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Howard Paster

THE WHITE HOUSE
WASHINGTON

April 1, 1993

*FILE
CRIME
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MEMORANDUM FOR ATTORNEY GENERAL JANET RENO

**FROM: BRUCE REED, DEPUTY ASSISTANT TO THE PRESIDENT
JOSE CERDA III, SENIOR POLICY ANALYST
DOMESTIC POLICY COUNCIL**

SUBJECT: WHITE HOUSE PRIORITIES ON CRIME

This memorandum outlines for you the Domestic Policy Council's priorities on crime policy issues. These priorities are based on President Clinton's major campaign promises and are generally consistent with the provisions contained in the various Democratic crime proposals considered during the past two Congresses. They reflect the main themes at the heart of President Clinton's broad economic and domestic agenda: personal responsibility; community empowerment; prevention and early intervention; and restoring the fundamental promise of America so that people who work hard and play by the rules can get ahead.

As you know, the President is enthusiastic about the innovative ways you have promoted these themes in South Florida, and will support your efforts to advance them at the national level.

I. White House Priorities

The President has told Senator Biden, Rep. Brooks and other Members of Congress that he would like to see a crime bill as soon as they can pass one. Howard Paster has urged the Judiciary Committees to go forward, in conjunction with the White House and the Justice Department. We will work with your policy and legislative affairs departments in the coming months to present a unified front in these negotiations.

The following proposals reflect the core of President Clinton's crime agenda, and we would like them to be the centerpiece of the crime bill.

A. 100,000 New Police Officers

The President's budget includes \$2.8 billion¹ to fund comprehensive crime legislation. We support using as much of this money as possible to meet the

¹All budget numbers reflect four-year funding levels, unless otherwise noted.

100,000 new police officers pledge. OMB has already allocated \$775 million for community policing/cops on the beat grants and \$450 million for a still-to-be-determined Police Corps (with law enforcement scholarships). Preliminary estimates indicate that these two components would put approximately 35,000 new police officers on the street over four years.

We will look to other sources for more police as well: the Department of Housing and Urban Development, the Department of Education, National Service, Weed and Seed/enterprise zones, and defense conversion funds to provide outgoing military personnel with law enforcement training. These proposals are detailed at the end of this memorandum.

B. Brady Bill

We strongly support passage of the Brady Bill as part of a larger crime package. OMB has allocated a small portion of the crime bill funds to help states upgrade their criminal justice records.

C. Community Boot Camps

We are committed to expanding the availability of community "boot camps" to non-violent, first-time offenders at the state and federal level, and support the state-federal boot camps and Certainty of Punishment grants in last year's crime bill.

D. Drug Treatment on Demand

We support using a portion of the unallocated monies in the \$2.8 billion crime initiative to fund a drug treatment and testing program within the criminal justice system. This proposal has not been outlined, but we foresee it being an integral part of the President's National Drug Control Policy.

II. White House Positions on Other Major Crime Issues

A. Death Penalty

We support the enactment of a federal death penalty for crimes with a federal nexus but have not taken a position on enacting a federal death penalty for non-homicidal crimes. We would defer to Senator Biden and other Hill leaders to negotiate some form of last year's death penalty language.

B. Habeas Corpus Reform

We would defer to Senator Biden and other Hill leaders on what Habeas provisions are acceptable. If habeas reform proves too difficult, we would support appointing a blue-ribbon commission to study the matter and make recommendation. We believe the AGs and DAs would be willing to accept such a proposal.

C. Assault Weapons

We support a ban on semiautomatic assault weapons and prefer the language developed by Rep. Schumer. We also support language to limit high-capacity ammunition clips and to increase gun penalties.

D. Anti-Gang Initiative

We support an anti-gang initiative similar to one included in last year's crime bill.

E. Violence Against Women Act

We support the Violence Against Women Act, either as stand-alone legislation or as part of a larger crime bill.

F. White Collar Crime Initiative

We believe a White Collar crime initiative is an essential component of a comprehensive crime bill. We would look to the Justice Department to work with Congress in developing one.

III. Anti-Crime Efforts at Other Agencies

A. Drug Treatment on Demand

The President's budget includes \$1.5 billion for HHS to implement drug treatment and prevention initiatives. The Health Care Task Force is examining what type of drug treatment benefit should be considered as part of national health care reform legislation.

B. Safe Schools

The Department of Education is developing a \$375 million Safe Schools initiative that will help schools add metal detectors and video surveillance

equipment, hire professional security personnel, and adopt anti-violence and anti-drug curricula.

C. HUD Crime Initiative

HUD is in the process of developing a comprehensive anti-crime initiative for public housing complexes. The plan will be a "partnership" with local housing authorities that allows them to use funds to increase law enforcement or security personnel, to implement community policing, to expand community crime prevention efforts and more.

HUD will also soon announce that its \$2.5 billion in Community Development Block Grant (CDBG) stimulus funds can be used for certain anti-crime initiatives -- including hiring law enforcement or security personnel, installing security devices and relocating the residency of police officers to high-crime areas.

D. National Service "Non-Sworn" Law Enforcement Personnel

The National Service Trust Fund estimates that some 20,000 of its participants will serve in law enforcement/public safety roles. These "community service officers" could be used to assist police departments in the broad areas of community policing and crime prevention. They could take reports, staff telephone crime reporting units and administer citizen crime prevention surveys. Relieving officers from these time-consuming duties would potentially free more police officers to become cops "on the beat", and the support work will make officers more effective in their crime-fighting.

FILE: CRIME BILL
Talking Points
Meeting with the President
Friday, February 26, 1993

1. Crime Bill

- Want to work with AG as soon as she is confirmed to develop a new package -- even though economic package, health care, etc. are important, shouldn't let crime slip until second session: would put it into election year and would forfeit opportunity to reverse Democrat image of "soft on crime".] ☆
Necessary components:

- **Brady Bill** -- Should be included as part of the package rather than passed separately. Including it will bring liberals in despite their opposition to death penalty, other components.

NRA should, if possible, be brought into process if reasonable changes are made to the so-called Brady Bill. (this might help with a number of Southern Democratic Senators who blocked Crime Bill last year):

- A) Date certain for instant check system to be implemented by each State (18-24 months);
- B) Standards must be uniform and nationwide -- preempt State laws;
- C) There must be a standard which a local official applies in denying a purchase of a handgun (Schumer bill has no standard).

- 100,000 new police officers -- (Clinton mentioned in State of the Union.) If following Walinsky "Police Corps" concept, there are serious budget problems: original proposal could have cost as much as \$1.7 billion per year fully funded; Police Corps provision in conference report authorized \$800 million over 5 years, along with \$150 million over 5 years for scholarships for current law enforcement officers. Other possibilities: using mustered-out military, combining with National Service Corps/education scholarship concept along with nurses, other public service professions. 6B
50M

- **Boot Camps for youthful offenders** -- (Clinton mentioned in State of the Union.) Conference report provision authorized \$150 million for first fiscal year.
- **Mandatory drug treatment in State and Federal prisons** -- Conference report authorized "such sums as necessary" for Federal prisons and \$300 million for 3 fiscal years for State residential substance abuse treatment.
- **Community policing/police on the beat** -- (Proposed in Clinton's "A Vision of Change for America" report.) Conference report authorized \$450 million over 3 years.
- **Habeas corpus reform** -- Can include sensible streamlining of habeas corpus while still preserving this fundamental right.

WHITE HOUSE STAFFING MEMORANDUM

DATE: 04/27/93 ACTION/CONCURRENCE/COMMENT DUE BY: - - -

SUBJECT: CRIME BILL CONSIDERATIONS

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☐	☒	PASTER	☒	☒
McLARTY	☐	☐	RASCO	☐	☐
GEARAN	☐	☒	RUBIN	☐	☐
PANETTA	☐	☒	SEGAL	☐	☐
EMANUEL	☐	☒	STEPHANOPOULOS	☐	☐
GIBBONS	☐	☐	VARNEY	☐	☐
HALE	☐	☐	WATKINS	☐	☐
HERMAN	☐	☐	WILLIAMS	☐	☒
LAKE	☐	☐		☐	☐
LINDSEY	☐	☒		☐	☐
MONTOYA	☐	☐		☐	☐
NUSSBAUM	☐	☐		☐	☐

REMARKS:

The attached has been forwarded to the President.

RESPONSE:

JOHN D. PODESTA
 Assistant to the President
 and Staff Secretary
 Ext. 2702

THE WHITE HOUSE

WASHINGTON

April 27, 1993

03 APR 27 P3:15

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED, DEPUTY ASSISTANT TO THE PRESIDENT
JOSE CERDA III, SENIOR POLICY ANALYST

SUBJECT: CRIME BILL CONSIDERATIONS

In structuring a proposal that meets your pledge to put 100,000 new police officers on the street, Domestic Policy has combined a series of crime-related initiatives. Inadequate funding caused us to take this piecemeal approach and to include Enterprise Zones, HUD's crime initiative, Safe Schools legislation and National Service participants in the 100,000 calculation. But the crime bill component of this plan has always been the central -- and most credible -- element of our 100,000 new police proposal.

Last year's crime bill conference report does not really include monies for hiring new law enforcement personnel. The bill's Cop on the Beat program does not allow funds to be used for new personnel, and the increase in funding for the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs was enacted as part of separate legislation after the crime bill conference report failed last year. The Police Corps, as included in last year's bill, only offers scholarship assistance and provides no direct funding to put police on the streets. Moreover, given the scarcity of resources for the policing initiative, we do not believe the Police Corps is a cost effective means for increasing police force levels. Thus, without changes to the language and funding levels for these programs, the crime bill will not put more police on our streets.

So that the crime bill properly reflects your commitment to the 100,000 police pledge, we have been structuring a proposal, the Police on Our Streets Act, that would combine the Justice Department's spending for new programs and use that \$2.99 billion in budget authority to fund a single match grant program. We would then have a single direct funding source for the majority of our new police personnel.

