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Assault Weapons Ban [3]

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GRAND LODGE FRATERNAL ORDER OF POLICE

520 SOUTH HIGH STREET, SUITE 205 • COLUMBUS, OHIO 43215-5885 • (614) 221-0180 • FAX (614) 221-0815

DEWEY R. STOKES
NATIONAL PRESIDENT

May 6, 1994

**Honorable William Clinton
The President
The White House
Washington, D.C.**

Dear Mr. President:

On behalf of the 250,000 members of the Fraternal Order of Police, I want to express my sincere appreciation for your strong leadership on the semi-automatic assault weapons legislation adopted by the House of Representatives yesterday.

There is no doubt in my mind that had it not been for the sense of priority you personally attached to the passage of this legislation, our efforts yesterday would not have been successful. The law enforcement community owes you and your Administration much -- not just on this bill -- but also for the Brady handgun law and the comprehensive anti-crime measure now in conference.

Again, my gratitude on behalf of both my members and the families of those officers who have lost their lives due to the proliferation of these "weapons of war."

Sincerely,

**Dewey R. Stokes
National President**

5/6/94

Dear Lieutenant Beane;

I want to thank you for the role you played in the successful fight to pass the Assault Weapons Ban. Two weeks ago, I listened in the Rose Garden as you told the nation about the death of your fellow officer and the challenges these weapons present to our law enforcement officers around the country who have to face them each day.

With every major police organization in the country supporting the Ban, I knew we were on the right side of this effort. Surely it could not have passed without you and the strong lobbying efforts undertaken by thousands of other officers.

This was a great and meaningful victory. But you and I know it is not enough. In the next few weeks, as Congress goes into conference on the Crime Bill, we must come together in the belief that the Ban is just one important piece of the overall crime package. It must be combined with more police, more prisons, tougher sentences and better prevention so that we can make our neighborhoods safer and our streets, schools, and homes more secure.

Every day that you put on your uniform to protect others, you are making a contribution to that security. But traveling to Washington to tell your story took extra courage and conviction. I am grateful to you for that, and you should be very proud of your contribution to this effort.

Sincerely,

William

Clinton

Lieutenant Randy Beane
1138 Carlisle Avenue
Dayton, OH 45420

5/6/94

Dear Mr. Sposato;

Few individuals played a more significant role than you did in convincing 216 Members of Congress to vote for the Assault Weapons Ban last Thursday. Two weeks ago, I sat in the Rose Garden as you told the nation the details of your terrible tragedy, and I watched you hold your beautiful daughter Meghan.

I know you testified before Congress, did numerous media interviews, and personally lobbied individual Members. Your tireless advocacy inspired countless legislators, key law enforcement officials and millions of Americans to not rest until the job was done.

This was a great and meaningful victory. But we know it is not enough. In the next few weeks, as Congress goes into conference on the Crime Bill, we must come together in the belief that the Ban is just one important piece of the overall crime package. It must be combined with more police, more prisons, tougher sentences and better prevention so that we can make our neighborhoods safer and our streets, schools, and homes more secure.

You opened your remarks at the White House by saying that while you were honored to be there, you would rather not have been called to speak under such circumstances. I honor you now for a different reason -- your incredible courage. This country cannot thank you enough for the contribution you have made.

Sincerely,

William

Clinton

Steve Sposato
3186 Lucas Drive
Lafayette, CA 94549

**NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.***Representing America's Finest*

750 First Street, N.E., Suite 935 • Washington, D.C. 20002-4241

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Ohio PBA
Berea, OH***HOUSE SUBCOMMITTEE on CRIME
and CRIMINAL JUSTICE****on H.R. 3527****Executive Secretary****B. D. "BUD" STONE***Past President PORAC
Berkeley, CA***April 25, 1994**

Good morning, Chairman Schumer, members of the Subcommittee, it is a distinct pleasure to have the opportunity to appear before you today as this panel considers legislation to prohibit the sale and manufacture of military-style assault weapons.

My name is Tony Loizzo and I am the Executive Vice President of the National Association of Police Organizations representing 160,000 rank and file law enforcement officers and 3,000 police unions and associations throughout the country. I am also the Vice President of the Dade County Police Benevolent Association which represents nearly 6,000 sworn law enforcement officers in Miami. I have been a law enforcement officer with the Metro-Dade Police Department for the past 21 years serving as a patrol officer, and later serving as a sergeant with duties in the General Investigative Unit, Auto Theft Unit and Narcotics Bureau.

NAPO has been on record in strong support of a ban on assault weapons since 1989. As police officers, we know firsthand the serious threat that these dangerous weapons pose to the American public and to us in law enforcement, as we protect the citizens of our communities.

I don't need to tell you that more and more, police officers are being outgunned by the bad guys. In Miami, we have had a long running battle between two prominent drug gangs. Just last month, a streak of violence started with a drive-by shooting at a gas station within a few blocks of a school. Luckily no one was injured. The next day, in retaliation, the members of the rival gang executed their own drive-by shooting and this time over 100 rounds were fired by two or three gunmen killing one person. Unfortunately, this kind of incident is all too common.

The Metro-Dade Police Department seized 97 assault weapons off the city streets in 1992 and 115 in 1993. Let's put this in perspective. The Metro-Dade Police Department is one of 26 police departments within Dade County. Dade County is one of 67 counties in the State of Florida, one of fifty states in the country.

In the past, we used to face criminals armed with a cheap Saturday Night Special that could fire off six rounds before reloading. Now it is not at all unusual for a cop to look down the barrel of a TEC-9 with a 32 round clip. The ready availability of and easy access to assault weapons by criminals has increased so dramatically that police forces across the country are being required to upgrade their service weapons merely as a matter of self-defense and preservation. The six-shot .38 caliber service revolver, standard law enforcement issue for years, is just no match against a criminal armed with a semi-automatic assault weapon.

Right now there are an estimated 1 million assault weapons in circulation. With the

number of assault weapons being used in crime on the increase, it is critical that their domestic manufacture and sale be prohibited now -- let's not wait until every city in America is seizing as many TEC-9s as we do here in Miami.

In 1989, the Bush Administration banned the importation of assault weapons. As a result, the number of imported assault weapons traced to crime decreased by 45% yet the BATF estimates that 75% of assault weapons in this country are made in the U.S.A.

No single piece of legislation will solve all the problems of violent crime, but curtailing the sale and manufacture of these deadly weapons will go a long way towards making our nation's streets safe again.

While NAPO supports a ban on large capacity magazines, we do have a concern about the magazine size to be prohibited under this measure. When law enforcement officers retire after completing their years of service, it is very common for them to be presented with their service weapon or a replica of such. In some cities, the retired officers are actually certified to carry their former service weapon and use deadly force, if necessary, to stop a criminal act. With more police forces using 9mm semi-automatic handguns with a capacity of 15 or 17 rounds, a ban on magazines of more than 10 rounds would put these retired officers in violation of the very law that they were sworn to uphold. Clearly, to place retired police officers on the other side of the law is not the intent of this important public safety legislation. Therefore, I would like

to offer NAPO's assistance to work with the Subcommittee and the Administration to come up with a workable solution.

Thank you again Chairman Schumer for the opportunity to share our views with you and I look forward to working with you in the future.

**H.R.3527, INTRODUCED BY CONGRESSMAN CHARLES E. SCHUMER/
SENATOR FEINSTEIN'S ASSAULT WEAPONS AMENDMENT TO THE
VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1993**

The Feinstein amendment effectively bans the future manufacture and importation of semiautomatic assault weapons and specifically exempts hunting and sporting weapons.

- (1) **Bans the future manufacture and importation of semiautomatic assault weapons; all currently-owned guns are grandfathered.**
- (2) **Defines semiautomatic assault weapons both with a list and thorough objective criteria.**
 - (a) The bill lists  types of semiautomatic assault weapons which would be banned. In both 1990 and 1991, the Senate approved a ban on nearly all of the listed weapons.
 - (b) The bill also uses objective criteria to designate other guns as semiautomatic assault weapons. Those criteria are very specific:
 - (i) In the case of a rifle, the weapon must be a semiautomatic, AND able to accept a detachable magazine, AND have at least 2 of the following 5 features: folding stock, pistol grip, bayonet mount, threaded barrel for flash suppressor, grenade launcher.
 - (ii) In the case of a pistol, the weapon must be a semiautomatic, AND able to accept a detachable magazine, AND have at least 2 of the following 5 features: magazine attaches outside the pistol grip, threaded barrel for silencer, barrel shroud, unloaded weight of 50 ounces or more, semiautomatic version of a machinegun.
 - (iii) In the case of a shotgun, the weapon must be a semiautomatic, AND have at least 2 of the following 4 features: folding stock, pistol grip, fixed magazine capacity in excess of 5 rounds, ability to accept a detachable magazine.
- (3) **Contains express exceptions for hunting and sporting firearms both with a list and through objective criteria.**
 - (a) The bill lists 650 types of hunting and sporting rifles and shotguns which would be explicitly exempted from the ban.

(over)

- (b) The bill also uses objective criteria to explicitly exempt hunting and sporting guns. Those criteria are very specific:
- (i) Any gun that is manually operated by bolt, pump, lever, or slide action.
 - (ii) Any gun that has been rendered permanently inoperable.
 - (iii) Any gun that is an antique firearm (which is defined in current law).
 - (iv) Any semiautomatic rifle that cannot accept a detachable magazine that holds more than 5 rounds of ammunition.
 - (v) Any semiautomatic shotgun that cannot hold more than 5 rounds of ammunition in a fixed or detachable magazine.
- (4) Contains explicit exceptions for governmental and experimental use.
- (5) Requires private sellers and buyers of assault weapons to maintain a record of the transaction.
- (6) Bans the future manufacture and importation of large-capacity ammunition magazines.
- (a) The bill defines large-capacity ammunition feeding devices as those magazines which can hold more than 10 rounds of ammunition, but does not include tubular magazines for .22 caliber rimfire ammunition.
- (b) The bill also applies to large-capacity magazines those laws and regulations which are routinely applied to all firearms. (E.g., manufacturers and dealers must be licensed, weapons must be marked with a serial number.)
- (7) Creates penalties for violation of this act: up to five years in jail, except the record-keeping requirement which is punishable by up to 6 months in jail.
- (8) Requires study by the Attorney General on the problem of assault weapons and the effectiveness of this law.
- (9) Sunsets the entire law 10 years after the date of enactment.

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■ SUMMARY ■

Once signed into law by the President, this legislation would stop the future manufacture, transfer and possession of:

19 deadly types of common semi-automatic assault weapons, originally designed to meet the military need for high ammunition capacity weapons capable of rapid fire at close quarters;

Copycat models of banned weapons;

Any weapon with a combination of specific "assault" features;

- *Any ammunition clip, magazine or other device that holds more than 10 rounds.*

This legislation also would explicitly protect:

- *670 hunting and other recreational rifles;*
- *Any gun that is manually operated by a bolt, pump, lever or slide action;*
- *Any semi-automatic rifle or shotgun that cannot accept a detachable magazine that holds more than 5 rounds;*
- *Antique weapons;*
- *Use of semi-automatic assault weapons by police officers and other law enforcement officials.*

In addition, this legislation would:

- *Double the penalty to 10 years for anyone who uses a banned weapon in a violent or drug trafficking crime;*
- *Sunset 10 years after enactment.*

STOPPING "COPYCAT" GUNS

This legislation would stop the proliferation of copycat models of banned weapons. All semi-automatic assault pistols and rifles with detachable magazines and 2 or re "assault" characteristics, as well as semi-auto atic shotguns with 2 or more such characteristics, would be banned under this legislation.

