



Monday, July 17, 2017

VIA E-MAIL (regulations@doj.ca.gov; staff@oal.ca.gov)

Department of Justice - Bureau of Firearms
Attn: Jeff Amador
P.O. Box 160487
Sacramento, CA 95816

Office of Administrative Law
Attn: Staff Attorney
300 Capitol Mall, Suite 1250
Sacramento, CA 95814

Dear Department of Justice (“DOJ”) and Office of Administrative Law (“OAL”):

I write you today on behalf of Firearms Policy Coalition and our many members and supporters regarding the California Department of Justice (“DOJ”) Bureau of Firearms and its proposed rulemaking (Z2017–0703–01) published in the Notice Register on July 14, 2017.

According to the Office of Administrative Law’s (“OAL”) published document entitled “THE CALIFORNIA REGULATORY NOTICE REGISTER PUBLICATION SCHEDULE 2017”, available online at <https://www.oal.ca.gov/wp-content/uploads/sites/28/2017/05/NR-Schedule-2017-FINAL.pdf>, for regulations to meet a Notice Register “Publication Date” of July 14, 2017, the “Date to OAL” deadline—the date that OAL must have received these records—is shown to be July 4, 2017. *See also* https://oal.ca.gov/publications/notice_register/ (“OAL publishes the Notice Register every Friday. To be published, a Notice must be received by OAL no later than 10 calendar days before the publication date.”).

Also, as of this date—July 17, 2017—the DOJ has not sent any notification about this proposed rulemaking using the e-mail based notification system it established (and solicited participation in) for that express purpose. (*See* <https://oag.ca.gov/firearms/regs>, “To receive email notifications of future rulemaking activities, please contact: regulations@doj.ca.gov”.)

The July 14 Notice Register, available online at <http://oal.ca.gov/wp-content/uploads/sites/28/2017/07/28z-2017.pdf>, states about the DOJ’s proposed regulations that “Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout format, as well as the Final Statement of Reasons once completed, can be accessed through the DOJ website at <http://doj.ca.gov/firearms>.” However, that domain redirects to <https://www.oag.ca.gov/>. And none of the documents that are described in the Notice Register can be found on that Web page.

Because the notice is defective, the DOJ should withdraw the subject regulations; should DOJ wish, it may re-submit them in accordance with the precise process mandated by the Administrative Procedure Act” (the “APA”) and other applicable laws. Alternatively, OAL should reject the subject regulations for being improperly noticed.

Finally, we will continue our review of the proposed regulations and may contact you about other legal defects or problems that we identify.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. DeLuz', written in a cursive style.

Craig DeLuz
Civil Rights Advocate