We have spoken to Senator Biden's and Congressman Schumer's staff about such an approach, and they believe a "Police on Our Streets Act" could easily be incorporated as Title I of a new crime bill. We have not spoken to Chairman Brooks' staff about this specific proposal, but we believe he would be open to the idea. Chairman Brooks has been a critic of the large scale Police Corps included in the crime bill, and he may support scaling back the program.

A summary of the major provisions in the crime bill is attached.

CRIME BILL CONFERENCE -- SUMMARY OF MAJOR PROVISIONS

DEATH PENALTY

- Provides the largest-ever expansion of the Federal death penalty to cover 53 offenses. Included in the bill: assassination of the President; murder in the course of rape; murder for hire; drive-by-shootings.
- Provides the death penalty for killing a federal law enforcement officer and for killing state officers in the course of cooperative investigations with federal agencies.
- Provides the death penalty for "drug king pins" who are convicted of trafficking in massive amounts of drugs.

THE BRADY BILL

- Imposes a national, five-day waiting period for the purchase of handguns. Requires police background checks for gun buyers to keep weapons out of the hands of convicted criminals.
- Authorizes \$100 million for the development of a national "instant check" system for gun purchasers.

HABEAS CORPUS REFORM

- Limits time for filing a habeas petition to one year after conviction becomes final. No time limit currently exists.
- Limits the number of petitions allowed to one except for certain narrow exceptions such as newly discovered evidence or state interference. Under current law there is no limit on the number of petitions.
- Sets certain performance and qualification standards for trial and appellate counsel representing indigents.
- Before the Supreme Court adopted the Teague v. Lane doctrine in 1989, a prisoner could challenge his sentence in a habeas petition based on a favorable new court ruling that post-dated his trial and appeal. Teague significantly narrowed retroactive applications. The crime bill narrows Teague by never allowing new rules of law to be applied retroactively, but it also restores a narrower, pre-Teague definition of a new rule.

AID TO STATE AND LOCAL LAW ENFORCEMENT

- Raised the authorization level for the Byrne Memorial State and Local Law Enforcement Assistance Programs to \$1 billion. The Byrne program is the primary means of providing states and localities with federal law enforcement assistance.¹
- Other authorized appropriations for states and localities include:
 - \$150 million yearly for community policing grants;
 - \$300 million yearly for Drug Emergency Areas;
 - \$100 million yearly for Safe Schools grants;
 - \$100 million yearly for juvenile gang prevention grants.
 - \$10 million yearly for grants to states for DNA analysis;²
 - \$30 million yearly for law enforcement scholarships;
 - \$5 million yearly to provide family support services to law enforcement personnel;
 - \$15, \$20 and \$30 million over the next three years for substance abuse grants to community coalitions;
 - \$100 million yearly for grants to states and localities to drug test arrestees;
 - \$2 million yearly for grants to states to conduct racial and ethnic bias studies of their criminal justice systems;
 - \$2.5 million yearly for Midnight Basketball League grants;
 - \$100, \$100 and \$200 million thereafter for a National Police Corps;
 - a one-time \$100 million authorization to establish joint state-federal boot camps at closed military installations;
 - \$100 million yearly for drug treatment in state prisons;
 - a one-time \$700 million authorization for the construction and operation of 10 regional prisons for violent drug offenders;
 - \$10, \$15, \$20 and \$25 million for grants to state prisons for literacy programs;
 - \$50 million yearly for Rural Drug Enforcement Task Forces;
 - \$25 million yearly for Rural drug treatment and prevention programs.

TOTAL NEW SPENDING -- ALMOST \$1 BILLION YEARLY

(AND 800 MILLION IN ONE-TIME PRISON CONSTRUCTION COSTS)

¹After the crime bill failed to pass last year, this increased Byrne authorization was passed as part of separate legislation. Incorporating such an increase into a new crime bill would be redundant.

²This bill passed the House as separate legislation earlier this year.

PENALTIES FOR DRUG AND VIOLENT CRIMES

- Provides 56 new criminal offenses or penalty increases, including serious violent crime, drug trafficking and firearms offenses.
- Imposes four new mandatory federal prison sentences. They are: using minors to sell drugs in a drug-free zones; closing the loophole for the importation of small quantities of drugs; possessing or distributing drugs in a federal prison; and drug-related violations in newly created drug-free truck stops.

GANG VIOLENCE

- Launches a major new anti-gang initiative, including expanded juvenile courts, new law enforcement efforts, and gang violence prevention programs (e.g., Boys/Girls Clubs in housing projects).
- Creates a new federal offense for serious gang-related drug trafficking and violent crimes.
- Provides the death penalty for drive-by-shootings, one of the most common and serious types of gang crimes.

VICTIMS OF CRIME

- Increased federal aid to the victims of crime by removing the "cap" on the Crime Victims Fund and barred attempts by the previous administration to use the Crime Victims Fund to pay for expenses currently covered by Medicare and other federal programs.³
- Grants crime victims the right to speak at the sentencing phase of federal criminal trials, including death penalty.

RURAL LAW ENFORCEMENT

- Provides \$50 million in aid to rural law enforcement agencies.
- Establishes federal-state-local Rural Law Enforcement Task Forces in every federal judicial district with significant rural areas.

³These provisions were enacted separately when the crime bill failed last year.

- Establishes a specialized rural law enforcement training program at the Federal Law Enforcement Training Center in Glynco, Georgia.

POLICE CORPS

- Establishes an ROTC-style program to provide college scholarships to students willing to serve as police officers upon graduation.
- Provides new educational opportunities for police officers who are already on the beat and have demonstrated a commitment to a law enforcement career.

PRISONS

- Establishes 10 new regional prisons to hold up to 8,000 federal and state drug offenders.
- Creates 10 new military-style boot camps on closed military bases for first-time offenders and other non-violent drug offenders.

TERRORISM

- Provides the death penalty for terrorist murders and creates stiff new federal penalties for providing material support to terrorists.
- Implements United States' obligations under new anti-terrorism treaties by creating new federal offenses for terrorist acts committed against civil aviation and maritime targets.

GUN PENALTIES

- Provides new mandatory minimum penalties for serious gun offenses, including gun possession by convicted felons and for theft of a firearm.

FEDERAL LAW ENFORCEMENT

- Authorizes \$345.5 million for federal law enforcement agencies to add hundreds of additional FBI and DEA agents, federal prosecutors, Border Patrol officers, and other law enforcement officials to combat violent crime and drug trafficking.

Specifically, these allocations are:

- \$45 million to hire and train 350 new DEA agents;
- \$25 million to expand DEA state and local task forces;
- \$5 million for special agents to investigate violations of the Controlled Substances Act relating to anabolic steroids;
- \$9 million for FBI drug trafficking investigations;
- \$500 million to hire and train 500 new border patrol officers;
- \$10 million for the U.S. Marshals Service;
- \$15 million for BATF to hire train 100 special agents to investigate firearms violations committed by drug trafficking organizations;
- \$20 million for U.S. Courts to address case overload;
- \$12 million for federal defender services.

EXCLUSIONARY RULE

- Codifies current law providing "good faith" exception to the exclusionary rule where police have a warrant.

CHILD ABUSE

- Creates a national system for background checks for workers in day care centers.
- Imposes the death penalty for child abuse murders.

decision memo format

Memorandum for The President

From: Howard Paster

Subject: Brady Bill on handgun purchases

BACKGROUND

Despite your position in support of the Brady bill we have not asked the Congress to act on the legislation on its own because of the preference of many on Capitol Hill to pass the Brady bill as part of a larger crime bill. However, the Administration has not yet forged a position on the overall crime bill and the call for action on the Brady bill is growing.

DISCUSSION

Last Congress the House passed the Brady bill and the crime bill separately, while the Senate passed them together. The conference agreement merged the two, and it is that conference agreement that died in the face of Senate filibuster. Many of those who filibustered were in honest disagreement with the habeas provisions; others were acting at the behest of the NRA but raising other issues to justify their votes against cloture.

At this time there is very broad national support for a waiting period for hand gun purchases. yet the NRA has had Members of Congress who support the Administration on most issues, but who support the NRA on this issue, approach us with suggestions for amendments to last year's version of the Brady bill. We obviously cannot consider weakening this legislation.

The main argument for proceeding with the Brady bill is that the Administration shares the responsibility for delay in moving a comprehensive crime bill, and it is increasingly clear there will be an even longer delay in moving a crime bill. On the other hand, we should not be responsible for the delay in moving Brady and therefore should call on the Congress -- which as a practical matter is a call really aimed at the House -- to move Brady free-standing.

The counter argument is that this complicates the lives of Speaker Foley and Chairman Brooks because it forces Democrats to confront the gun lobby very directly. Of those with whom we have to be concerned Chairman Brooks may be the person least pleased by a free-standing Brady bill since he comes from a pro-gun district and is a constant ally of the NRA. Also, one has to recognize the Senate Judiciary Committee is closely divided on this issue and Chairman Biden may have to wait to do Brady in the context of a larger crime bill.

RECOMMENDATION

I would like your authority -- subject to rechecking with the Department of Justice and the Domestic Policy Council -- to advise Speaker Foley, Chairman Brooks and Chairman Biden that it is the Administration's preference to move quickly on the Brady bill rather than wait for the crime bill. Unless there are especially strong objections from any of the three -- at which point you may be asked to make a phone call -- we would then proceed quickly to prepare a message for you to send to the Congress. (Obviously we would withhold any action deemed to be counter to our reconciliation efforts.)

Approve _____ Disapprove _____ Discussion _____

THE WHITE HOUSE

WASHINGTON

June 7, 1993

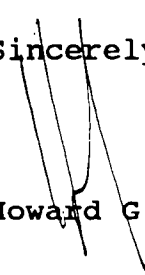
Dear Johnny:

Thank you for sharing a copy of your letter to the Attorney General with me.

I appreciated your efforts keeping me well informed on the National Troopers' Coalition's proposals on the Crime Bill. Please be assured that I keep your concerns in mind as we move forward on the legislation.

Best regards.