Assault characteristics for each of these weapons are:

RIFLES

Folding/Telescoping Stock

Protruding Pistol Grip

Bayonet Mount

Threaded Muzzle or Flash Suppressor

Grenade Launcher

PISTOLS

Magazine Outside Grip

Threaded Muzzle

Barrel Shroud

Unloaded Weight of 50 ounces or More

Semi-Automatic Version of Automatic Weapon

SHOTGUNS

Folding/Telescoping Stock

Protruding Pistol Grip

Detachable Magazine Capability

Fixed Magazine Capacity Greater than 5 Rounds

KEY POINTS

FEINSTEIN-DECONCINI-METZENBAUM ASSAULT WEAPONS COMPROMISE AMENDMENT

THE PUBLIC SAFETY AND RECREATIONAL FIREARMS USE PROTECTION ACT OF 1993

Section 1 -- Short Title

The Public Safety and Recreational Firearms Use Protection Act of 1993

Section 2 -- Restriction on Manufacture, Transfer or Possession of Certain Semiautomatic Assault Weapons

- A. Prospectively restricts manufacture, transfer or possession of "semiautomatic assault weapons,"
- B. Specifies short list of specific weapons, and types, replicas or duplicates of those firearms [*DeConcini list with addition of four models*] and defines additional weapons, prospectively restricted by means of solely objective test based on physical features [*Metzenbaum characteristics without sporting use test*]
- C. Doubles penalty for violation of firearms laws from 5 to 10 years for violation involving semiautomatic assault weapon [*same as DeConcini with one technical change, i.e., "wilfull" to "knowing" violation standard of proof*]
- D. Identification markings prospectively required [*same as Metzenbaum provision*]

Section 3 -- Exemption for Firearms Lawfully Possessed on Date of Enactment

- A. Expressly "grandfathers" all firearms affected by the legislation lawfully possessed prior to the date of enactment.

Section 4 -- Protection of Hunting and Sporting Firearms

- A. Expressly exempts from the restrictions of Section 2:
- ♦ More than 650 manual and semi-automatic guns listed by name in an extensive "Appendix A" printed at the end of the bill and made part of federal statute being amended [*Metzenbaum list plus all guns listed in extensive Appendix to be created*];
 - ♦ All weapons manually operated by bolt, pump, lever, or slide action [*Metzenbaum language*];
 - ♦ Permanently inoperable and antique firearms [*Metzenbaum language*].
 - ♦ Rifles and shotguns with magazine capacity of up to, **but not more than**, 5 rounds [*New exemption clause*]

Section 5 -- Exemption for Governmental and Experimental Uses

- ♦ Expressly exempts from the restrictions of Section 2 government agencies (federal, state and local), and manufacturers for purposes of testing or experimentation [*Metzenbaum language*]

Section 6 -- Recordkeeping Requirements & Related Restrictions [*DeConcini*]

- A. Amends Title 18 of the U.S. Code to require that anyone who sells, ships or delivers an assault weapon, or who buys such a weapon (from either a gun dealer or a private seller) to fill out and file with federal form 4473, now used to record such transactions
- B. Sets penalties for violations of this recordkeeping section of up to \$1,000 and/or 6 months imprisonment
- C. Prohibits anyone convicted of violating this section from owning firearms in the future.

Section 7 -- Ban on Large Capacity Ammunition Feeding Devices

- A. Prohibits manufacture, transfer and possession of devices capable of holding more than 10 rounds of ammunition, but subject to government and experimental use exception of section 5 [*Metzenbaum language*]

- B. Defines "large capacity ammunition feeding device" to include magazines, belts, clips, cylinders, etc., but expressly exempts devices capable of handling only .22 calibre rimfire ammunition [*Metzenbaum language*]
- C. Defines such feeding devices as firearms for purposes of penalty and other provisions of the U.S. Code [*Metzenbaum language*]
- D. Doubles penalty for violation of firearms laws from 5 to 10 years for violation involving large capacity ammunition feeding devices [*Metzenbaum language*]
- E. Requires that such devices manufactured after the effective date of the bill be marked to show their date of manufacture, as also required for assault weapons [*Metzenbaum language*]

Section 8 -- Study by Attorney General

- A. Requires the Attorney General to conduct an 18 month study of the act's effect, if any, on violent and drug trafficking crime (beginning 78 months after enactment) [*DeConcini language*]
- B. Requires the Attorney General, within 8 years of enactment, to submit to Congress a report setting forth in detail the findings and determinations made in the study mandated [*DeConcini language*]

Section 9 -- Effective Date [*New*]

- A. Legislation effective on date of enactment
- B. Legislation automatically expires 10 years after that date.

Assault Weapons Ban

- ◆ The level of gun violence in our society is simply unacceptable. We must build on the Brady law to reduce gun violence, and the Administration strongly supports enactment of legislation that would prohibit the sale, manufacture and possession of semiautomatic assault weapons and large-capacity ammunition-feeding devices.
- ◆ Because of their tremendous firepower, assault weapons are the weapons of choice for drug traffickers, street gangs and paramilitary extremist groups. It is wrong to send our police officers out to fight criminals who are better armed than they are. These firearms have no legitimate sporting purpose and have turned our communities into war zones.
- ◆ For example, last year a gunman carrying two TEC-DC9s and more than 500 rounds of 9mm ammunition walked into a San Francisco law firm and opened fire. Eight people were killed and six were wounded. His TEC-DC9 was a copycat model of the Intratech TEC-DC9 already banned under California law.
- ◆ Trace studies of the Bureau of Alcohol, Tobacco and Firearms (BATF) indicate that assault weapons are much more likely to be used in crime than other firearms. For example, while it has been estimated that assault weapons comprise only 1.5 to 3% of the firearms in the United States, 6.7% of firearms traced to crimes by BATF in 1992 were assault weapons, 6.8% of 1991 traces were assault weapons and 7% of 1990 traces were assault weapons.
- ◆ The assault weapons provision in the Senate Crime Bill offers a national, sensible approach to restricting these weapons by banning them by name and by certain characteristics, thereby preventing the manufacture of copycat models.
- ◆ Legitimate hunting and sporting weapons would not be banned, and we seek the support of sportsmen and others who lawfully own guns to join us in the campaign to reduce gun violence.

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THE DEPARTMENT OF THE TREASURY

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

TESTIMONY OF

JOHN W. KAGAN

DIRECTOR

Before

The Subcommittee on Crime and Criminal Justice

Committee on the Judiciary

U.S. House of Representatives

April 25, 1994

Mr. Chairman and Members of the Subcommittee:

Thank you for the opportunity to appear today and testify concerning the "Public Safety and Recreational Firearms Use Protection Act".

As you know, in 1989 and in 1993, certain semi-automatic assault-type weapons were banned from importation. Section 925 of the Gun Control Act specifies that in order for firearms to qualify for importation they must be "generally recognized as particularly suitable for or readily adaptable to sporting purposes".

After the 1989 ban on rifles not meeting ~~the~~ ^{these} criteria, certain members of the firearms industry responded in one of two ways. ~~Some~~ ^{Some} Overseas manufacturers began producing "sporterized" versions of the banned weapons for importation into the United States. ~~Domestically,~~ ^{Domestically,} ~~in other~~

~~instances~~ ^{similar to those caused by the importation ban.} Domestic manufacturers began production of ~~the banned~~ weapons. There ~~is~~ ^{are} no sporting purpose criteria in the Gun Control Act for weapons made in the U.S. Therefore, the type of weapons banned in 1989 continue to be put into circulation by domestic manufacturers.

-2-

There is certainly no shortage ~~in the supply~~ of assault type rifles, as evidenced by the number of weapons available in our marketplaces that ~~could not~~ ^{are} ~~used~~ ^{primarily used} for sporting purposes. *particularly*

The Bureau of Alcohol, Tobacco and Firearms' (ATF) Tracing Center is ~~solely~~ ^{responsible} for tracing firearms used in crimes and recovered at crime scenes. All Federal, State and local law enforcement officers submit firearms tracing requests to the Tracing Center. We trace approximately 50,000 crime guns each year.

*NOTE: I don't think
is ATF's sole
responsibility*

During calendar years 1991 through 1993, data from the ATF Tracing Center revealed that 6.5% of the firearms traced were semi-automatic assault weapons. ^{These} ~~This~~ data also shows ^{that} the percentage is on the rise. In 1990, 5.9% of firearms traced were assault weapons. In 1993, that percentage rose to 8.1%. Since Justice Department studies have shown that assault weapons ~~only~~ ^{only} make up ^{only} about 1% of the firearms in circulation, these percentages strongly suggest that they are proportionately more often used in crimes.

Additional data from ATF's Tracing Center shows that, *✓*
from 1991 through the present, the top ten firearms

-3-

traced included several assault-type weapons -- North China Industries' 7.62 SKS rifle; S&W's 9mm M11/9; and Intratec's TEC9.

Recently, three domestically manufactured shotguns were classified as destructive devices under the National Firearms Act. These shotguns -- the Street Sweeper, Striker 12 and USAS 12 -- did not meet sporting purpose criteria similar to the criteria for imported weapons under the Gun Control Act. Although this classification now requires registration for these shotguns, it does not ban their manufacture.

According to ATF's Tracing Center, 176 of these shotguns were traced for law enforcement officers during the period of 1991 through 1993. The crimes associated with these trace requests include narcotics, murder, firearms trafficking, and assault. ✓

The semi-automatic assault weapons, including those shotguns recently classified as destructive devices, ~~are used by criminals against citizens.~~ ^{faux pas} ATF agents and other law enforcement officers frequently recover these weapons during investigations.

-4-

As an example -- ATF agents in Syracuse, New York, working with the New York State Police, recently concluded an investigation resulting in the seizure of 30 weapons. Five of the weapons were obtained by an agent working undercover, and the remaining 25 were seized pursuant to a warrant. These weapons were assault-type weapons (S&W Cobray M11/9) that were purchased legally as semi-automatic firearms. They were subsequently converted to fire fully automatic. *(automatically??)* These weapons were originally purchased for \$450 to \$500 each, but had a street value of \$1,500 each after being illegally converted to machineguns.

In August 1993, a joint investigation by ATF and the New York City Police Department ended in the arrests of members of an illegal gun trafficking ring that purchased firearms in Virginia and Georgia for subsequent sale in Brooklyn and Queens. More than 180 firearms were purchased by an undercover ATF agent during the 8-month investigation. Included in these firearms were 11 assault-type weapons (9 MAC-11, 2 MAC-12). Nine of the weapons had been converted to fire fully automatic. *(automatically??)*

Cisneros Testimony Outline

1. Introduction. Thank, Mr. Chairman...I'm please to be here before the Subcommittee on Crime and Criminal Justice...

2. Putting Testimony in Context. I don't know if any other Secretary of HUD has testified before your committee before, let alone twice. But it is a testament to the level of gun violence on our streets, in our schools and, yes, in our public and federally assisted housing that I feel compelled to come before your committee to testify yet again on a crime-related issue. Not unlike the other cabinet secretaries in the cabinet, I find myself spending more and more time -- and lately, almost all of my time -- on the issue of crime and violence. While we all know that the Attorney General and Secretary Bentsen have a direct interest and responsibility in the assault weapons ban that is the focus of today's hearing, Secretaries Shalala, Riley, Reich (any others?) and the President's Drug Director Lee Brown could easily be here testifying as well. Assault weapons -- which are often tied to drug- and gang-related violence -- have shown up in our schools and workplaces, and their damage is all too evident in our emergency rooms.

3. Chicago Example. The proliferation of assault weapons, which serve no other purpose but to kill, and their popularity with the criminal population became very clear to me from my recent visit to Chicago's Robert Taylor Homes...talk about weekend in Chicago.

