested a survivalist/tax protester living under an assumed identity. Using false identification, he had purchased over 115 firearms, including 2 .50 caliber semiautomatic rifles. Agents seized these weapons; over 100,000 rounds of ammunition; silencers; and over \$400,000 in gold Krugerrands, jewelry, and cash. In another 1996 case, this time in Louisiana, Federal Bureau of Investigation (FBI) agents arrested a white supremacist/tax protester who fled across state lines to avoid paying child support. The subject confronted the arresting agents with a shotgun. A standoff ensued for a number of days and the subject eventually surrendered without loss of life. Agents recovered over 40 firearms from the subject's residence, including a .50 caliber semiautomatic rifle.
- **Drug Dealers** – In cases in California, Missouri, and Indiana, law enforcement officers executing search warrants recovered .50 caliber semiautomatic rifles in the possession of drug dealers.
- **Mentally Ill Individual** – In a 1998 case in Michigan, an apparently mentally ill subject used a rifle to shoot and kill a local police officer. Following the subject's arrest, police recovered over 15 firearms from his residence, including a .50 caliber semiautomatic rifle. He was able to purchase these weapons legally because he had no prior criminal record.
- **Mexican Drug Cartel Multiple Homicide** – The Los Angeles Police Department, at the request of Mexican authorities, requested that ATF trace a .50 caliber semiautomatic rifle in October 1996. It was determined that the weapon was purchased legally in Wyoming. The weapon, along with over 100 AK-47s, was recovered by Mexican authorities at the scene of a multiple homicide involving a shootout with drug cartel members in Sinaloa, Mexico.
- **Stolen Weapon** – ATF in Houston arrested a subject for possession of a .50 caliber semiautomatic rifle that had been stolen from the legitimate owner who resided in California.
- **Militia Group in Canada** – In 1996, the Royal Canadian Mounted Police recovered one .50 caliber semiautomatic rifle allegedly smuggled into Canada from the United States by a militia group from Texas.
- **Militia Group in West Virginia** – A member of the Mountaineer Militia in West Virginia was arrested in a plot to bomb a FBI office in Clarksburg, West Virginia. In a subsequent search of his home, agents recovered one .50 caliber semiautomatic rifle and numerous other firearms.
- **Branch Davidians at Waco** – According to ATF, the Branch Davidians at Waco fired a .50 caliber semiautomatic rifle at the ATF agents attempting to execute a search warrant at their compound in Waco, Texas. During the investigation, ATF suspected that Vernon Wayne Howell, aka David Koresh, had acquired .50 caliber rifles. ATF therefore requested from the Department of Defense Bradley Fighting Vehicles, which were believed to have sufficient armor to withstand .50 caliber fire. Those vehicles were to be used during the execution of the search warrant. However, according to the "Report of the Department of the Treasury – Investigation of Vernon Wayne Howell also known as David Koresh," ATF did not use the armored vehicles during the execution of the search warrant. Four agents were killed.

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