Sincerely,



Howard G. Paster

Mr. Johnny Hughes
Chairman
Legislative and Congressional Affairs
National Troopers' Coalition
112 State Street, Suite 1212
Albany, New York 12207



WILLIAM DONALD SCHAEFER
GOVERNOR

MELVIN A. STEINBERG
LT. GOVERNOR

STATE OF MARYLAND

DEPARTMENT OF
PUBLIC SAFETY AND CORRECTIONAL SERVICES

MARYLAND STATE POLICE
PIKESVILLE, MARYLAND 21208-3899
AREA CODE 410 486-3101
TTY FOR DEAF AREA CODE 410 486-0677

BISHOP L. ROBINSON
SECRETARY
PUBLIC SAFETY AND
CORRECTIONAL SERVICES

COLONEL LARRY W. TOLLIVER
SUPERINTENDENT
MARYLAND STATE POLICE

PUBLIC AFFAIRS UNIT
(410) 653-4239

FAX COVER SHEET
FAX NUMBER: (410) 653-4274

DATE: 6-4-93

TO: Howard PASTER

LOCATION: The White House

FAX NUMBER: 202 456 6220

FROM: Johnny Hughes

LOCATION: MSP Hqs.

TELEPHONE NUMBER: 410 653 4343

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ADDITIONAL
COMMENTS: Howard - FOR YOUR INFORMATION. I have
ALL is well.
Johnny

U-ACK P Hughes
I Thank
S E PINE
FOR
CMT
JH



NATIONAL TROOPERS COALITION

112 STATE STREET, SUITE 1212, ALBANY, N.Y. 12207 518-462-7448

May 28, 1993

The Honorable Janet Reno
Attorney General of the United States
Department of Justice - Suite 5111
Constitution Avenue & 10th Street, N.W.
Washington, D.C. 20530

RE: Crime Bill Proposals - National Troopers' Coalition

Dear Attorney General Reno:

On behalf of the National Troopers' Coalition, I would like to thank you for meeting with Jim Doyle and myself on May 11, 1993 for a discussion of crime bill proposals. We appreciate the opportunity you have given us to express our views on this important subject.

You had indicated that you would be receptive to follow-up correspondence setting out specific language or features that the NTC would like to see in crime legislation. We hope that you will give these ideas serious consideration and that the final proposal will include these measures.

First, there must be habeas corpus reform that eliminates endless and repetitive claims which have already been adjudicated in state court proceedings. Relitigation of issues for which there has been a full and fair hearing in a state court proceeding wastes valuable and scarce law enforcement and prosecution resources, and mistakenly and improperly casts doubt on the ability or the willingness of state courts to uphold constitutional rights.

The present habeas system needlessly increases the frustration of police officers and makes their job more difficult. A state court conviction, which has been affirmed through the appeals process, can essentially be relitigated and reversed through federal habeas corpus. This is true even where the defendant has been given every opportunity to raise his constitutional issues in the state proceeding, and has been given a full and fair hearing by the trial and appellate courts.

The NTC recommends that language be incorporated into the federal habeas statutes stating that an application for a writ of habeas corpus on behalf of a person in custody pursuant to the judgment of a state court shall not be granted with respect to any

The Honorable Janet Reno
May 28, 1993
Page 2

claim that has been fully and fairly adjudicated in state proceedings. Moreover, language should also provide that a full and fair determination of a factual issue made in a case by a state court shall be presumed to be correct, with the applicant having the burden of rebutting this presumption by clear and convincing evidence.

Second, the NTC believes that crime legislation should contain exclusionary rule reform. Evidence that is obtained as a result of a search and seizure should not be excluded in a proceeding where the search or seizure was carried out in circumstances justifying an "objectively reasonable belief" that the action was in conformity with the Fourth Amendment. As the law stands now, the fact that evidence was obtained pursuant to and within the scope of a warrant is generally sufficient evidence of the existence of an objectively reasonable belief. However, we believe that a good faith exception should go further.

An "objectively reasonable belief" that allows the admissibility of evidence must also apply in the case of warrantless seizures. For example, legislation should provide that a search or seizure which does not violate clearly established rights of which a reasonable person would have known should be admissible. In addition, a search or seizure authorized pursuant to statute or regulation should also fall within the objectively reasonable belief exception to the exclusionary rule. Finally, a law enforcement officer's action pursuant to legal advice provided by a prosecuting attorney should also provide a basis for a reasonable belief that would allow the admission of evidence.

While we recognize that crime bill legislation will be limited to proceedings in federal court, we think that strong exclusionary rule reform along the lines indicated in this letter, if upheld through court challenges that would undoubtedly follow, will almost certainly then be applicable in state court proceedings. These reforms would at that point have their greatest impact, by modifying application of the exclusionary rule in state prosecutions.

Third, the NTC supports the Brady Bill. We believe that enactment of such legislation providing for a reasonable waiting period for the purchase of a handgun will have a very beneficial affect in keeping handguns out of the hands of criminals and mentally unstable individuals. There are simply too many guns on the streets in the hands of too many people who should not have them. We believe that the Brady Bill is consistent with an individual's fundamental right to bear arms, and would impact substantially only on the criminal element in our society.

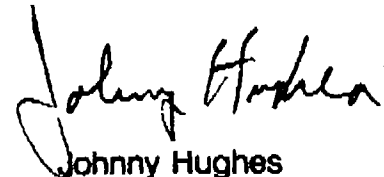
The Honorable Janet Reno
May 28, 1993
Page 3

Fourth, as I stated to you at our meeting, we believe that assets that have been forfeited because of drug violations should remain dedicated to law enforcement purposes. While we have no objection to allowing some expenditures, in the discretion of the chief law enforcement officer, for education, treatment or other non-law enforcement purposes, we believe that any legislation in this area needs to be tightly drawn, with limited discretion as to the expenditure of those funds for any non-law enforcement purpose.

Finally, we would like to see appropriations in the crime bill to help put more police officers on the streets. We do not favor the present police corps proposal, but we think that it is imperative that the number of officers on the street be increased. It was widely reported in the media for example, that the presence of increased numbers of officers in Los Angeles after the recent civil rights trials resulted in a substantially diminished number of crimes occurring in that area. The streets were calm, and crime was very much reduced. We believe that a significant increase in the number of officers, and state troopers in our communities, will have a beneficial impact on reducing crime, and we hope that additional funds can be made available for state and local police agencies.

Particularly since you are now an honorary state trooper and wear the stetson, we would like to work closely with you and your staff on these and other related criminal justice issues. We appreciate the opportunity you have given the NTC to express its views, and look forward to meeting with you in the future.

Very truly yours,



Johnny Hughes
Chairman
Legislative and
Congressional Affairs

JH/dlk-56

cc: Richard J. Darling
James J. Doyle, III

FILE
CRIME
bill

THE WHITE HOUSE
WASHINGTON

July 30, 1993

Howard -
Here's our response to
the A.G. on Police Corps.
More fireworks to follow
on her next memo (assault
weapons) if it ever shows up.

Thanks -
BR

MEMORANDUM FOR THE PRESIDENT

**FROM: BRUCE REED
JOSE CERDA III**

SUBJECT: FINAL DECISIONS ON THE CRIME BILL

As outlined in a previous memorandum to you, we believe that the crime bill should include a down-sized Police Corps, not the Justice Department's new Community Police Corps. But whether you accept our suggestion or Justice's -- the most important thing is not to let this or any other issue slow down or jeopardize quick introduction of a crime bill.

Last week, Senator Biden and the National District Attorneys Association finally reached an agreement on the crime bill's habeas provisions. The State Attorneys General are also on board. We are prepared to proceed with the announcement of a joint Biden-Brooks crime bill the first week of the August recess. The bill will include: (1) a community policing title that will put 50,000 new police on the street over the next five years; (2) boot camps; (3) federal death penalty; (4) habeas corpus reform; (5) the Brady Bill; and (6) the Police Corps.

We have reached agreement with the Justice Department, OMB and House and Senate Judiciary Committee staff on a bold community policing initiative that will be the centerpiece of the crime bill. It provides grants to cities and states to put 50,000 new police officers on the street over the next five years. The other 50,000 of your 100,000 pledge will come from (1) the FY 1993 supplemental appropriations bill you signed last month, which included \$150 million for community policing; (2) National Service, which will make up to one-fourth of its slots available for law enforcement and crime prevention efforts; (3) HUD's COMPAC program for public safety in public housing; (4) the Education Department's Safe Schools Initiative; (5) a joint Labor-Defense Troops-to-Cops initiative; and (6) community investment funds targeted to Empowerment Zones.

The one remaining policing issue is the nature of the Police Corps. All parties (except Adam Walinsky and the staunchest Police Corps proponents) agree that the Police Corps is not the most cost-effective way to put new police on the street, and that its funding should be scaled back. We recommend that funding for the Police Corps be scaled back to \$25 million per year, as you proposed in your FY 1994 budget. The Justice Department wants to cut funding still further, to \$5 million a year, and fundamentally change the nature of the program.

In the attached memorandum, the Attorney General has outlined three options on the Police Corps. Here is our assessment.

1. Justice's Community Police Corps

The Justice Department substitute would create a Community Police Corps that would provide grants to a handful of local police departments to allow them to offer scholarships to prospective police recruits as well as to current officers. Chiefs of Police, police unions and cities would prefer such a locally-based proposal. But Justice has yet to persuade Senator Kennedy and the Police Corps' many other friends in Congress to support the DOJ substitute, and Walinsky is already campaigning vehemently against it. Senators Sasser and Specter re-introduced the Walinsky version as a stand-alone bill this week.

2. Walinsky's Police Corps

We think the Attorney General's concerns about the nature of the Police Corps could still be addressed in conference -- the only time Police Corps proponents are likely to agree to changes. We will face an uphill battle if we try to scale back funding for the Police Corps and replace it with our own version at the outset. The Walinsky version passed the House and Senate with bipartisan support last year, and you endorsed it in the campaign. We also fear that unless Kennedy and Biden can be persuaded to support the Justice substitute, we will squander the only good thing to come of having to wait so long for a crime bill, which is that we have an unprecedented opportunity to introduce the same bill in both houses. It could also increase pressure on the two chairmen to differ on more volatile issues, like habeas.