How about the number of shooting reported, the number of people killed, shot...talk about relation of these stats/examples to assault weapons, if possible. Otherwise, simply characterize assault weapons as always among those seized through sweeps, etc. Maybe touch on our sweeps policy being necessary because we cannot control the proliferation of these deadly weapons in public housing. The various cop groups will be talking about how they find themselves staring down the barrel of a Tech 9 or Mac 10, and how they're outgunned by the criminals, many of them teenagers. And if cops feel like that on the street, imagine what rent-a-cops in public housing feel like. Now imagine what the tenants feel like...

4. Common Sense Legislation. Mr. Chairman, although my experience with public housing has made me a strong advocate for a ban on assault weapons, I don't pretend to be a firearms expert. Fortunately, Mr. McGaw, our ATF Director, is an expert, and I know his testimony will speak more directly to some of the more technical aspects of the legislation. But I do know this: this is common sense, straightforward legislation.

I say simple and straightforward because four simple features are at the heart of this proposal. They are:

- 1 - It bans 19 of the deadliest assault weapons on the market. Many of these are domestic versions of the assault

weapons banned by the previous Administration because they were found to have no legitimate "sporting purpose".

2 - It specifically exempts more than 650 legitimate sporting weapons, so that there's no confusion about what we're trying to do with this legislation. If we're telling hunters and sportsmen we're not going to ban legitimate hunting and sporting weapons, let's not have them take our word for it -- let's put it right into the legislation.

3 - It prevents manufacturers from circumventing the an assault weapons ban by simply producing a different model gun but with the same features. Such "copycat" firearms are prospectively restricted by an objective test based on the firearm's physical features.

4 - It bans high-capacity ammunition feeding devices -- the kind that allows criminals and crackpots to spray repeated rounds -- without reloading -- and often killing or wounding innocent victims.

I don't know much more straightforward such a proposal could be, Mr. Chairman. Like our Secretary of the Treasury -- who would be responsible for overseeing and implementing this legislation -- I'm a Texan. And Texas, is the capital of common sense and straightforwardness. Texas is also a part of our country where guns are a very part of the local culture. Kids receive their first gun before they're even in high school, and their folks teach them how to clean, handle and shoot that firearm. In fact, some guns are passed on from generation to generation. (Any Cisneros example on gun ownership?) When the President signed the Brady Bill last fall, he talked about how he grew up with guns and how they would always be part of our culture, how in Arkansas schools close on the first day of hunting season -- but that has nothing to do with the legislation that's being considered today.

5. **Closing.** Again, thanks, Mr. Chairman. While it's a pleasure to appear before your subcommittee, I wish -- as HUD Secretary -- I could focus more on housing and less on crime. It's an indicator about how bad our crime problem is when I and other members of the Cabinet have to spend so much time pushing anti-crime proposals. I encourage you all to pass the assault weapons ban. While not a panacea, now that you've passed a tough, smart crime bill and the Brady Bill -- it will make my job a little bit easier. And I'm sure the same can be said of the rest of the cabinet. Thank You.

----- Hope this helps, Liz.

Jose'

THE WHITE HOUSE
WASHINGTON

May 2, 1994

Mr. Robert T. Scully
Executive Director
National Association of
Police Organizations
Suite 935
750 First Street, N.E.
Washington, D.C. 20002

Dear Bob:

Thanks for your support for the legislation banning new semiautomatic assault weapons. These weapons have no legitimate purpose in civilian hands, and they cause havoc on our nation's streets.

As we move to prohibit these weapons of war, I agree that we should not interfere with the work of law enforcement officials who put their lives at risk to protect our communities on and off duty. Consequently, I support enactment of this bill with a provision that ensures no interference with the ability of law enforcement officers to carry these weapons or large capacity ammunition magazines.

Again, many thanks.

Sincerely,

A handwritten signature in black ink, reading "Bill Clinton" with a stylized flourish at the end.

EXECUTIVE OFFICE OF THE PRESIDENT



FACSIMILE TRANSMITTAL SHEET

Number of pages including cover 3

Date 5/10

To Jose Cerda

FAX Number XL 7028

Comments Jose - here is the draft I wrote
(Carol approved) for Hunters & Sportsmen.
I also included a draft from IGH
to the Mayors. I'll talk to you later today
about DARE Peters. Thanks!

From Melicia *MM*

MONICA MULLENS

DRAFT FOR THANK YOU TO HUNTERS AND SPORTSMEN

5/6/94

I want to personally thank you for your support for and assistance with the House passage of the assault weapons ban.

As you know, while this proposal bans 19 dangerous assault weapons, it protects more than 650 hunting and recreational rifles. You played a crucial role in voicing the important message that this ban protects the rights of law-abiding citizens, and I applaud your contribution to bringing us one step closer to a safer, saner America. Your help truly made a difference.

Again, many thanks.

EXECUTIVE OFFICE OF THE PRESIDE

09-May-1994 10:04am

TO: Mark R. Miller
TO: Carola McGiffert

FROM: Dawn M. Friedkin
Intergovernmental Affairs

SUBJECT: thank you letter to mayors -final draft

DRAFT

Dear Mayor _____:

Thank you very much for your ^{have} efforts on behalf of H.R. 4296, the assault weapons ban. As you are aware, these weapons have contributed to violent crime and traumatized our nation's communities for too long. With your support and encouragement, the U.S. House of Representatives took a first step towards ~~getting~~ getting assault weapons off the streets, out of our neighborhoods, and out of the hands of criminals.

I applaud the bipartisan nature with which our victory was achieved and am grateful for your dedicated efforts.

With best wishes,



Police Commissioner's Office

William J. Bratton
Police Commissioner



Police Department
City of New York

1 Police Plaza
New York, N.Y. 10038

Telephone: (212) 374-5410
Fax: (212) 227-8881

Facsimile Message

Date: 4/27/94

Time Sent: 6:15 PM

To: José Corda

Office: _____

Fax: 202 456 7028

Number of Pages including cover sheet: 3

From: Van Brody

Office: _____

PCM: _____

Special Instructions/Notes: _____

Thank You

**CITY OF NEW YORK
POLICE DEPARTMENT
DEPUTY COMMISSIONER, LEGAL MATTERS
ONE POLICE PLAZA
NEW YORK, N.Y. 10038**

April 25, 1994

Ms. Alice Tetelman
Director
City of New York
Washington, D.C. Office
585 New Jersey Avenue, N.W.
Suite 700
Washington, D.C. 20001

Re: H.R. 4298 - Public Safety and
Recreational Firearms Use
Protection Act

Dear Ms. Tetelman:

You have requested our comments on the above-referenced act. Because it represents a genuine attempt to curb the explosion of the most deadly of weapons, we strongly support it. With a few exceptions, the bill is consistent with our local law which bans assault weapons. It contains stringent penalties for the unlawful possession and criminal misuse of assault weapons, as well as a requirement to include the date of manufacture of such weapons and ammunition feeding devices, and a welcome exemption for government personnel.

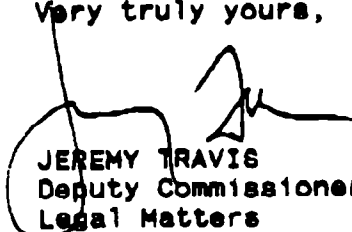
There are two aspects of the bill which might be modified. First, section 02 of the bill bans semiautomatic rifles, pistols, and shotguns which have at least two enumerated characteristics specific to assault weapons. Our local law requires only one such characteristic, regarding rifles and shotguns, which will move a weapon into the prohibited category. (Pistols are not covered in this section of the local law, but are separately authorized or denied at the discretion of the Police Commissioner.) Although most existing assault weapons do possess at least two of the enumerated characteristics, we believe that a weapon is rendered more dangerous by definition if even one of the assault-type features is present.

Second, section 07(b) of the bill defines "large capacity ammunition feeding device" in part as a magazine, etc., which holds more than 10 rounds of ammunition. This definition would be appropriate if applied only to rifles and shotguns, but may be inappropriate as applied to pistols, since the standard semiautomatic pistol magazine carries well in excess of 10 rounds. The Police Department currently allows pistol licensees to possess

semiautomatic pistols with magazines of up to 17 rounds. Therefore, an individual lawfully possessing a non-assault-type semiautomatic pistol would be unable to lawfully possess its standard magazine under the bill.

With the comments offered above, we enthusiastically support the bill, and look forward to working with you to encourage its swift enactment.

Very truly yours,



JEREMY TRAVIS
Deputy Commissioner
Legal Matters

InterOffice Memo

To: José Cerda
From: Joan Brody
Date: May 12, 1994
Subject: Assault Weapon Ban Thank You Letters

The following people were involved in New York City's effort to secure the passage of the Assault Weapon Ban last week.

William J. Bratton
Police Commissioner
City of New York
One Police Plaza, Suite 1400
New York, NY 10038



Katherine Lapp
Mayor's Office of Criminal Justice
Criminal Justice Coordinator
250 Broadway, Room 1417
New York, NY 10007

Susan R. Petito
Managing Attorney
Legislative Affairs Unit
One Police Plaza
New York, NY 10038

Janet J. Lennon
Special Counsel to the Police Commissioner
One Police Plaza, Suite 1400
New York, NY 10038

Joan L. Brody
Special Assistant to the Police Commissioner
for Intergovernmental Relations
One Police Plaza, Suite 1400
New York, NY 10038



NATIONAL SHERIFFS' ASSOCIATION

1450 DUKE STREET • ALEXANDRIA, VIRGINIA 22314 • 703-836-7827

CHARLES "BUD" MEEKS
EXECUTIVE DIRECTOR

May 11, 1994

★★ MEMORANDUM ★★

To: Jose Cerda

From: Melinda E. Lund

Per our conversation, I spoke to Bud and he said it would be nice if the following received a letter from President Clinton re: assault weapons. Have a good weekend!

Sheriff Johnny Mack Brown
President
National Sheriffs' Association
Greenville County Sheriffs Office
Law Enforcement Center
4 McGee Street
Greenville, SC 29601

Sheriff Larry V. Erickson
Spokane County Sheriff's Office
Public Safety Building
Spokane, WA 99260

Sheriff Pat Sullivan, Jr.
Arapahoe County Sheriff's Office
5686 S. Court Place
Littleton, CO 80120

Charles "Bud" Meeks
Executive Director
National Sheriffs' Association
1450 Duke Street
Alexandria, VA 22314

Melinda E. Lund
Membership/Legislative Director
National Sheriffs' Association
1450 Duke Street
Alexandria, VA 22314



GRAND LODGE FRATERNAL ORDER OF POLICE

520 SOUTH HIGH STREET, SUITE 205 • COLUMBUS, OHIO 43215-5685 • (614) 221-0180 • FAX (614) 221-0815

DEWEY R. STOKES
NATIONAL PRESIDENT

May 4, 1994

Honorable William Clinton
The President
The White House
Washington, D.C.

Dear Mr. President:

On behalf of the approximately 250,000 members of the Fraternal Order of Police -- Grand Lodge, the largest organization of rank-and-file law enforcement professionals in the country, I am pleased to advise you of our support for HR 4296.

This legislation, in conjunction with the comprehensive crime measure now pending before Congress and the enactment of so-called "Brady" handgun waiting period legislation last year, begins to give those of us charged with enforcing the law the vital tools we need to do our job. Your Administration and this Congress can take great pride in the outstanding legislative contributions which have been made to the law enforcement community during this session.

Relative to the semiautomatic assault weapons legislation, I am especially comforted by your commitment to work with Senator Biden and Congressman Schumer to address concerns which we have raised with you. The inclusion of language which ensures there will be no interference with the ability of law enforcement officers, on or off duty, to carry these weapons or large capacity ammunition magazines would remove the only flaw remaining in this legislation, and we look forward to working with you to ameliorate that concern.