3. National Service Trust Fund

Over the long term, you could resolve this issue by developing a small, but high-profile, Police Corps through the National Service program. One-third of National Service funds are dedicated for certain priority projects to be administered by the National Service Corporation, including professional corps like teachers, nurses and police. The essential elements of the Justice Department's Community Police Corps could be implemented more quickly and in far more communities through National Service -- without further congressional action or funding.

Eli Segal has always been supportive of a public safety component in National Service. Moreover, a national Police Corps would give the National Service program the visible symbol it needs to capture the American people's attention.

We recommend announcing the crime bill the first week of the August recess with the Walinsky language, and addressing the Attorney General's concerns either in conference -- or better yet, by developing a Police Corps proposal through the National Service program that will not require further congressional action.

WHITE HOUSE STAFFING MEMORANDUMDATE: August 10 ACTION/CONCURRENCE/COMMENT DUE BY: August 10 1pmSUBJECT: Assault Pistols

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☐	☒	PASTER	☒	☐
McLARTY	☐	☒	RASCO	☐	☐
NEEL	☐	☒	RUBIN	☐	☐
PANETTA	☐	☐	SEGAL	☐	☐
BAGGETT	☐	☐	SEIDMAN	☐	☐
EMANUEL	☐	☐	STEPHANOPOULOS	☒	☐
GEARAN	☐	☐	TYSON	☐	☐
GERGEN	☒	☐	VARNEY	☐	☐
GIBBONS	☐	☐	WATKINS	☐	☐
HALE	☐	☐	WILLIAMS	☐	☐
HERMAN	☐	☐	_____	☐	☐
LAKE	☐	☐	_____	☐	☐
LINDSEY	☐	☐	_____	☐	☐
McGINTY	☐	☐	_____	☐	☐
MONTOYA	☐	☐	_____	☐	☐
NUSSBAUM	☐	☐	_____	☐	☐

REMARKS: THIS IS FOR ACTION TOMORROW & WILL GO TO PRESIDENT EARLY AFTERNOON.RESPONSE: COMMENTS TO TODD.

JOHN D. PODESTA
 Assistant to the President
 and Staff Secretary
 Ext. 2702

THE WHITE HOUSE

WASHINGTON

33 AUG 10 10:46

August 10, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED
JOSE CERDA III

SUBJECT: PROPOSED PRESIDENTIAL MEMORANDA BANNING ASSAULT
PISTOLS AND REFORMING FEDERAL FIREARMS LICENSING

I. ACTION-FORCING EVENT: On Wednesday, you are scheduled to announce on your plan to put 100,000 more police on the streets as well as the broad outline of a crime bill to be taken up by Congress in the fall. We have prepared two gun-related Presidential Memoranda that you could sign that same day: (1) to suspend the importation of assault pistols and initiate proceedings to evaluate whether their importation should be permanently banned; and (2) to call for tougher enforcement of compliance requirements in the issuance of federal firearms licenses.

II. BACKGROUND/ANALYSIS: These proposed Presidential Memoranda are intended to address your campaign commitment to limit the availability of assault weapons and help keep firearms out of the hands of criminals. They were developed in consultation with Treasury and Justice.

The Assault Pistols Memorandum directs the Secretary of the Treasury to act to suspend temporarily import permits pending reevaluation of whether they are "generally recognized as particularly suitable for or readily adaptable to sporting purposes." The Secretary has exclusive authority to make this determination and has broad discretion.

The criteria for meeting the "sporting purposes" standard were developed 25 years ago, under the Gun Control Act of 1968, and were designed to keep our cheap, concealable "Saturday Night Specials," which were the most popular crime gun of the day. Today assault type pistols are the gun of choice, but because of their large size, weight, and caliber, they qualify for importation under the 25-year old system -- even though none of these pistols appears to have any legitimate sporting purposes. This Memorandum calls on Treasury to reassess its approach.

The Bush Administration imposed a similar ban on imports of assault rifles in 1989, which led to a pronounced drop in use. However, neither ban will solve the problem altogether, because they do not touch the majority of assault weapons that are domestically produced.

Note that when the Bush administration banned assault rifles, litigation ensued. The previous administration prevailed, but issuing this Memorandum may again provoke a lawsuit.

The Federal Firearms Licensing (FFL) Memorandum directs the Secretary of the Treasury to take the steps necessary, to the extent permitted by law, to ensure that federal firearms dealers are complying with present requirements. Under the previous Administration, the Bureau of Alcohol, Tobacco and Firearms (ATF) did little to limit the issuance of permits to legitimate gun dealers. The whole point of the licensing procedure -- to screen the qualified from the unqualified -- has been undermined by the generally easy availability of these licenses to almost everyone.

Today, there are approximately 284,000 gun dealers licensed by ATF -- with an estimated 60,000 new applications being approved each year. Obtaining a license essentially waives certain legal restrictions on the buying and selling of guns that would normally apply -- such as federal laws restricting interstate gun transactions.

This Memorandum will reverse the previous Administration's policy of non-enforcement by: improving background checks in screening applicants, requiring better identification from potential licensees and licensees' customers, increasing scrutiny of licensees' multiple handgun sales, and other similar reforms.

While these basic reforms are long overdue, more meaningful changes to the current licensing procedure will require new legislation.

III. RECOMMENDATION: We recommend that you sign the proposed Memoranda.

IV. DECISION:

____ Approve ____ Approve as amended ____ Reject ____ No Action

August 11, 1993

MEMORANDUM FOR THE SECRETARY OF THE DEPARTMENT OF THE TREASURY

SUBJECT: GUN DEALER LICENSING

A major problem facing the nation today is the ease with which criminals, the mentally deranged, and even children can acquire firearms. The gruesome consequences of this ready availability of guns is found in the senseless violence occurring throughout the country with numbing regularity. While there is not one solution to the plague of gun-related violence, there is more than sufficient evidence indicating that a major part of the problem involves the present system of gun dealer licensing, which encourages a flourishing criminal market in guns.

The Gun Control Act of 1968 established a licensing system for persons engaged in businesses of manufacturing, importing and dealing in firearms. These licensees are allowed to ship firearms in interstate commerce among themselves, and are required to abide by State laws and local ordinances in their sale of firearms to non-licensees. They are also prohibited from selling firearms to felons, certain other classes of persons, and generally to out of state persons. This Act also established a comprehensive recordkeeping system and authorized the Secretary to conduct inspections to ensure compliance with the Act. The statutory qualifications for a licensee are that the applicant is at least 21 years of age, is not a felon or other person prohibited from possessing firearms, has not willfully violated the Gun Control Act, and has premises from which he intends to conduct business. The license fee for a basic dealer's license is only \$10 a year.

The minimal qualification standards of the statute, coupled with policies of neglect and opposition to legitimate regulatory efforts by past Administrations, leave us with a situation where in some ways we have made it easier to get a license to sell guns than it is to get and keep a driver's license. Today there are in excess of 287,000 Federal firearms licensees, and a great number of these persons probably should not be licensed. The Bureau of Alcohol, Tobacco and Firearms (ATF) estimates that only about 30 percent of these are bona fide storefront gun dealers. ATF estimates that probably 40 percent of the licensees conduct no business at all, and are simply persons who use the license to obtain the benefits of trading interstate and buying guns at wholesale. The remaining 30 percent of licensees engage in a limited level of business, typically out of private residences. While the Federal statute creates no minimum level of business activity to qualify for a license, many of the licensees in this category operate in violation of State and local licensing, taxing, and other business-related laws. Since the overall purpose of the Gun Control Act was to assist State and local gun control efforts, at the very least we need to coordinate the Federal licensing process with the appropriate State and local agencies.

This Administration is committed to doing more to prevent this criminal market in illegal guns from continuing to flourish. Since all new firearms used in crime have at some point passed through the legitimate distribution system, Federal firearms licenses represent the first line of defense in our efforts to keep guns out of the hands of criminals.

Accordingly, you have informed me that you will direct the Department of Treasury and ATF to take whatever steps are necessary, to the extent permitted by law, to ensure compliance with present licensing requirements, such as:

- (a) improving the thoroughness and effectiveness of background checks in screening dealer license applicants;
- (b) revising the application process to require the applicant to supply all information relevant to establishing qualification for a license, and to require more reliable forms of identification of the applicant, such as fingerprinting, to assist in identifying an applicant's criminal or other disqualifying history;
- (c) making the "premises" requirement of the statute more meaningful by increasing field checks and the use of other procedures to verify compliance;
- (d) increasing the scrutiny of licensees' multiple handgun sales reports and providing automated access to multiple sales report information by serial number for firearms trace purposes;
- (e) requiring dealers to obtain more reliable identification from purchasers;
- (f) reviewing sanctioning policies to determine the feasibility and desirability of adding the option of license suspension for certain violations;
- (g) expanding the use of cooperative agreements with State and local law enforcement agencies to address licensing and trafficking problems;
- (h) expanding ATF's capabilities to utilize effectively the firearms transaction records of out-of-business licensees for tracing purposes through the use of automation and other technology.

Acting pursuant to your statutory authority, you shall make such determinations and issue orders, regulations and rulings, as appropriate, to achieve the objectives stated in this memorandum.

I further direct that you initiate these actions as soon as possible and report your progress implementing these and other measures consistent with the foregoing to me within 90 days and annually thereafter.

All Executive agencies shall, to the extent permitted by law, cooperate with and assist you in carrying out the objectives of this memorandum. You shall consult with the Attorney General, the Director of the Office of National Drug Control Policy, and other Executive agencies as necessary to coordinate and implement the objective of this memorandum. To the maximum extent possible, the Attorney General, through the Office of Justice Programs, Bureau of Justice Assistance, will expand support to State and local agencies working with ATF on joint projects relating to licensing and trafficking in firearms. Nothing in this memorandum shall be construed to require actions contrary to applicable provisions of the law. You are hereby authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

August 11, 1993

MEMORANDUM FOR THE SECRETARY OF THE DEPARTMENT OF THE TREASURY

SUBJECT: IMPORTATION OF ASSAULT PISTOLS

A category of pistols commonly referred to as assault pistols has increasingly become the weapon of choice for drug dealers, street gang members, and other violent criminals. These pistols, generally characterized by their bulky military-style appearance and large magazine capacity, include domestically manufactured TEC-9's and MAC-10's as well as imported models like the Uzi pistol and the H&K SP-89. Their popularity appears to stem from their intimidating appearance and their considerable firepower.

These weapons have been used to harm and terrorize many Americans, particularly our children, in recent years. As a result, it is no longer possible to stand by and witness the deadly proliferation of these weapons without acting to protect our communities.

Although addressing the domestic production of these weapons requires a change in the statute, which I support, existing law already bans the importation of firearms unless they are determined to be particularly suitable for or readily adaptable for sporting purposes. I am informed that shortly after enactment of the Gun Control Act of 1968, the Treasury Department adopted a factoring system to determine whether handguns were importable pursuant to this standard. The system entails the examination of the firearm against a set of criteria, with points being awarded for various features. A minimum score is required before importation is approved. The criteria and weighted point system were designed to address the crime gun of the day, the cheap, easily concealable "Saturday Night Special." Under this 25-year old system, small caliber, easily concealable handguns score few points and are banned from importation. However, assault-type pistols -- the new crime gun of the day -- because of their large size, weight and caliber, easily score the necessary points to qualify for importation even though none of these pistols appears to have any legitimate sporting purpose. Accordingly, it is time to reassess how the present regulatory approach can be made more effective in achieving the legislative directive to preclude importation of firearms that are not particularly suitable for or readily adaptable for sporting purposes.

I hereby direct you to take the necessary steps to reexamine the current importation factoring system to determine whether the system should be modified to ensure that all non-sporting handguns are properly denied importation. You have advised me that the Bureau of Alcohol, Tobacco and Firearms (ATF) will issue a notice of proposed rulemaking in the near future that will propose changes to the factoring system to address the assault pistol problem. You have further advised me that effective immediately action on pending applications to import these weapons will be suspended, and that final action on any application will be delayed until this review process is completed.

Nothing herein shall be construed to require actions contrary to applicable provisions of law. You are hereby authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

File
(Rmk)
31u
THE WHITE HOUSE
WASHINGTON

DATE: 08/03/93

DAVID GERGEN
GEORGE STEPHANOPOULOS
HOWARD PASTER
ELI SEGAL
BRUCE REED

NOTE FOR:

The President has reviewed the attached, and it is forwarded to you
for your:

Information ☒

Action ☐

Thank you.

JOHN D. PODESTA
Assistant to the President
and Staff Secretary
(x2702)

cc:

THE WHITE HOUSE
WASHINGTON

August 3, 1993

MEMORANDUM FOR THE PRESIDENT

FROM:

JOHN PODESTA *JP*
TODD STERN *TS*

SUBJECT:

Police Corps/Crime Bill

Attached is a memo from the Attorney General on the police corps together with memos from Bruce Reed/Jose Cerda and Eli Segal commenting on it. Since the police corps will be a section of the crime bill, the police corps issue must be resolved in order to ready the crime bill for announcement as early as next week.

Here's the situation in a nutshell. There are three basic Police Corps alternatives:

- (1) The full Adam Walinsky proposal, at a cost of \$200 million per year. This is not feasible financially.
- (2) A scaled-back Walinsky plan, at a cost of \$25 million per year, as proposed in our FY 94 budget. Reed/Cerda favor this alternative at this time.
- (3) A Justice Department "community police corps" proposal, at a cost of \$5 million per year.

On the merits, Reed/Cerda do not disagree with the Attorney General, and hold out the possibility of moving in her direction when the House and Senate bills go to conference. (Although the plan is to introduce identical bills, they are sure to be amended in different ways in the two houses, which will make a conference highly likely.)

Reed/Cerda also note that it might be possible to develop the police corps in the context of National Service (and consequently drop it from the crime bill in conference), although Eli's memo makes clear that there are still open questions as to (i) whether the National Service program could adequately fill that role and (ii) whether doing so be good for National Service.

Can't find the memo from Eli Segal. See p. 10 of the memo from Reed/Cerda. See also the memo from the AG.

Reed/Cerda (option 2) seems to make the most sense right now. Option 1 is too expensive and, as the Attorney General says, we need cops on the street, not just in school. On the other hand, option 3 won't work at this time. Although Jack Brooks would prefer it, since he is not a police corps fan, it would create big problems in the Senate, where Senator Kennedy supports Walinsky and Senator Biden defers to Kennedy. The best that we can hope to do for now is to try to persuade Kennedy and Biden to accept our scaled-back Walinsky proposal.

In short, White House staff recommend option 2 for now, holding open the possibility of moving in conference toward the AG's proposal or toward a National Service model, if that proves feasible.

Agree ☒

Disagree ☐

Discuss ☐

Concedo
#2 plus some emphasis
in date since we going
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deming - That's better
than AG's
proposal



Office of the Attorney General
Washington, D. C. 20530

93 JUL 30 AM : 36

July 29, 1993

DRAFT DECISION MEMORANDUM FOR THE PRESIDENT

FROM:

JANET RENO
ATTORNEY GENERAL

SUBJECT:

Police Corps

The following compares the positions of Adam Walinsky and the Department of Justice on the police corps concept.

Adam Walinsky's Proposal

Mr. Walinsky proposes to provide a scholarship to each police corps participant of up to \$12,500 per year with a cap of \$40,000 over four years. The participant would then be required after graduation from college to serve as a police officer for four years. Police corps participants must commit to only four years of service. (Participants in the first two years of operation need only commit to two years.) It takes four years for an officer to become a seasoned member of the police force. \$5,000 per year per graduate for up to five years would be paid to law enforcement agencies as a hiring incentive. Monies would be targeted for 16 weeks of training in addition to whatever law enforcement related education the person chose in college. After expenditure of these dollars, we would not have police officers on the street to show for it. Communities would still have to come up with the funds to hire them. This would be a huge burden, as the national average for salary, benefits, training and equipment for a new police officer is approximately \$50,000.

Department of Justice Proposal

The Department would prefer to use our limited resources to provide direct grants to communities to enable them to actually hire new police rather than just sending them to school. We need police on the streets now. Police groups have advised that there is no lack of well-educated candidates to become police officers. If the goal is to produce a better educated police force, scholarships for career officers would be a more effective means of achieving this goal if we had the money.

We do not have enough money to achieve your promise of putting 100,000 police officers on the street, but in case you want to provide money for scholarships, an alternative police corps proposal has been developed by the Department of Justice, in consultation with the Domestic Policy Council staff. This version would cost \$25 million over five years, provide scholarships to aspiring police officers, and build partnerships between educational institutions and law enforcement agencies to address local needs. It would also assure qualified participants of jobs upon graduation.

Another option would be to augment the police corps concept already incorporated into the National Service program legislation.

You should also know that virtually every major national police organization opposes Mr. Walinsky's police corps proposal.

In summary, I think the facts stated above relating to each approach to police corps strongly suggest that the Administration support for the Department of Justice or National Service version of police corps.

DECISION

Option A:

Support the Department of Justice Police Corps Proposal:

☐ Approve ☐ Approve as amended ☐ Reject ☐ No Action

Option B:

Support the National Service Police Corps Proposal:

☐ Approve ☐ Approve as amended ☐ Reject ☐ No Action

Option C:

Support the Adam Walinsky Police Corps Proposal:

☐ Approve ☐ Approve as amended ☐ Reject ☐ No Action

THE WHITE HOUSE
WASHINGTON

July 30, 1993

93 JUL 30 P5:34

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED
JOSE CERDA III

SUBJECT: FINAL DECISIONS ON THE CRIME BILL

As outlined in a previous memorandum to you, we believe that the crime bill should include a down-sized Police Corps, not the Justice Department's new Community Police Corps. But whether you accept our suggestion or Justice's -- the most important thing is not to let this or any other issue slow down or jeopardize quick introduction of a crime bill.

Last week, Senator Biden and the National District Attorneys Association finally reached an agreement on the crime bill's habeas provisions. The State Attorneys General are also on board. We are prepared to proceed with the announcement of a joint Biden-Brooks crime bill the first week of the August recess. The bill will include: (1) a community policing title that will put 50,000 new police on the street over the next five years; (2) boot camps; (3) federal death penalty; (4) habeas corpus reform; (5) the Brady Bill; and (6) the Police Corps.

We have reached agreement with the Justice Department, OMB and House and Senate Judiciary Committee staff on a bold community policing initiative that will be the centerpiece of the crime bill. It provides grants to cities and states to put 50,000 new police officers on the street over the next five years. The other 50,000 of your 100,000 pledge will come from (1) the FY 1993 supplemental appropriations bill you signed last month, which included \$150 million for community policing; (2) National Service, which will make up to one-fourth of its slots available for law enforcement and crime prevention efforts; (3) HUD's COMPAC program for public safety in public housing; (4) the Education Department's Safe Schools Initiative; (5) a joint Labor-Defense Troops-to-Cops initiative; and (6) community investment funds targeted to Empowerment Zones.

The one remaining policing issue is the nature of the Police Corps. All parties (except Adam Walinsky and the staunchest Police Corps proponents) agree that the Police Corps is not the most cost-effective way to put new police on the street, and that its funding should be scaled back. We recommend that funding for the Police Corps be scaled back to \$25 million per year, as you proposed in your FY 1994 budget. The Justice Department wants to cut funding still further, to \$5 million a year, and fundamentally change the nature of the program.

In the attached memorandum, the Attorney General has outlined three options on the Police Corps. Here is our assessment.

1. Justice's Community Police Corps

The Justice Department substitute would create a Community Police Corps that would provide grants to a handful of local police departments to allow them to offer scholarships to prospective police recruits as well as to current officers. Chiefs of Police, police unions and cities would prefer such a locally-based proposal. But Justice has yet to persuade Senator Kennedy and the Police Corps' many other friends in Congress to support the DOJ substitute, and Walinsky is already campaigning vehemently against it. Senators Sasser and Specter re-introduced the Walinsky version as a stand-alone bill this week.