Sincerely,

Dewey R. Stokes
National President

cc: Honorable Janet Reno
Honorable Joseph Biden
Honorable Charles Schumer

2300 M STREET, N.W., SUITE 910
WASHINGTON, DC 20037
PHONE: (202) 466-7820
FAX: (202) 466-7826

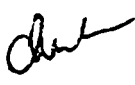


POLICE EXECUTIVE
RESEARCH FORUM

CHUCK WEXLER
EXECUTIVE DIRECTOR

MEMO

To: Jose Cerda

From: Chuck Wexler 

Date: May 9, 1994

As we discussed, I'm faxing you a list of PERF members who agreed to send officers to the assault weapons event. (These were among a number of local members contacted by Martha Plotkin and Jane Marcini.)

I'm also including the participants in our press conference in Orlando.

PERF Members who sent officers to Assault Weapon Rally

Director Karl W. Bickel
Frederick Co. Sheriff's Office
100 West Patrick Street
Frederick MD 21701
301-694-1528

Dep. Chief Daniel V. Boring
Arlington Co. Police Dept.
2100 15th Street, North
Arlington, VA 22201
703-358-4120

Chief Richard G. Engels
Henrico Co. Division of Police
P. O. Box 27032
Richmond, VA 23273
804-672-4840

Chief David B. Mitchell
Prince George's Co. Police Dept.
7600 Barlow Rd.
Landover, MD 20785
301-772-4742

Chief James N. Robey, Jr.
Howard County Police Dept.
3410 Court House Dr.
Ellicott City, MD 21043

Orlando, Florida, Press Conference Speakers:

Robert Butterworth
Attorney General
The Capitol
Tallahassee Fl 32399-1050
904-487-0984

Commissioner William Bratton
New York City Police Department
One Police Plaza, Room 1400
New York, NY 10038
212-374-5410

Chief R. Gil Kerlikowske
Buffalo Police Dept.
74 Franklin St.
Erie County
Buffalo, NY 14202
716-851-4444

Chief Steven C. Bishop
Kansas City Police Dept.
1125 Locust St.
Kansas City, MO 64106
816-234-5014

Commissioner Robert Olson
Yonkers Police Dept.
104 South Broadway
Yonkers, NY 10701
914-377-7201



BALTIMORE COUNTY POLICE DEPARTMENT

Michael D. Gambrill
Chief of Police

May 10, 1994

HEADQUARTERS

700 EAST JOPPA ROAD
TOWSON, MD 21286-3301
(410)887-2214
FAX (410)887-4958

HEADQUARTERS ANNEX

400 KENILWORTH DRIVE
TOWSON, MD 21204-6007
(410)887-2214
FAX (410)821-6807

Operations Bureau
Human Resources Bureau
Technical Services Bureau
Records Management Section
Personnel Services Section

Jose' Cerda, III
Senior Policy Analyst
Domestic Policy Council
The White House
Washington, D.C. 20500

Re: H.R. 4296

Dear Jose':

First, let me personally thank the President and you for your tireless efforts in support of law enforcement on this issue. This legislation will make a difference to both the citizens we serve and the officers that serve them. Your leadership will not be forgotten!

Now, in accordance with your request, the following individuals should be recognized for the individual roles they played in this battle:

1. Superintendent Matt Rodriguez
Chicago Police Department
(Major City Chief's Chairman)
1121 S. State Street
Chicago, Illinois 60605
2. Chief Michael D. Gambrill
Baltimore County Police Department
700 East Joppa Road
Towson, Maryland 21286
3. Chief Cornelius J. Behan (Retired)
Baltimore County Police Department
700 East Joppa Road
Towson, Maryland 21286
4. Chief Philip Arreola
Milwaukee Police Department
P.O. Box 531
749 West State Street
Milwaukee, Wisconsin 53201

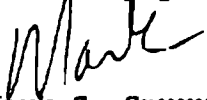


Jose' Cerda, III
May 10, 1994
Page Two

5. Commissioner Peter F. Cosgrove
Suffolk County Police Department
30 Yaphank Avenue
Yaphank, New York 11980
6. Director Fred Taylor
Metro-Dade Police Department
9105 N.W. 25th Street, Suite 3082
Miami, Florida 33172
7. Chief Clarence Harmon
St. Louis Metro. Police Department
1200 Clark Avenue
St. Louis, Missouri 63103
8. Chief Samuel Nuchia
Houston Police Department
61 Riesner Street
Houston, Texas 77002
9. Chief Sam Gonzales
Oklahoma City Police Department
701 Colcord Drive
Oklahoma City, Oklahoma 73102
10. Sheriff Sherman Block
Los Angeles Sheriff's Department
4700 Ramona Boulevard
Monterey Park, California 91754-2169

Should you need any further information, please do not hesitate to call.

Sincerely yours,


Mark G. Spurrier
Director

MGS/acr



PRESS CONFERENCE ALERT

DATE: May 2, 1994
CONTACT: Rob Chapman

**THE POLICE EXECUTIVE RESEARCH FORUM URGES HOUSE
OF REPRESENTATIVES TO BAN ASSAULT WEAPONS**

This week, the U.S. House of Representatives will be voting on H.R. 4296, a bill that would ban the further manufacture of military-style assault weapons and high capacity ammunition magazines. Passage of the bill in the House of Representatives remains the last major hurdle facing the implementation of an assault weapons ban.

PERF's member police chiefs know these weapons of war have no place in a civilized society. Although assault weapons account for less than one percent of the guns in circulation, they account for nearly nine percent of the guns traced to crime, and approximately 30 percent of the guns traced to crimes involving drug trafficking and organized crime. It is time to end the easy availability of these non-sporting weapons to criminals.

We invite you to join us at a press conference to urge swift congressional passage of the assault weapons ban.

Details are as follows:

DATE: THURSDAY, MAY 5, 1994
TIME: 10:30 A.M.
LOCATION: RAMADA HOTEL RESORT, SALON 4
7400 INTERNATIONAL DRIVE
ORLANDO, FLORIDA

CONFIRMED
SPEAKERS: ATTORNEY GENERAL ROBERT BUTTERWORTH, STATE OF
FLORIDA
COMMISSIONER WILLIAM BRATTON, NEW YORK CITY P.D.
CHIEF STEVE BISHOP, KANSAS CITY (MO) P.D.
COMMISSIONER GIL KERLIKOWSKA, BUFFALO (NY) P.D.
COMMISSIONER ROBERT OLSON, YONKERS (NY) P.D.



FACT SHEET

Promoting
17 Years
Progressive Policing

The Police Executive Research Forum (PERF) is a national membership organization of progressive police executives from the largest city, county and state law enforcement agencies. PERF is dedicated to improving policing and advancing professionalism through research and involvement in public policy debate. PERF's primary source of operating revenues are government grants and contracts and partnerships with private foundations and other organizations.

BACKGROUND: Before the mid-70s, most police executives accepted the status quo in law enforcement and rarely discussed issues among themselves. But, as crime increased and new kinds of information became available through research, police executives began to question traditional police practices. In 1975, ten police executives from some of the nation's largest cities met informally to discuss common policing concerns. Driven by the successful exchanges that took place at their meeting, the chiefs decided to meet on a regular basis to explore tough issues and develop a professional body of knowledge aimed at reducing crime and improving the quality of policing.

PERF GOALS: Incorporated in 1977, PERF was founded to:

- Improve the delivery of police services and crime control nationwide.
- Encourage debate of police and criminal justice issues within the law enforcement community.
- Implement and promote the use of law enforcement research.
- Provide national leadership, technical assistance and vital management services to police agencies.

MEMBERSHIP: PERF membership requirements are unique among law enforcement organizations in that potential members must be nominated and approved by current PERF general members. To qualify for general membership, a police executive must hold *a four-year degree from an accredited institution and head a department of at least 100 full-time employees or a jurisdiction of at least 50,000 persons*. They must also be *committed to the organization's principles and willing to take on tough issues*. To obtain different viewpoints, which enable PERF to formulate innovative responses, PERF offers other categories of membership to academicians and law enforcement personnel from smaller jurisdictions.

STAFF: PERF staff includes former police executives, criminal justice experts and professionals with extensive experience in management, research, training and policy analysis. Daily contact with police chiefs and law enforcement agencies enables PERF staff to provide answers to issues that plague police executives, such as domestic abuse, firearm-related violence, drug trafficking and the plight of the homeless.

RESEARCH: Working with police practitioners to apply research to real-life situations and tailor experiments to meet the needs of their communities is the cornerstone of PERF. PERF researches the most compelling issues facing police — how to control crime and drugs, maintain law and order and operate an efficient organization. PERF also encourages research on controversial and sensitive issues, such as the police response to the homeless and police handling of persons with AIDS.

Current PERF projects address youth gangs, police compliance with the Americans with Disabilities Act, ways of preventing and combatting urban decay and crime, police awareness of cultural differences issues, school violence, factors that influence the growth and decline of drug markets and police use of excessive force. In the past, PERF has been involved in the development and implementation of a problem-oriented approach to drug enforcement, new approaches for coping with repeat offenders, national accreditation standards for law enforcement and the testing of criminal investigation models.

INFORMATION CLEARINGHOUSE AND RESOURCES CENTER: The escalating demands for police assistance in the 1980s and 1990s by communities and political leaders require law enforcement executives to search continually for information that can help them formulate effective police programs. To communicate the latest in police-related innovation, research, legislation and other relevant issues, PERF publishes three newsletters and writes and disseminates books and reports that are widely used by police departments, colleges, the media and governments throughout the world. Frequently, PERF members are asked to serve on national commissions and testify before the U.S. Congress on important national issues. PERF staff and members are interviewed regularly by the press on matters affecting communities across the nation. They also release position papers on high-priority public safety legislation.

In 1987, PERF established METAPOL, the nationwide electronic telecommunications network through which police executives and others concerned with law enforcement issues can communicate and receive immediate feedback. Through its Management Services Program, PERF offers technical assistance, training and a wide array of services to member and non-member police organizations of all sizes. PERF also provides assistance in policy-making to law enforcement agencies through its Policy Center, which contains policy and procedures manuals collected from law enforcement agencies throughout the United States and Canada.

SENIOR MANAGEMENT INSTITUTE FOR POLICE (SMIP): SMIP is an intensive three-week course which merges real-life police experience with management techniques drawn from business school curricula. Using the case-study method, professors from leading academic institutions teach current and future police executives how to apply business principles and concepts to policing strategies.



NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

Representing America's Finest

750 First Street, N.E., Suite 935 • Washington, D.C. 20002-4241
(202) 842-4420 • (800) 322-NAPO • (202) 842-4396 FAX

President

THOMAS J. SCOTTO

President, Detective
Endowment Association
of New York City
New York, NY

TO:

Jose Cerda

FROM:

Beth McGee

DATE:

May 9, 1994

RE:

List of NAPO folks that worked hard on assault weapons

Executive Director

ROBERT T. SCULLY

Legislative Counsel

JULES B. REIN
LINDA LIPSETT

Executive Vice President

TONY LOIZZO

Senior Vice President
Dade County PBA
Miami, FL

Recording Secretary

O. J. HOLT

President, Central
Chapter, PORAC
San Jose, CA

Bob Scully

Executive Director

National Association of Police Organizations

750 First Street, NE

Suite 935

Washington, DC 20002

Treasurer

ROBERT SHEEHAN

President, Hillsborough
County PBA
Tampa, FL

Beth McGee

Director of Communications

National Association of Police Organizations

750 First Street, NE

Suite 935

Washington, DC 20002

Sergeant-at-Arms

MARTIN McKEAN

Executive Secretary,
Ohio PBA
Berea, OH

Executive Secretary

B. D. "BUD" STONE

Past President PORAC
Berkeley, CA

Tom Scotto

President

National Association of Police Organizations

299 Broadway, Suite 410

New York, NY 10007

Tony Loizzo

Vice President

National Association of Police Organizations

10680 NW 25th Street

Miami, FL 33172

Glenn White

President

Dallas Police Association

2108 Jackson Street

Dallas, TX 75201

Curley Rogers

President

~~Illinois Police Benevolent Association~~

217 E. Monroe, Suite 200A

Springfield, IL 62701

POLICEMEN'S

PROTECTIVE

ILLINOIS POLICEMAN'S
BENEVOLENT & PROTECTIVE
ASSOCIATION.

Ken Grabowski

Legislative Director

Police Officers Association of Michigan

28815 West Eight Mile Road

Livonia, MI 48152

Dennis Flaherty

Executive Director

Minnesota Peace and Police Officers Association

525 Park Street, Suite 207

St. Paul, MN 55103

James Kluss

Executive Director

Wisconsin Professional Police Association

7 North Pinckney Street

Madison, WI 53703

Frank Klik

President

Warren Police Officers Association

8200 Old 13 Mile Road, Suite 500

Warren, MI 48093

Danny Staggs

President

Los Angeles Police Protective League

600 East Eighth Street

Los Angeles, CA 90014

2300 M STREET, N.W., SUITE 910
WASHINGTON, DC 20037
PHONE: (202) 466-7820
FAX: (202) 466-7826



POLICE EXECUTIVE
RESEARCH FORUM

CHUCK WEXLER
EXECUTIVE DIRECTOR

PRESS CONFERENCE ALERT

DATE: May 2, 1994
CONTACT: Rob Chapman

**THE POLICE EXECUTIVE RESEARCH FORUM URGES HOUSE
OF REPRESENTATIVES TO BAN ASSAULT WEAPONS**

This week, the U.S. House of Representatives will be voting on H.R. 4296, a bill that would ban the further manufacture of military-style assault weapons and high capacity ammunition magazines. Passage of the bill in the House of Representatives remains the last major hurdle facing the implementation of an assault weapons ban.

PERF's member police chiefs know these weapons of war have no place in a civilized society. Although assault weapons account for less than one percent of the guns in circulation, they account for nearly nine percent of the guns traced to crime, and approximately 30 percent of the guns traced to crimes involving drug trafficking and organized crime. It is time to end the easy availability of these non-sporting weapons to criminals.

We invite you to join us at a press conference to urge swift congressional passage of the assault weapons ban.

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7400 INTERNATIONAL DRIVE
ORLANDO, FLORIDA

CONFIRMED

SPEAKERS: ATTORNEY GENERAL ROBERT BUTTERWORTH, STATE OF
FLORIDA
COMMISSIONER WILLIAM BRATTON, NEW YORK CITY P.D.
CHIEF STEVE BISHOP, KANSAS CITY (MO) P.D.
COMMISSIONER GIL KERLIKOWSKA, BUFFALO (NY) P.D.
COMMISSIONER ROBERT OLSON, YONKERS (NY) P.D.

2300 M STREET, N.W., SUITE 910
WASHINGTON, DC 20037
PHONE: (202) 466-7820
FAX: (202) 466-7826



POLICE EXECUTIVE
RESEARCH FORUM

CHUCK WEXLER
EXECUTIVE DIRECTOR

Date: May 1, 1994
Contact: Rob Chapman (202) 466-7820
Martha Plotkin

Statement by the Police Executive Research Forum on Assault Weapons

Washington, DC—The Police Executive Research Forum (PERF), a membership organization of progressive police executives and law enforcement professionals, is here today to express its support for a ban on assault weapons. The U.S. House of Representatives is expected to vote on an assault weapons ban this week. Passage of legislation banning military-style assault weapons is long overdue. PERF members know the ban can save lives—they know because they see them used to commit crimes, to kill innocent children and bystanders, and to threaten the safety of cops in this country.

PERF members know that these weapons of war have no place in a civilized society. They are not used for legitimate hunting or sporting purposes, but are increasingly being used against our citizens on the streets of America. Even though they make up less than one percent of the guns in circulation, they account for over eight percent of the firearms traced to criminal activities. It is clear by their disproportionate use in crimes that assault weapons have become the "guns of choice" for gangs, drug traffickers, and deranged killers.

The Schumer-Feinstein bill that is presently before Congress is a carefully crafted bill that will stop the production of these deadly weapons, while safeguarding the interests of legitimate gun owners. More than 650 hunting rifles and shotguns have been explicitly exempted from this ban. The military features of assault weapons clearly set them apart from sporting weapons.

PERF members face violence against citizens and police officers on a daily basis. They believe that lawmakers must act now to end the accessibility of these weapons of destruction. In a PERF survey, 78 percent of the respondents favored a ban on assault weapons. If Congress will listen to the nation's law enforcement officers, we can put an end to the further manufacture and importation of these deadly weapons.



GRAND LODGE FRATERNAL ORDER OF POLICE

520 SOUTH HIGH STREET, SUITE 205 • COLUMBUS, OHIO 43215-5685 • (614) 221-0180 • FAX (614) 221-0815

DEWEY R. STOKES
NATIONAL PRESIDENT

May 6, 1994

Honorable William Clinton
The President
The White House
Washington, D.C.

Dear Mr. President:

On behalf of the 250,000 members of the Fraternal Order of Police, I want to express my sincere appreciation for your strong leadership on the semi-automatic assault weapons legislation adopted by the House of Representatives yesterday.

There is no doubt in my mind that had it not been for the sense of priority you personally attached to the passage of this legislation, our efforts yesterday would not have been successful. The law enforcement community owes you and your Administration much -- not just on this bill -- but also for the Brady handgun law and the comprehensive anti-crime measure now in conference.

Again, my gratitude on behalf of both my members and the families of those officers who have lost their lives due to the proliferation of these "weapons of war."

Sincerely,

Dewey R. Stokes
National President

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET*Spencer*
Hick

ROUTE SLIP

TO: <u>José Cárda</u>	Take necessary action	☐
<u>Ken Schwartz</u>	Approval signature	☐
<u>Steve Redburn</u>	Comment	☐
<u>Peggy Young</u>	Prepare reply	☐
<u>Margaret Shaw</u>	Discuss with me	☐
	For your information	☐
	See remarks below	☐
FROM: <u>Jim Jukes</u>	DATE: <u>4-25</u>	

REMARKS

We received the attached Cisneros statement for clearance after this morning's hearing began. (Apparently, Cisneros was invited yesterday and DPC helped write the testimony.)

Unlike the Treasury statement we cleared Friday, this statement explicitly supports Shumer's assault weapons bill.

cc: Jim Murr
C.C. Christaker
Ingrid Schroeder

04/25/94 09:41

HUD OFFICE OF LEGISLATION • 93936148

NO. 415 P002

**HOUSE SUBCOMMITTEE ON CRIME
AND CRIMINAL JUSTICE**

HOUSE JUDICIARY COMMITTEE

Washington, D.C.

April 25, 1994



**Statement prepared for
SECRETARY HENRY G. CISNEROS**

Thank you for inviting me to be here today, Mr. Chairman, to discuss proposed legislation to ban assault weapons. I do not know if any other HUD Secretary has testified before your Subcommittee before, but this is my second appearance in the last few months. It is a testament to the level of gun violence in our streets, in our schools and in our public and assisted housing that I feel compelled to testify yet again on a crime-related issue. Not unlike the other cabinet secretaries, I find myself spending more and more time on the issue of crime and violence; unfortunately it touches all of us.

The Administration strongly supports H.R. 3527, the "Public Safety and Recreational Firearms Use Protection Act", which would ban the manufacture, transfer or possession of certain defined assault weapons and high capacity magazines. The bill specifically exempts those weapons most commonly used in hunting and recreational sports. As a Texan, I appreciate the importance of protecting the use of certain firearms for recreational and hunting purposes. As HUD Secretary, I have gained a broader understanding of the problems posed by the use of military style assault weapons on America's streets today, and I would like to share with you some of my recent experiences in what can only be described as a war zone.

As you may know, President Clinton asked me to travel to Chicago three weeks ago to assess the use of "Operation Clean Sweep" by the Chicago Housing Authority. I spent a significant amount of time at Robert Taylor Homes and Stateway, which comprise 65 highrise buildings along State Street in South Chicago. These buildings warehouse 23,000 of the nation's poorest people, with average incomes around \$5,400, in dense, ill-designed environments. It's the end of the line in urban America; it is the dead end where racial, spatial separation and isolation ultimately leads.

04/25/94

142

HUD OFFICE OF LEGISLATION + 93956148

NO. 415

The residents tell me they:

- o have become prisoners in their own apartments for fear of darkened elevators and hallways where electrical fixtures have been destroyed,**
- o live without basic amenities because maintenance personnel are harassed by gangmembers and because use of essential facilities such as mailboxes is denied by gangmembers who use them as storage places for guns,**
- o cower behind darkened windows in their own living rooms and point to bullet holes on walls or in windows,**
- o are cleared to enter their own buildings by gang members who control the entrances and lobbies and who threaten and in some cases have shot and killed the hired security personnel,**
- o raise their children without the help of traditional recreational programs and without sports areas because ball fields are littered with glass fragments,**
- o leave their buildings and must walk with children through fields of fire from assault weapons as gang members shoot from one building to the next, and**
- o cry for relief from conditions as truly deadly as a war zone.**

American women and children are living in a setting that is violent, demeaning, fearsome, and without hope. But it is our responsibility to ensure that public housing is a safe haven -- and not a killing ground -- for people who are trying so hard to lift their children and themselves to better lives. The level of violence

04/25/94 09:42

HUD OFFICE OF LEGISLATION + 33536148

NO. 415 1003

is just simply unacceptable.

The last weeks have seen an unprecedented eruption of violence in Chicago's public housing; at the same time Federal District Judge Anderson ruled that gun and drug searches being conducted by the Chicago Housing Authority exceeded constitutional limits. In response to the violence and the court order, the President directed me and the Attorney General to devise a national policy on searches, and to look at the other elements of security and community development that need to occur immediately to stop the violence in Chicago.

Last Saturday the President announced the policy to give public housing authorities, residents, local law enforcement and others clear guidance on the range of lawful techniques that can be used to combat violent crime in public housing developments. Rather than discuss the policy, I would like to describe how we arrived at some of our conclusions, because underlying all of them is the fact that gangs are fighting wars with military assault weapons and overpowering our security forces in public housing developments.

We started with the premise that we must first take back control of lobbies of buildings. In Chicago, because of limited resources, the housing authority hired "rent-a-cops", who are courageous people that man metal detectors and access systems in these buildings. They told us, however, that gangmembers would approach the security guards with assault weapons -- Uzis, AK-47s, Street Sweepers -- and intimidate them into removing the metal detectors. Because of their tremendous firepower, these weapons are the weapons of choice for gangmembers and they overpower the guards who may only have handguns. Therefore, we are stressing that searches can occur in the common areas of buildings and we are providing resources so that sworn officers

can operate the metal detectors. Your bill to ban assault weapons, Mr. Chairman, would help us take back these buildings.

Second, we discovered that gangs often store their weapons in vacant units. I was along with a search team in Chicago two weeks ago that netted something on the order of 25 weapons just on a Sunday night -- and I was shocked to see how many of these weapons were assault weapons. While I was there I also visited the stock room at the police substation of the Chicago Housing Authority and it is full; literally 1,000 weapons, again, many of which are assault weapons, and which have been secured principally in vacant units, where gangs tend to store them. Let me just add that since March 25th, a total of 89 weapons have been confiscated in Robert Taylor Homes, 26 of which were semi-automatic, many of which were assault weapons; in addition 1700 rounds of ammunition were seized.