2. Walinsky's Police Corps

We think the Attorney General's concerns about the nature of the Police Corps could still be addressed in conference -- the only time Police Corps proponents are likely to agree to changes. We will face an uphill battle if we try to scale back funding for the Police Corps and replace it with our own version at the outset. The Walinsky version passed the House and Senate with bipartisan support last year, and you endorsed it in the campaign. We also fear that unless Kennedy and Biden can be persuaded to support the Justice substitute, we will squander the only good thing to come of having to wait so long for a crime bill, which is that we have an unprecedented opportunity to introduce the same bill in both houses. It could also increase pressure on the two chairmen to differ on more volatile issues, like habeas.

3. National Service Trust Fund

Over the long term, you could resolve this issue by developing a small, but high-profile, Police Corps through the National Service program. One-third of National Service funds are dedicated for certain priority projects to be administered by the National Service Corporation, including professional corps like teachers, nurses and police. The essential elements of the Justice Department's Community Police Corps could be implemented more quickly and in far more communities through National Service -- without further congressional action or funding.

Eli Segal has always been supportive of a public safety component in National Service. Moreover, a national Police Corps would give the National Service program the visible symbol it needs to capture the American people's attention.

We recommend announcing the crime bill the first week of the August recess with the Walinsky language, and addressing the Attorney General's concerns either in conference -- or better yet, by developing a Police Corps proposal through the National Service program that will not require further congressional action.

THE WHITE HOUSE
WASHINGTON

July 31, 1993

MEMORANDUM FOR JOHN PODESTA

FROM: Eli J. Segal *ELJ*
SUBJECT: National Service and Police Corps
(Attorney General Reno's memo of July 30)

Introduction

The Attorney General's memorandum concerning the Police Corps prominently discusses national service. While I am not an expert on the police, it is clear to me that before any decision is made regarding national service and law enforcement, both the President and the Attorney General should be briefed on the options for law enforcement within national service. This memorandum summarizes my understanding of the possibilities; I am happy to work further with the Department of Justice and the Domestic Policy Council. Rana Sampson, a White House Fellow working at the DPC and a former police officer, has worked closely with us and is our point person in this area.

The opportunities for national service to contribute to law enforcement fall into two categories.

Non-sworn police work

Because the national service initiative is oriented primarily toward pre- and non-professional service, most openings will be for non-sworn police aides. In cities like San Diego and New York, such "national service officers" have already made a real impact, assisting in community policing and freeing other officers to become beat cops.

While there will be considerable opportunities for such placements under the legislation, the number of law enforcement placements will depend on the emphasis established by regulation. If national service were very heavily focused on law enforcement, it could generate 50,000 such non-sworn placements over three years, with correspondingly fewer placements in education, the environment and health. (I do not know whether such NSOs would appropriately count toward a 100,000 goal.) There is no need for a decision now, but it will be helpful for our planning purposes to know how strong an emphasis on law enforcement placements is desirable.

Professional police officers

There will be limited opportunities for police officers through the national service initiatives: only one-third of the program funds may be dedicated to positions paying more than twice the minimum wage, and in such instances, the Federal government will not pay any salaries or benefits. The national service program, then, could offer one or two years of loan repayment (at \$4725 a year) and training to prospective police officers.

National service would allow for a much cheaper version of the Walinsky police corps. I imagine that our educational award would provide a modest inducement for college graduates to become police officers (if that is important), and that the training would provide some aid for localities in defraying the costs of hiring (whether enough, I do not know). National service, however, cannot require a commitment or offer an award greater than two years; that may present an insurmountable obstacle to the program's working.

Once again, if these placements are feasible, the President could decide to put a heavy emphasis on achieving them. Over three years at full funding, national service could supply as much as \$500 million for these purposes, or enough for 30,000 two-year terms. The cost would be fewer placements as teachers and fewer innovative national programs.

HANDGUN CONTROLONE MILLION STRONG . . . working to
keep handguns out of the wrong hands.**FAX COVER SHEET**FIVE
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BlueDATE: 8-4TOTAL PAGES (including cover sheet): 8SENT TO (FAX number): 456-~~2230~~ 6220PLEASE DELIVER TO: Howard Paster

ORGANIZATION: _____

FROM: Richard Aborn

FAX NUMBER: (202) 371-9615

NOTES/COMMENTS: _____

If you have difficulty receiving this transmission, please call 202/898-0792

HANDGUN CONTROLRichard M. Aborn
President**ONE MILLION STRONG . . . working to
keep handguns out of the wrong hands.**

August 3, 1993

Mr. George Stephanopoulos
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear George:

Thanks for meeting with us last week to discuss the prospects for passage of the Brady bill. Our hope, at this point, is that the Brady bill can be signed into law before the end of the year. Our fear is that the Brady bill will be included in this year's crime bill and that the crime bill will--once again--stall in Congress. If that fear is realized, we would be put in the uncomfortable position of urging the Administration and the Hill to pull the Brady bill out of the crime bill. That, in fact, is what happened in the last Congress, when we were forced to mount a "Free the Brady Bill" campaign after the crime bill stalled.

As per our discussion, we believe there are compelling reasons for prompt and separate consideration of the Brady bill. The following is a brief synopsis.

There is a national groundswell of support for tough measures to control gun violence. Despite massive NRA lobbying campaigns, Virginia this year passed one-gun-a-month legislation; Connecticut passed a broad ban on assault weapons (including the Connecticut-produced Colt Sporter); New Jersey fought back an effort to repeal its assault weapons ban; Minnesota expanded its waiting period to cover assault rifles; and state after state rejected NRA attempts to pass laws allowing citizens to carry concealed weapons. State legislatures are responding to what has been described as a "sea change" in public opinion on guns. According to a recent poll conducted by Lou Harris, a majority of the American people (52%) now--for the first time--support "a federal law banning the ownership of all handguns," except those permitted by a court.

The American public wants the Brady bill passed...now. Poll after poll shows that nine out of ten Americans support the Brady bill, including over 80 percent of all gunowners. According to a recent poll conducted by Lou Harris, even 68 percent of NRA members support a waiting period. Support for the Brady bill, however, is nothing new. Since it was first introduced six years ago, the Brady bill has always enjoyed strong support

Mr. George Stephanopoulos
August 3, 1993
Page Two

in the polls. What's changed is the growing perception that the Brady bill is a symptom of the gridlock in Washington. Voters don't understand why Congress can't even pass a simple measure like the Brady bill.

■ Passage of the Brady bill would be a victory over "gridlock." Given the President's high-profile support of the Brady bill during the campaign and the failure of the past three Congresses to pass the measure, passage of the Brady bill would be seen by the media and the public as a major, and precedent-setting, victory over Congressional "gridlock."

■ The Brady bill, as a separate measure, enjoys much broader media and editorial support than does the crime bill--with or without Brady. An omnibus crime bill has never enjoyed broad support in the media, which is skeptical about the need for--or efficacy of--50 new federal death penalties. Experience suggests that inclusion of the Brady bill in a larger crime package will substantially reduce the appeal of the Brady bill without boosting --in any measurable way--support for the crime bill.

■ The Brady bill has broad support in both Houses of Congress. Both Houses of Congress have already approved the Brady bill. The House passed the Brady bill two years ago, 239-186, as a separate bill. The Senate, a few months later, accepted the Brady bill, 62-37, as an amendment to the crime bill. In this Congress, 153 Members of the House have cosponsored the Brady bill, including 40 members of the Freshman Class. Thirty-one Senators have cosponsored.

■ The crime bill will not be enacted into law until next year--if then. Attempts to pass omnibus crime legislation have failed in the last two Congresses. In the 101st Congress, a comprehensive crime bill was gutted in conference, after it became clear that a comprehensive package could not be passed before adjournment. In the last Congress, the House and the Senate passed separate crime bills and the House approved a conference agreement by two votes, before the agreement fell victim to a Senate filibuster.

While prior agreement on habeas corpus reform might marginally improve prospects for consideration of a crime bill in this Congress, final passage of a crime bill is not expected until next year. With luck, the Senate might be able to consider a crime bill in September and the House in October, but work on a conference agreement is unlikely to be completed before the end of the first session. Once completed, a conference agreement is likely to face the threat of another Republican filibuster in the Senate. Most observers predict that a crime bill will not be signed into law until mid-to-late next year, if at all. And the closer it gets to the mid-term election, the more difficult it will be to defeat a Republican filibuster.

Mr. George Stephanopoulos
August 3, 1993
Page Three

■The Brady bill deserves to be considered separately. In the last Congress, the Brady bill fell victim to White House insistence that the Brady bill be considered as part of the larger crime bill. Such insistence doomed the Brady bill in the last Congress and could well doom it again in this Congress.

After six years, the Brady bill deserves separate consideration. This year's Brady bill is identical to the compromise language contained in last year's conference report on the crime bill. It is ready to go. Eleven Republican Senators have expressed their support for the bill, privately and/or publicly. To move, all it needs is the support of the President and Congressional leaders.

■The Brady bill is not necessary for passage of a larger crime package. The conventional wisdom holds that inclusion of the Brady bill could improve prospects for passage of a larger crime package by "keeping liberals on board." While the Brady bill enjoys broad support in Congress, there is absolutely no evidence suggesting that its inclusion in the crime bill would speed or assist in the passing of a larger crime bill.

Quite to the contrary. In the last Congress, the House passed a crime bill 305-118 without Brady in it. The crime bill came back to the House later that year with Brady in it, but the House passed the conference report by only two votes, 205-203. Twenty-three liberal Democrats, who earlier had opposed House passage of a crime bill, did support the conference report, but eight of those liberal "switchers" were opponents of the Brady bill. On the other hand, many of the Republicans who switched and opposed the conference report cited their opposition to the inclusion of the Brady bill.

In the Senate, the crime bill passed by a vote of 71-26. But seven key Democratic opponents of the death penalty (and two Republicans) voted against the crime bill despite the inclusion of the Brady bill.

■Passage of the Brady bill as separate legislation would be a major victory for the White House and a major defeat for the NRA. In whatever form it passes, enactment of the Brady bill will be a victory for the White House and a defeat for the NRA. But if the bill is wrapped into a larger crime package, the size of the White House's victory (and the NRA's defeat) will be substantially diminished.

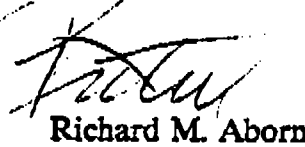
If the Brady bill is considered separately, there will be a recorded vote in both the House and the Senate. The NRA will suffer a very tangible defeat. If the bill is wrapped into a crime package, there is high probability that the NRA will make no attempt to delete or alter the Brady bill, settling for a low-profile, but otherwise inevitable, defeat. In doing so, the NRA will avoid an embarrassing defeat, fall back, and better position itself for future legislative battles. In the process, the White House will have lost an opportunity to defeat one of the most egregious special interests in America: the NRA.

Mr. George Stephanopoulos
August 3, 1993
Page Four

I hope the above points will be helpful in your discussions regarding the crime bill. Please let me know if you have any further questions.

Thank you for the Administration's ongoing attention to this matter and the President's very vocal support for the Brady Bill.

Very truly yours,



Richard M. Aborn

Eric D. Fingerhut
19th District, Ohio

Foreign Affairs Committee
Science, Space and
Technology Committee
Banking, Finance and
Urban Affairs Committee

431 Cannon Building
Washington, D.C. 20515
Tel.: (202) 225-5731

2550 SOM Center Road, Suite
Willoughby Hills, Ohio 44094
Tel.: (216) 943-1919
Fax: (216) 943-5516

Congress of the United States
Washington, DC 20515

July 30, 1993

The Honorable Jack Brooks
Chairman, House Judiciary Committee
2138 Rayburn H.O.B.
Washington, D.C. 20515

Dear Mr. Chairman:

As Members of the Freshmen class we are writing to urge the Judiciary Committee to take swift action on H.R. 1025, the Brady Handgun Violence Prevention Act of 1993.

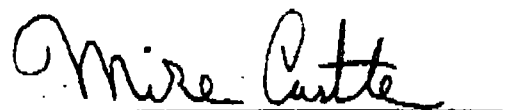
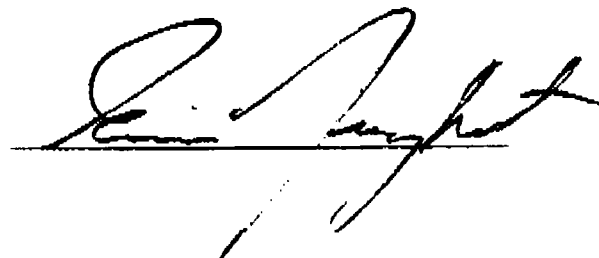
In the more than six years since the Brady bill was first introduced in 1987 nearly 150,000 Americans have died from handgun inflicted wounds. And in the nearly five months since the Brady bill was introduced in this Congress, nearly 10,000 Americans have been killed. Swift passage of the Brady bill will not put an end to all this handgun violence, but it will save lives.

The Brady bill has long enjoyed the overwhelming support of the American public, with nine out of ten Americans endorsing it, including more than 80 percent of all gunowners. The American people are growing weary of the escalating violence now afflicting our country and they urgently want Congress to act on the Brady bill before more lives are needlessly lost.

In the last Congress, the Brady bill failed to advance after it was included in the omnibus crime bill. We must not allow this issue to fall victim again to what the public views as gridlock. It deserves consideration as a free-standing bill.

Two years ago, the House Judiciary Committee took early and expeditious action on the Brady bill and approved it by a vote of 23-11. We strongly urge the Committee to give the full House another opportunity to vote on this vital public safety measure.

Sincerely,



Luiz V. Gattiere

Robert Menendez

Michael Marshall

Bobby L. Rush

Corrine Brown

Alcee F. Hastings

Lyons Shank

Elyakos Inose

Jerrold Nadler

Walter Tucker

Karen Shepherd

Mel Reynolds

Bill Lutz

Sam Farr

Mat Mel

Peter Barca

Mike Kern

Stephen Horn

Dan Hamburg

Tom Barrett

Lucile Roybal-Allard

Pat Patrick

Carrie P. Meek

Bob Filner

Eddie Bernice Johnson

Carlos R. Ruiz

Cowley B Maloney
Lester Byline

Anna Eshor
Albert B. Byline

CRIME BILL ISSUES

On Thursday, Senator Biden and Chairman Brooks plan to introduce revised Senate and House versions of last year's crime bill conference agreement. While the bills will be largely the same, they will not be identical. The Leadership in both houses has agreed to act on these measures this fall.

Legislative text for both of these bills will not be finalized until late today or early tomorrow. At our request, the chairman have scaled back the authorization levels from last year's bill (more than \$8 billion), to a total of \$5-6 billion over the next five years. The Administration has pledged to fight for full funding of the community policing provision, but we have made no guarantees about the rest of the provisions.

Here is a brief overview of some of the issues:

- **BRADY BILL:** The Brady Bill, which mandates a national 5-day waiting period for handgun purchases (until replaced by an instant-check system), will be included in the House's version of the crime bill. The Senate will take up Brady as a stand alone bill during the crime bill's consideration. We have told the House and Senate that Brady is a must-pass provision for the President, and that he wants it any way he get it.
- **COMMUNITY POLICING:** The House and Senate have agreed to make Title I of the crime bill the President's Community Policing Initiative. This proposal -- fashioned by DPC, OMB and Justice -- authorizes \$3.4 billion to put 50,000 more police on the street "in community-oriented policing." Along with Brady, this is the most important part of the crime bill to the President. (Several other programs will help keep the President's 100,000 cops campaign pledge -- national service, Safe Schools, Empowerment Zones, Troops-to-Cops, etc.)
- **ASSAULT WEAPONS:** An assault weapons ban will not be included in the crime bill as introduced, but the President has called for an assault weapons ban and will ask for its consideration alongside the crime bill. The Senate has passed a ban before, but the House has defeated every such effort.
- **HABEAS CORPUS REFORM:** The President and the Attorney General support Senator Biden's legislation to reform the death penalty appeals process, and the Attorney General has committed to help in selling this proposal to Members and outside groups. Because the Administration wants the public debate to revolve around community policing and gun legislation, the President's and the Attorney General's public focus will be primarily on these initiatives.
- **SAFE SCHOOLS:** The House and Senate have included a Safe Schools provision similar to the Administration's proposal, which allows local educational authorities to apply for emergency funds to build metal detectors, hire police and security personnel, implement anti-violence and anti-drug curricula, and other activities. We have told Brooks and Biden that we prefer the Administration proposal to that in the crime bill.

OTHER ISSUES:

- **MANDATORY MINIMUMS:** No new mandatory minimums will be included in the crime bill as introduced, but neither will any language be accepted to repeal or "fix" already existing mandatories. We believe this issue is best addressed outside of the crime bill context.
- **BOOT CAMPS AND DRUG TREATMENT:** The President's proposed crime package also calls for more boot camps and criminal justice drug treatment and testing. We have not committed to any specific funding levels for these programs.
- **DEATH PENALTY:** Both the House and Senate bills will include 47 new death penalty categories with a uniform set of death penalty procedures for implementation. The controversial non-homicidal death penalties in last year's bill have been deleted, but are likely to be attached at a later point.
- **POLICE CORPS:** Both the House and Senate will include a Police Corps, but at different authorizations levels. The House includes a \$25 million per year Corps while the Senate's Corps will cost \$100 million in the first year and "such sums" thereafter.
- **REGIONAL PRISONS:** Last year's crime bill included a costly proposal to establish 10 region, state-federal prisons for drug offenders. OMB and Justice were very concerned with the cost of this proposal. It has been pared down significantly and changed to a federal grant program to help states establish multi-state prisons. House and Senate Republicans are sure to make prisons their defining issue during the crime bill debate.

Schedule Proposal

1/26/94

<u> </u> ACCEPT	<u> </u> REGRET	<u> </u> PENDING
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TO: Ricki Seidman
Assistant to the President and
Director of Scheduling & Advance

FROM: Pat Griffin
Assistant to the President and
Director of Legislative Affairs
and
Rahm Emanuel
Assistant to the President and
Deputy Director of Communications

REQUEST: POTUS meet with Majority Leader George
Mitchell, Speaker Tom Foley, Senator
Joseph Biden, Majority Leader Dick
Gephardt, and Congressman Jack Brooks.

PURPOSE: To discuss congressional strategy for
the Crime Bill from now until the April
recess.

BACKGROUND: The President focused a large part on
crime in his State of the Union Address,
and the Crime Bill will, with health
care, top his legislative agenda this
spring. The conference report on the
Crime Bill should be out in early or
mid-March.

DATE & TIME: Monday, January 31

LOCATION: The White House

DURATION: 1 hour

PRESS COVERAGE: No

PARTICIPANTS: Members of Congress: Mitchell, Foley,
Gephardt, Biden, and Brooks
Pat Griffin
George Stephanopoulos
Rahm Emanuel
Carol Rasco
Bruce Reed

VP'S ATTENDANCE: Yes, if possible.

1ST LADY'S ATTENDANCE: No

2ND LADY'S ATTENDANCE: No

REMARKS REQUIRED: Private Meeting

RECOMMENDED BY: Pat Griffin and Rahm Emanuel

CONTACT: Pat Griffin

cc: Carol Rasco
Bruce Reed
George Stephanopoulos

THE WHITE HOUSE
WASHINGTON

FAX COVER SHEET

OFFICE OF THE ASSISTANT TO THE PRESIDENT FOR DOMESTIC POLICY
SECOND FLOOR, WEST WING
THE WHITE HOUSE
WASHINGTON, DC 20500
(202)456-2216 PHONE
(202)456-2878 FAX

TO: Eoin O'Connor
FAX #: 6 - 6220
FROM: CAROL H. RASCO / Hanna
DATE: 1/26/94
NUMBER OF PAGES (including cover sheet): 3
COMMENTS:

Can you give us a time

If you have any problems with the fax transmission, please call
at (202)456-2216.