Lastly, we developed parameters, which I will not describe now, for searches of units for unlicensed or unauthorized weapons where consent of tenants is given and where emergency circumstances arise. In short, we developed a policy within constitutional boundaries, to deal with conditions in our Nation's war zones -- the places where gangs and drug-traffickers are fighting each other with military-style weapons.

We developed a second aspect of the strategy announced by the President to go beyond drug and gun searches in order to take back the buildings from the gangs. It provides a downpayment on the crime bill for Chicago's public housing. It reflects the same balancing approach you take in the crime bill, Chairman Schumer, with a combination of enforcement measures -- those associated with security and safety and taking control of buildings and their surrounding areas -- and prevention measures, recreation, youth programs, antigang strategies, and drug control.

A part of this aspect of the program in Chicago is the extension of our Operation Safe Home initiative to Robert Taylor Homes and Stateway. Operation Safe Home is an initiative we launched in February with the Department of Justice, FBI, ATF and DEA to coordinate our anti-crime efforts in public and assisted housing developments across the country. From February to the end of March our efforts have led to 129 arrests, 15 indictments, 4 pleas and 5 sentences. These efforts resulted in the recovery of more than 30 weapons, many of which were assault weapons.

One aspect of our Safe Home initiative in New York illustrates the problem assault weapons pose for us in public housing. The New York City Housing Police Department has been waging an ongoing battle for control of Edgemoor Houses in Queens, New York. Several local and federal violent crime initiatives are being coordinated, with mixed success. Edgemoor Houses has experienced a pattern of shots being fired from the rooftop at police and the general public, culminating last week in the daylight rooftop firing of a 16 shot burst from an AK-47 assault rifle. A Safe Home tactical operation was launched on April 22, which determined that the assailants disappear into the apartment units and therefore can not be identified. The tenants are frightened and do not cooperate with police — and police and tenants remain at risk since we have not yet identified the assailants.

Mr. Chairman, although my experience with public housing has made me a strong advocate for a ban on assault weapons, I am not a firearms expert. Fortunately, Mr. McGaw, our ATF Director, is an expert and I know his testimony will speak more directly to some of the more technical aspects of the legislation. But I do know this: the bill before the Subcommittee is a common sense, straightforward approach.

There are four features at the heart of this proposal:

First, it bans 19 of the deadliest assault weapons on the market. Many of these are domestic versions of the assault weapons banned by the previous Administration because they were found to have no legitimate "sporting purpose";

Second, it specifically exempts more than 650 legitimate sporting weapons, so there's no confusion for hunters and sportsmen;

Third, it prevents manufacturers from circumventing the assault weapons ban by simply producing a different model gun but with the same features. Such "copycat" firearms are prospectively restricted by an objective test based on the firearm's physical features.

Fourth, it bans high-capacity ammunition feeding devices — the kind that allows criminals and crackpots to spray repeated rounds — without reloading — and often killing or wounding innocent victims.

I again thank you for this opportunity to be here today. While it is a pleasure to appear before your Subcommittee, I wish — as HUD Secretary — I could focus more on housing issues and less on crime. It is an unfortunate indicator of the depth of our crime problem when I and other Cabinet members have to spend so much of our focus on anti-crime proposals. I encourage you all to pass the assault weapons ban. While not a panacea, it builds upon the tough, smart crime bill you have passed and the Brady bill — it will help ensure that all Americans have a safe and secure home.

QUESTIONS ON THE ASSAULT WEAPONS LEGISLATION

Q: Why are the firearms listed in the bill as "assault weapons" any different from other firearms? Why should they be treated any differently?

A: Weapons classified as "assault weapons" are modeled after military firearms. They are designed for battle. They are made for war, not for hunting, target-shooting, or self-defense. You cannot buy a grenade launcher, or a tank, or a machine gun, because they are serious military weapons. The semi-automatic assault weapons in the bill are in that same category.

The bottom line is that these weapons are deadly. There are too many examples of gruesome and tragic shooting rampages with assault weapons. In particular, the capacity to fire numerous bullets in rapid succession is extremely deadly and destructive. On the other hand, a gun that has to be reloaded after several shots gives its targets a fighting chance. State hunting laws limit the number of rounds of ammunition for licensed game hunting. Why are we more protective of ducks and deer than of people?

Q: What features make these firearms different from hunting or other "legitimate" firearms?

A: No single feature makes a firearm an "assault weapon" -- it is a combination of characteristics, such as a folding stock, a large capacity magazine or detachable magazine, a bayonet mount, a pistol grip, a flash suppressor, or a grenade launcher. These features are designed either for combat or to conceal possession or use of the weapon.

Q: How many firearms will actually be affected by this ban?

A: Actually not very many. The legislation specifically bans 19 firearms. Included in that list is the Streetsweeper rapid-fire shotgun, which was recently reclassified, through an administrative action, as a "destructive device" -- the same classification as a machine gun.

The legislation also refers to certain characteristics which in combination would require a firearm to be considered as an assault weapon -- the list of prohibited characteristics is meant to prevent the development of future models of assault weapons. Finally, it lists nearly 700 semi-automatic rifles, handguns and shotguns as legitimate firearms.

Q: How prevalent is the use of these assault weapons in crime?

A: Although these 19 types of firearms constitute only one percent of all firearms in America, based on firearms trace data, they account for eight percent of firearms used in crime. [ATF conducts over 50,000 firearms traces per year of guns recovered in crimes.]

Q: Will banning these firearms have an impact on crime?

A: Yes, it will. These guns help the criminals who have them commit their crimes and add to the carnage. They embolden the crook. Access to them shifts the balance of power to the lawless.

These guns rank among the top 10 firearms traced in relation to crime. We are not being tough on gangsters if we allow open access to gangster weapons.

It is also a matter of principle that we ban these guns. For people who say they are serious about addressing violent crime, it is time to vote seriously about banning the guns criminals prefer.

Q: If these firearms are as bad as machine guns, why can't you just reclassify them as destructive devices?

A: There is a very strict statutory definition of destructive device; because of their bore size these weapons cannot be classified as destructive devices. While these firearms are first cousins to machine guns, they do not fit the technical definition of either machine gun or destructive device. This is a significant loophole in the law.

Congress enacted a ban on the importation of firearms with the exception of those firearms which meet a "sporting purpose" test. ATF has developed "sporting purpose" criteria to ban the import of certain firearms, while ensuring that firearms with a variety of legitimate uses are available to law-abiding Americans. Although Congress has recognized the need to ban these weapons from import, current law still allows domestic production and distribution.

Q: Can't conventional sporting firearms be fitted with large magazines?

A: Right now factories legally turn out such magazines and ship them by the truckload. The legislation now pending in Congress bans magazines with a capacity greater than 10 rounds that can be used with any semi-automatic firearm. If someone crafts an illegal magazine, we will have the legal authority to deal with that person.

Q: Doesn't the Brady Act already ensure that assault weapons can't be purchased by criminals?

A: At present, the Brady Law only covers transactions of handguns in licensed dealerships. It does not cover any longarms, nor does it cover private transactions of any firearms. In five years, however, when the "instant check" provision becomes effective, all firearms transactions at licensed dealerships will be covered.

Moreover, the Brady Act does not ban any firearms.

THE WHITE HOUSE
WASHINGTON

May 2, 1994

Mr. Robert T. Scully
Executive Director
National Association of
Police Organizations
Suite 935
750 First Street, N.E.
Washington, D.C. 20002

Dear Bob:

Thanks for your support for the legislation banning new semiautomatic assault weapons. These weapons have no legitimate purpose in civilian hands, and they cause havoc on our nation's streets.

As we move to prohibit these weapons of war, I agree that we should not interfere with the work of law enforcement officials who put their lives at risk to protect our communities on and off duty. Consequently, I support enactment of this bill with a provision that ensures no interference with the ability of law enforcement officers to carry these weapons or large capacity ammunition magazines.

Again, many thanks.

Sincerely,

Bill Clinton



FACSIMILE COVER SHEET

OFFICE OF THE
ASSISTANT SECRETARY FOR ENFORCEMENT
DEPARTMENT OF THE TREASURY

Phone # (202) 622-0240

Fax # (202) 622-1486

DATE: May 2Page 1 of 2

TO:

Cookie5568Jose Cerdaurgent
Please call
Jose.

PHONE:

622-1940we

FAX:

45674317028

FROM:

ERIK NORTH

MESSAGE:

Fax messed up
I thought this
was further sorry

MAY-03-1994 15:19 FROM ATF CONG & MEDIA AFFAIRS TO

96221465 P.02

TENNESSEE AND THE BRADY LAW

The Brady law amended the Gun Control Act of 1968 (GCA) to provide for, on an interim basis, a 5-day waiting period on the transfer of a handgun by a Federal firearms licensee to a nonlicensee. This interim provision provides for a variety of alternatives to the 5-day waiting period. One of these alternatives is where the law of the State requires that before any licensee completes the transfer of a handgun to a nonlicensee, an authorized government official verify that the information available to such official does not indicate that possession of a handgun by the transferee would be in violation of law (e.g., "point-of-sale"), 18 U.S.C. § 922(s) (1) (D).

Under the GCA, it is unlawful for a person convicted of any crime punishable by a term of imprisonment exceeding 1 year (felony) to possess a firearm. Thus, at a minimum, if the State system did not disqualify persons prohibited by disabling convictions from possessing handguns, the system did not meet the requirements of the Brady alternative system.

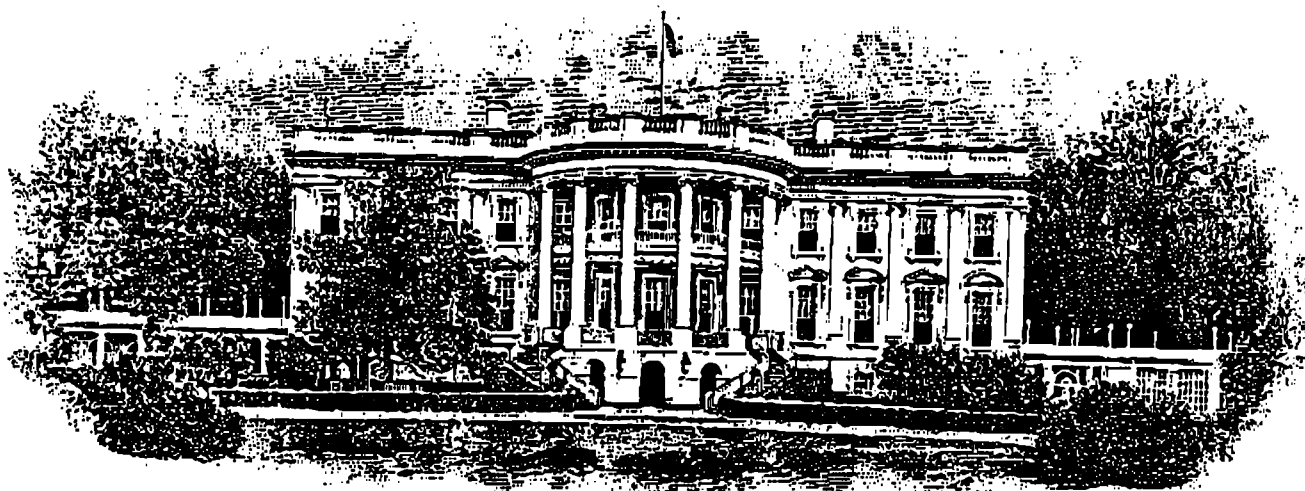
After the Brady law was enacted, ATF reviewed the relevant State laws and determined that Tennessee only disqualified persons convicted of violent felonies from possessing handguns, yet allowed persons convicted of other felonies to possess handguns. Tenn. Code Ann. § 39-17-1316(a). Since a person convicted of a nonviolent felony may be prohibited by the GCA from possessing a handgun, the Tennessee system did not meet the requirements of the alternative to the Federal 5-day waiting period.

ATF assisted Tennessee State officials in drafting legislation which would disqualify all felons from obtaining a handgun and would be an acceptable alternative to the Federal 5-day waiting period and background check. This legislation has been approved by the State legislature and is awaiting the Governor's signature. This legislation will place Tennessee within the "point-of-sale" alternative of the Brady law. It has an effective date of July 1, 1994.



OFFICE OF NATIONAL DRUG CONTROL POLICY
EXECUTIVE OFFICE OF THE PRESIDENT
Washington, D.C. 20500

FACSIMILE TRANSMITTAL COVER SHEET



BUREAU OF STATE AND LOCAL AFFAIRS

NUMBER OF PAGES INCLUDING COVER:..... 6

DATE:..... 05/03/94

TO:..... JOSE CERDA

FAX # 456-7028

OFFICE #:..... 456-5568

COMMENTS:.....

U R G E N T M E S S A G E

This follows-up our conversation at about 04:10 p.m.

Since then, I found another piece of information. On the next page, find some arcane data obtained by phone from the Bureau of Justice Statistics today: the numbers merely acknowledge that "military-type weapons" have been possessed and/or used by persons incarcerated in State prisons in 1991.

And, there is too, the four-page article taken from JAMA, June 10, '92. Look at the lower left-hand corner of the second page of this piece, for drugs- and assault weapon-related data. Will keep you posted if I find more.

FROM:.....

GEORGE A. KOSNIK, SR.
Acting Associate Director

FAX #:.....

(202) 395-6744

OFFICE #:..... (202) 395-6752

Percentage of State prison inmates who had ever owned a military-type weapon, by most serious offense, 1991

Drug trafficking	7.4%
Drug possession	6.7%
Other drug offense	1.9%
Robbery	10.1%
Murder	9.8%
Burglary	7.2%
Weapons offense	18.1%

The percentage of State prison inmates who reported presence of a military-type weapon was present during the offense for which they are currently incarcerated, 1991

All offenses	1.0%
Drug trafficking	.2%
Drug possession	.1%

Of the 1% of State prison inmates that reported presence of a military-type weapon during their current offense, inmates were convicted of the following offenses:

Drug trafficking	5.7%
Drug possession	1.7%
Murder	21.9%
Robbery	28.3%
Burglary	9.7%
Assault	10.6%
Weapons offense	11.0%

Source: The 1991 Survey of Inmates in State Correctional Facilities, unpublished data obtained by telephone from the U.S. Department of Justice, Bureau of Justice Statistics, 5/3/94.

143426

Council Report

Assault Weapons as a Public Health Hazard in the United States

Council on Scientific Affairs, American Medical Association

MOST of the scientific research relating to firearms and their effects on public health has concentrated on handguns. Despite the severity of the firearm problem in this country, and the wealth of publicity associated with it, more scientific investigation is needed on all firearm injuries¹

those due to special classes of guns like assault weapons. The purpose of this report is to review what is known about assault weapons and their impact on public health and to discuss legislation to restrict the sale and private ownership of assault weapons. This report adds to the information provided by Substitute Resolution 204 (A-89), Restriction of Assault Weapons, which states that "the AMA [American Medical Association] supports appropriate legislation that would restrict the sale and private ownership of large-caliber, high-rate-of-fire automatic and semiautomatic firearms, or any weapon that is modified or redesigned to operate a large-caliber, high-rate-of-fire automatic or semiautomatic weapon."

DEFINING ASSAULT WEAPONS

Traditionally, firearms have been split into two broad categories: long guns, which are fired from the shoulder (rifles and shotguns); and handguns, which are designed to be fired with one hand (revolvers and pistols).² The term *assault rifle* originated during World War II and referred to military weapons capable of automatic fire and having detachable magazines that hold 20 or more cartridges.³ Assault weapons were developed to utilize firepower, in order to reduce reliance on marksmanship in mil-

itary settings. Currently, the term includes both automatic and semiautomatic firearms designed for killing people and generally considered to be of little use for hunting or trap and skeet shooting. Automatic and semiautomatic refer to the operating mechanism of a firearm and can apply to either long guns or handguns; there are semiautomatic rifles and semiautomatic pistols.³ Semiautomatic hunting rifles are precisely aimed and fired from the shoulder, while assault weapons are meant to be spray-fired from the hip.⁴ Both automatic and semiautomatic firearms can be spray-fired. Holding down the trigger of an automatic firearm results in a continuous stream of bullets until the ammunition magazine is emptied. In the case of a semiautomatic firearm, each trigger pull releases a single bullet, loads the next bullet, and permits rapid, sustained firing until the magazine is emptied.⁴

Not all semiautomatic firearms are assault weapons.⁵ According to Sugarman and Rand, "assault weapons are merely one type of semiautomatic firearm that can be distinguished by specific design characteristics."⁶ Proponents who seek to regulate or ban assault weapons contend that assault weapons can be distinguished from other semiautomatic weapons by attached "combat hardware," such as alienators, folding stocks, bayonets, large-capacity magazines, short barrels, pistol grips on rifles or shotguns, or threaded barrels for accommodating flash suppressors.⁷ They may also be differentiated by the ease with which they convert to fully automatic weapons and by their use in organized crime and narcotics cases. Opponents of a ban argue that some of these features may also apply to semiautomatic firearms used for hunting and sport,⁸ and they feel that banning semiautomatic assault weapons is the first step toward banning all semiautomatic firearms.⁹

Assault weapons are difficult to define in legal terms,¹⁰ and the lack of a precise definition may be the greatest obstacle to successful legislation against assault weapons. Confusion exists about weapons terminology; terms like *assault*, *paramilitary*, and *semiautomatic* are considered to be synonyms, when they are not.⁹ Cur-

rent legislative efforts to control the ownership and use of assault weapons have focused on semiautomatic weapons; therefore, the remainder of this report will concentrate on semiautomatic firearms used as assault weapons. For the purposes of this report the term *semiautomatic assault weapons* refers to the semiautomatic firearms that were permanently banned from importation into the United States in July 1989 and those domestically manufactured firearms identified in legislation such as that proposed by Sen Dennis DeConcini (D, Ariz) (S 747, Antidrug, Assault Weapons Limitation Act of 1989)¹¹ and Rep Fortney (Pete) Stark (D, Calif) (HR 1190, Semiautomatic Assault Weapons Act of 1989).¹²

PREVALENCE OF POSSESSION AND USE IN CRIME

Approximately 200 million firearms are owned by private citizens in the United States.¹³ Since gun manufacturers are not required to give out their sales figures, and reports do not usually differentiate between standard long guns and assault weapons, a reliable estimate of how many of these guns are assault weapons is not available.¹⁴ The best estimate may be the sum of the number of assault weapons legally imported into the United States and

Members of the Council on Scientific Affairs at the time of the report included the following: Yank D. Coble, Jr, MD, Jacksonville, Fla; A. Bradley Eisenberg, MD, PhD, Royal Oak, Mich; Resident Representative; E. Harvey Eaker, Jr, MD, Durham, NC, Vice Chairman; Mitchell S. Kertan, MD, Beverly Hills, Calif; William E. Kennedy, MD, Minneapolis, Minn; Michael P. Monkton, San Antonio, Tex, Medical Student Representative; Patricia Joy Nussman, MD, Syracuse, NY; William C. Scott, MD, Tucson, Ariz, Chairman; W. Douglas Smitton, MD, Macon, Ga; Richard M. Stahlheber, MD, Cleveland, Ohio; Jack P. Strong, MD, New Orleans, La; Henry N. Wagner, Jr, MD, Baltimore, Md; William R. Handes, PhD, Secretary; William T. McGivney, PhD, Assistant Secretary; Sharon B. Buchbinder, RN, MA, and Sara Kalamandian, MD, MPH, staff authors.

The Council on Scientific Affairs, American Medical Association, Chicago, Ill.

This report was submitted to the House of Delegates of the American Medical Association at the June 1989 meeting as an informational report of the Council on Affairs.

This report is not intended to be construed or to serve as a standard of medical care. Standards of medical care are determined on the basis of all the facts and circumstances involved in an individual case and are subject to change as scientific knowledge and technology advance and patterns of practice evolve. These reports reflect the state of scientific knowledge as of June 1989.

Reprint requests to the Council on Scientific Affairs, American Medical Association, 535 N Dear St, Chicago, Ill. (Jarod M. Loeb, PhD).

the number of assault weapons that are domestically produced. This estimate depends on which models of semiautomatic weapons are considered to be assault weapons. If assault weapons are defined as the 49 models that were temporarily banned from importation by the Bush administration in March 1989, plus those made domestically, then the US Treasury Department's Bureau of Alcohol, Tobacco, and Firearms (BATF) estimates that there are 1 million assault weapons in private hands in the United States.²⁰ Another BATF estimate is much higher—2 to 3 million—when 1.5 million M-1 semiautomatic Garands are included.²¹ These weapons were used by the US military, and surplus Garands have been sold at a special price by the US Army to National Rifle Association members.²² They are not included among the weapons banned by President Bush and are now widely used in high-power-rifle competition.

In 1987, according to the Federal Bureau of Investigation's (FBI's) Uniform Crime Reports, 1.3 million crimes against individuals were reported, and 261 000 involved a firearm. A total of 85 100 trace requests were filed during that same year.²³ Requests to trace the ownership of a gun are submitted by police departments to the BATF. These requests may be filed to trace firearms known to have been used in crimes or found at crime scenes or to identify stolen weapons. Police departments around the country differ in the frequency with which they request traces and the crime characteristics and gun attributes that may prompt a request.²⁴ The sample of firearms for which traces are requested is not likely to be representative of all firearms used in crimes. Despite these limitations, trace requests submitted to the BATF form the only national database of its kind.

In 1989, Stewart and Alexander of the Cox Newspaper Bureau analyzed gun trace requests to estimate the approximate prevalence of assault weapon use by criminals. They examined 42 768 requests submitted to the BATF during the period January 1, 1988, through March 27, 1989.²⁵ Among all firearms traced, pistols (39% of all traces) and revolvers (33%) were traced most frequently by law enforcement agencies.²⁶ Using a list of 64 models, which included the 49 banned weapons and the US-made weapons listed in S 286 (introduced by Sen Howard Metzenbaum [D, Ohio]), Stewart and Alexander concluded that one of every 10 firearm traces involves an assault weapon.²⁷

An analysis of the major types of crimes for which gun traces were submitted revealed that assault weapons were involved in 12.4% of gun traces related to narcotics crimes and 30% of traces related to organized crime.²⁸ Ninety percent of

the assault weapons traces involved only 10 models: six rifles, three pistols, and one shotgun. In a comparison of nine major US cities, Los Angeles, and Miami, had the highest percentages of assault weapons traces (19% and 16%, respectively); Washington, DC, had 13%, and Detroit, and New York City both had 11%. Two thirds of traced assault weapons were domestically manufactured.²⁹

Two pieces of evidence suggest that the number of assault weapons in the United States increased between 1986 and 1988. First, the percentage of firearm trace requests for assault weapons grew from 6% in 1986 and 1987 to 10% in 1988 and the first 8 months of 1989.³⁰ Second, the number of importation requests for semiautomatic weapons has also grown: 40 000 in 1987, 44 000 in 1988, and 114 000 in the first 8 months of 1989,³¹ which was immediately before the Bush administration's temporary importation ban.