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THE DIRECTOR

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

OCT 27 '99

Honorable Jack Brooks
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

The Administration appreciates your prompt consideration of anti-crime legislation. As the President has expressed to you and other Members of the Congress, he would like to see the House and Senate pass crime legislation and the Brady Bill before the Congress adjourns. Crime and the fear of crime have become increasingly urgent concerns across America. It is time for us to act without delay.

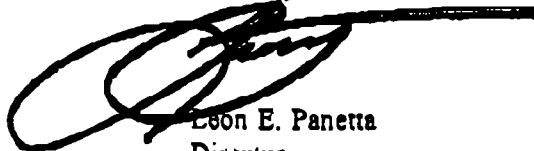
Earlier this year, Congress and the Administration worked together to pass emergency 1993 supplemental appropriations that included \$150 million to help states and localities hire more police. Cities across America responded with great interest to this program. In the last four months, more than 1,000 police departments have applied to the Department of Justice for a program that provides for more than 2,000 new police. The Community Policing and Public Safety Partnerships introduced by you and Representative Schumer would authorize over six years (1994-99) \$3.4 billion more for the Department to expand programs to hire new police officers substantially.

The Office of Management and Budget has already budgeted sufficient funds in its Justice Department planning baseline to fund fully the Community Policing and Public Safety Partnerships. And yesterday, the President endorsed procurement reforms that could save more than \$5 billion in the first year alone. The President has asked Congress to pass these reforms and use some of the savings to fund additional anti-crime efforts. He underscored this commitment by saying:

"I want Congress to pass the crime bill and pass the savings I've asked to help pay for it. I want them to know that if these cuts aren't passed, I'm going to come back with more cuts. And if those aren't passed, I'll come back with still more. I'll keep coming back until we have the money we need to make America safer."

Mr. Chairman, the President strongly believes that there is an epidemic of violence in this country that must be confronted. We commend your committee for responding quickly to this crisis.

Sincerely,

A handwritten signature in dark ink, appearing to be "Leon E. Panetta", written over a horizontal line.

Leon E. Panetta
Director

THE WHITE HOUSE
WASHINGTON

October 28, 1993

Dear Mr. Chairman:

The Administration appreciates your prompt consideration of anti-crime legislation. As the President has expressed to you and other Members of the Congress, he would like to see the House and Senate pass a crime bill and the Brady Bill before the Congress adjourns. Crime and fear of crime have become increasingly urgent concerns across America. It is time for us to act without delay.

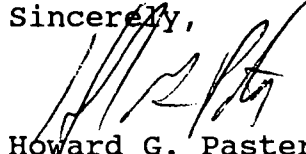
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The Office of Management and Budget has already sufficient funds in its Justice Department planning baseline to fully fund the Community Policing and Public Safety Partnerships. And this week, the President endorsed procurement reforms that, according to the National Performance Review, could save more than \$5 billion in the first year alone. The President has asked Congress to pass these reforms and use the savings to fund additional anti-crime efforts. He underscored this commitment by saying:

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Sincerely,

A handwritten signature in dark ink, appearing to read 'H. G. Paster', written over the word 'Sincerely,'.

Howard G. Paster
Assistant to the President
for Legislative Affairs

The Honorable Jack Brooks
Chairman
Committee on the Judiciary
House of Representatives
Washington, D.C. 20515

D R A F T

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Mr. Chairman, the President strongly believes that there is an epidemic of violence in this country that must be confronted. We commend your committee for responding quickly to this crisis.

Sincerely,

THE WHITE HOUSE
WASHINGTON

10/27

Howard -

OK
Unit
need to
do this
is that
A LETTER

REP. BROOKS WOULD LIKE
FROM THE WHITE HOUSE WITH SOME
COMMITMENT ON FUNDING BEFORE
HE MARKS UP HIS CRIME BILLS
THURSDAY MORNING.

THEY DON'T CARE WHETHER IT
COMES FROM YOU, THE PRESIDENT, LEON,
OR WHAT - THEY JUST WANT A
FIG LEAF TO PROTECT AGAINST
GOP ATTACKS.

HERE'S A VAGUELY WORDED
DRAFT THAT SHOULD BE SUFFICIENT
WITHOUT MAKING ANY NEW COMMITMENTS.

LET ME KNOW TODAY WHAT
YOU ADVISE.

THANKS -

BRUCE x6515

DRAFTOctober —, 1993
(Senate)S. 1488 - Violent Crime Control and Law Enforcement Act of 1993
(Widen (D) Delaware)

The Administration strongly supports S. 1488.

S. 1488 represents an important first step in putting more police on the streets, taking guns out of the hands of criminals, and ensuring that all criminals are punished for their crimes. It authorizes new and innovative crime control and prevention programs as part of a comprehensive strategy to address the problems of crime, drugs, and violence in our society.

Specifically, the Administration strongly supports the following in S. 1488:

- o Title I, which authorizes \$3.48 billion over the next 6 years for States and localities to increase police presence and expand community policing. Putting more police on the streets working with community residents to reduce and prevent crime is an integral part of the Administration's anti-crime and anti-drug efforts -- and must be included in comprehensive crime legislation.
- o Assistance to States to expand the use of boot camps for non-violent offenders and promote "certainty of punishment" for young offenders. Too often, the lack of prison space or juvenile detention facilities forces a choice between prison and no punishment at all. Boot camps and other innovative means of punishment must be used to promote swift and certain punishment when an offender first encounters the criminal justice system, not after it is too late.
- o Expanded use of "Drug Courts." Successful Drug Court programs utilize drug testing and the various components of the criminal justice system -- enforcement, prosecution, adjudication, and corrections, including probation, parole, and innovative programs such as boot camps -- to promote drug treatment. Without such programs, more hard-core drug users would be on our streets or taking up valuable space in our prisons that should be reserved for violent offenders. The Administration is committed to focusing on hard-core drug use, and drug courts are an important step in addressing this problem.

- o Titles II, IV and XV, which ensure tough penalties for more than 60 offenses, including violent crimes, drug trafficking, and gun crimes, and expand the Federal death penalty to include 47 new crimes.
- o Title III, which limits inmates to filing a single, Federal habeas corpus appeal within a six-month time limit and assures that indigent capital defendants are represented by qualified counsel who meet specific, rigorous experience and qualification standards. The Administration strongly supports these tough, but fair, penalties and death penalty provisions.

Pay-As-You-Go Scoring

[Under review]

* * * * *

FILE

Necessary Conditions on Possible Crime Bill Agreement

1. Agreement from Dole and Hatch that they will let the Senate take up the Brady Bill clean of non-Brady amendments, and will join Mitchell and Biden on motions to table non-Brady amendments.

2. Bipartisan agreement to support our October package of procurement reform, NPR savings and rescissions -- and if necessary, support us next year as well. If Congress will not pass the cuts and savings we need to pay for crime-related spending, bipartisan agreement to support funding it through an emergency declaration, without finding offsetting domestic discretionary cuts or revenue increases.

3. Agreement on prisons/boot camps from Dole and Hatch that there will be an express provision and authorization for boot camps, and that any additional prison authorizations must have flexibility to allow grants to states for state prisons as well as grants for regional prisons.

4. Bipartisan understanding that our commitment to fund crime programs will extend only to those specific authorizations we agree to -- such as cops, drug courts, and boot camps/prisons -- not to every authorization in the crime bill.

5. Agreement from Dole and Hatch not to take up habeas reform this year.

11/09/93

20:21

202 514 0488

ATTORNEY GENERAL

2002/002



Office of the Attorney General
Washington, D. C. 20530

November 9, 1993

Honorable Dianne Feinstein
331 Hart Senate Office Building
United States Senate
Washington, D.C. 20510

Dear Senator Feinstein:

I commend you for your leadership in seeking a ban on new semiautomatic assault weapons. These weapons have no sporting purpose, but instead are used all too often in violent crimes with tragic consequences.

Your amendment is a well reasoned and balanced approach to the problem of the proliferation of assault weapons on our nation's streets. The President and I strongly support this measure and hope that it will be adopted.

Sincerely,

Janet Reno

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONSLANE KIRKLAND
PRESIDENT615 SIXTEENTH STREET, N.W.
WASHINGTON, D.C. 20006THOMAS R. DONAHUE
SECRETARY-TREASURER**LEGISLATIVE ALERT!**

(202) 637-8075

November 9, 1993

Dear Senator:

It is our understanding that when S. 1607, the Omnibus Crime bill, comes to the floor this week, Senator Hank Brown (R-CO) intends to offer an amendment that would vastly expand the Federal Prison Industries (F.P.I.) work program. There are many problems with the Brown amendment and the AFL-CIO urges you to oppose it.

Today, millions of American workers are unemployed or underemployed, but the Brown amendment would for the first time allow the F.P.I. program to ship goods in interstate commerce, act as a subcontractor to private sector prime contractors, and it would authorize the expansion of the program into the service sector. These provisions endanger private sector jobs.

There are ways of putting convicts to useful work that minimize risk to business and labor. But repealing the Fair Labor Standards Act application as it affects the F.P.I. program--which the Brown amendment does--is not one of them. The AFL-CIO believes that convicts should work. However, their work should not take jobs from free workers nor should it grossly disadvantage private sector employers.

The AFL-CIO and representatives of various industry groups have been meeting and working with Justice Department representatives for more than two years trying to develop a program which addresses the problems associated with F.P.I. and their impact on free business. No agreement has been reached on how much work will be taken by the federal government in various industries, the role of interested parties, or a dispute resolution process. But progress has been made on narrowing the issues.

It is our view that the scope of potential private sector damage to industries and workers from the Brown amendment is so broad that at a minimum, extensive hearings are required. The AFL-CIO urges the defeat of the Brown amendment.

Sincerely,

Robert M. McGlotten, Director
DEPARTMENT OF LEGISLATION