Although the proliferation of semiautomatic weapons has been documented, the reasons for the increase have not. In 1984, President Reagan removed importation restrictions on Chinese military surplus weapons, which made the relatively inexpensive AK-47 (\$300) readily available.³² In addition, a renewed interest in the Vietnam War, along with the availability of cheap ammunition, and the frequent appearance of assault weapons on television ("The A-Team" and "Miami Vice"), in movies (*Rambo* and films with Chuck Norris and Arnold Schwarzenegger), and in weapons magazines, have probably all had a role in increasing their popularity.³³ In 1987, the US toy industry spent more than \$40 million on advertising new war toys that included water and dye-pellet versions of the Uzi and AK-47.³⁴

INCIDENCE OF DEATH AND INJURY

The actual numbers of deaths and injuries caused by assault weapons are not known. While the FBI's Uniform Crime Reports tabulate the number of reported homicides by types of firearms used, there is not a separate category for assault weapons.³⁵ The reported number of firearm homicides was 11 084 in 1988,³⁶ and 81% of the gun traces for homicides during the same period were assault weapons.³⁷ Even given the limitations of these data, these figures may still be used to give a crude approximation of the number of reported homicides due to assault weapons: 898. This figure is similar to the number of homicides in which rifles (764) or shotguns (1117) were used and is considerably lower than the number of homicides due to handguns (2878) in the same year.³⁸ Statistics on firearm suicides and unintentional firearm deaths, as compiled by the National Center for Health Statistics, are not subdivided according to type

of firearm. It is unlikely that assault weapons are responsible for many of these deaths, as Wintemute et al³⁹ have shown that revolvers and pistols are the weapons of choice in firearm suicides.

Perhaps the most succinct depiction of the assault weapon problem was made by the California Attorney General's Office: "The danger of the semiautomatic assault weapon is not yet the frequency with which it is used in crime or the volume which exist compared to other types of guns. Rather the danger is the potential each semiautomatic assault weapon confers upon an individual to kill and wound a large number of people."⁴⁰

During the past year, the medical and lay press have reported on an epidemic of drug-related violence.⁴¹ Semiautomatic weapons have been described as the weapon of choice for drug gangs,⁴² and officials have noticed their use has increased in areas where crack cocaine is endemic.⁴³ In Los Angeles, at least 20% of those seen in emergency departments for injuries from assault weapons were innocent bystanders who became victims of drive-by shootings.⁴⁴ One South Bronx, NY, hospital has determined that 75% of all the trauma cases it treats are drug-related.⁴⁵ Clearly, the injuries from assault weapons are taxing hospital emergency departments in large urban areas.^{46,47} For this reason, military trauma physicians are being recruited to relieve the work load at the Washington (DC) Hospital Center⁴⁸ and at Martin Luther King Hospital in Los Angeles.⁴⁹ In return, these surgeons receive practical experience in treating combat wounds.⁵⁰

Wounds from high-velocity assault weapons resemble the wounds inflicted in the Vietnam War: they are often multiple and massive,⁵¹ and immediate treatment is critical to survival. High-velocity bullets may set up shock waves and cause cavitation effects, resulting in unpredictable damage at sites far from the wound tract.⁵² With low-velocity assault weapons, multiple wounds still occur, but the damage is localized to the tissues adjacent to the wound tract, and the full extent of the injury can usually be determined at the time of surgery.⁵³ A spokesman for the Hospital Council of Southern California has stated that mortality rates from high-velocity bullet wounds are four to five times higher than those from low-velocity bullet wounds and stab wounds.⁵⁴

The estimated cost of treating a case of penetrating trauma (like that from an assault weapon) varies from \$15 000 to \$20 000.^{55,56} A stay in intensive care is not unusual⁵⁷ and may cost as much as \$150 000,⁵⁸ and patients may require a long rehabilitation.⁵⁹ These patients need a tremendous amount of care and can be a burden on hospitals.⁶⁰ Most gunshot

wound patients are not covered by private insurance, and their costs are reimbursed by government insurance programs or are uncompensated. Thus, the public bears a major share of the cost.¹⁰⁰ The hospitals that belong to the trauma system in Chicago lost an average of \$6000 per trauma patient in 1987 and 1988. According to the Chicago Department of Health, this corresponds to \$10 million of uncompensated care charges for each of these years.¹⁰¹ It is easy to see how this can affect the fiscal viability of hospitals and trauma systems¹⁰² and force hospitals to drop out of trauma networks.

The number of deaths from assault weapons can be estimated, but again, no reliable data are available on how many of the victims were treated before dying, or many were injured and survived. Estimated costs for treating firearm injuries in general are available, however; Martin et al.¹⁰³ conducted a population-based study of all patients hospitalized for firearm injuries during 1984 at San Francisco (Calif) Hospital, the region's only trauma center. The cost (total hospital costs, not including professional fees) for the hospitalizations for the 181 patients in the study was \$905 809, for a mean cost of \$5 per patient.¹⁰⁴ Eighty-six percent of these costs were paid from public sources, which is a much larger percentage than the costs paid from public sources for all hospitalizations combined.¹⁰⁵

The total number of firearm injuries have been estimated by applying the ratio of firearm deaths in San Francisco to the total number of firearm deaths in the United States for 1984.¹⁰⁶ This analysis shows that the San Francisco ratio is similar to the ratio of injuries to deaths in the rest of the country and that the severity of injuries is also similar. When their mean is multiplied by the injury estimate, the national cost for first hospitalizations due to firearm injuries was \$429 million in 1984.¹⁰⁷ Total direct costs (hospitalizations, professional fees, rehabilitation, physical therapy, and long-term-care costs) are probably greater than \$1 billion year, and the associated indirect costs would be twice this figure.¹⁰⁸

Data sources for firearm injuries in general are fragmented and incompatible with each other,¹⁰⁹ so it is not surprising that reliable data are not available for the number of assault weapons, the numbers of deaths and injuries resulting from the use of assault weapons, and the costs associated with them. Health care provision systems, especially emergency department and trauma centers, need to collect epidemiological data on the incidence of firearm injuries and the costs associated with victims' health care, in order to make informed decisions about assault weapons and the public's health.

PUBLIC OPINION

In January 1989, Patrick Purdy opened fire with an AK-47 assault rifle on a Stockton, Calif, school yard, firing approximately 180 rounds in about 2 minutes. Five children were killed, and 28 children and one teacher were wounded.¹¹⁰ Public outrage focused attention on assault weapons, which were available under the same restrictions as ordinary rifles.¹¹¹

In February 1989, *Time* magazine reported the results of a *Time/Cable News* Network poll in which 80% of respondents felt that crime is getting worse, and 84% felt that firearm violence is becoming a bigger problem in the United States.¹¹² In the same survey, while 84% of those polled said that people have a right to own guns, two of three people felt that existing laws make it too easy to buy guns, and 86% favored a 2-week waiting period in order to conduct a background check. Fifty-one percent of those polled would make civilian ownership of semiautomatic weapons illegal,¹¹³ and 77% favored the mandatory registration of semiautomatic weapons.¹¹⁴ Opinion was evenly divided as to whether stricter gun control laws would reduce the amount of violence in the country.¹¹⁵ Two weeks later in another poll, a higher percentage (72%) of all respondents favored a federal ban on the manufacture, sale, and possession when the phrase "semiautomatic assault guns such as the AK-47" was included. Even two thirds of gun owners favored a ban on these weapons.¹¹⁶

Several law enforcement organizations have endorsed banning the manufacture and sale of assault weapons. These include the International Association of Chiefs of Police, the National Sheriffs' Association, the National Association of Black Law Enforcement Executives, the Police Executive Research Forum, the National Association of Police Organizations, and the Fraternal Order of Police.¹¹⁷ The Board of Governors of the American Bar Association has called for laws to restrict private ownership of assault weapons.¹¹⁸ Former Sen Barry Goldwater, a life member of the National Rifle Association, has said that there is no reason to use automatic or semiautomatic weapons for hunting and that "they have no place in anybody's arsenal. If any SOB can't hit a deer with one shot, then he ought to quit shooting."¹¹⁹

REGULATION OF ASSAULT WEAPONS

Baker et al.¹²⁰ have identified four times in a "gun's life span" when legal regulation can occur: (1) the time of manufacture or importation, (2) the time of sale or transfer, (3) the period of possession, and (4) the period of use. The most stringent regulation occurs during the time a gun is used. Possession is also regulated, in an

attempt to keep guns out of the hands of criminals. They note that laws against possession are hard to enforce and are of little value once the gun is in an individual's hands. States have laws, which vary greatly from state to state, dealing with the sale of guns, and there are federal requirements for gun manufacturers and importers.¹²¹

Automatic weapons have been regulated since 1934, largely in response to the use of submachine guns in violent crime during the prohibition era.¹²² These weapons must be registered, and an FBI criminal record check and a \$200 transfer tax are required to transfer ownership.¹²³ In 1968, federal legislation outlawed the future production and importation of automatic weapons.¹²⁴ In 1989, President Bush banned the importation of certain semiautomatic weapons. Federal law does not specifically regulate semiautomatic weapons, but treats them like other handguns, shotguns, and rifles,¹²⁵ and it does not prohibit the domestic manufacture of semiautomatic assault weapons.¹²⁶ According to the BATF, the majority of semiautomatic assault weapons that are used in crimes were originally purchased legally.¹²⁷

The 1988 Gun Control Act gave the BATF the authority to ban the importation of any weapon that is not "generally recognized as particularly suitable or readily adaptable to sporting purposes."¹²⁸ In March 1989, prompted by the Stockton killings and publicity on the use of "sporting" semiautomatic weapons for violent crime, the Bush administration temporarily banned the importation of 49 foreign-made rifles that had been considered sporting weapons.¹²⁹ No pistols were banned, so some manufacturers have redesigned banned rifles as pistols.¹³⁰ The US manufacturers increased production of domestic counterparts to the banned weapons and reportedly made up for the lost imports.¹³¹ In any event, the BATF has reported that 75% of the assault weapons in this country are made domestically,¹³² so a ban on imports should not have a marked effect on the overall supply.

In an effort to determine what types of firearms are currently used for sporting purposes, the BATF sent out 8000 questionnaires to competitive shooting clubs, licensed hunting guides, state fish and game commissioners, editors of hunting and gun publications, and hunting association executives.¹³³ Based on these results and the BATF's analysis of weapon characteristics (eg, barrel length, caliber, and safety devices) that are common to assault weapons, 48 assault weapons were permanently banned from importation into the United States in July 1989.¹³⁴

Several AMA-supported bills that dealt with assault weapons were introduced in the 101st Congress in 1989 and

1990. The legislation that came closest to enactment was S 747, introduced by Senator DeConcini.¹ This bill sought to prohibit importation, domestic manufacture, and sale of a specific set of new weapons, but would not have affected weapons that were lawfully owned before its enactment or purchases by government entities. The Secretary of the Treasury would have been able to recommend other weapons for ban, but such additions required congressional approval. An additional 5-year prison sentence would have been given to those convicted of using or carrying assault weapons in violent crimes or drug trafficking.² The bill also called for a study of the legislation's effectiveness. If enacted, the law would have been automatically repealed after 3 years. The US Senate Committee on the Judiciary initially reported the bill in July 1989, by a vote of seven to six with one abstention.³

While no action was taken on S 747, similar provisions were incorporated in the Senate's comprehensive, or omnibus, crime bill, S 1970, introduced by Sen Joseph R. Biden, Jr (D, Del).⁴ In the spring of 1990, gun control advocates turned back attempts by gun control opponents to delete the assault weapons ban from the crime package; first by a vote of 48 to 52 on the Senate floor, and then, on a vote to reconsider, by one vote (49 to 50). Later in the year, in order to pass a comprehensive anti-drug bill, Senate conferees agreed to delete these provisions in exchange for the House's agreement to delete racial protections for death penalty defendants.⁵ The AMA supported HR 4225, the Restricted Weapons Act of 1990, which was introduced by Rep William J. Hughes (D, NJ).⁶ HR 4225 would have expanded the Secretary of the Treasury's existing authority to include domestically made semiautomatic rifles that did not meet the "sporting purposes" test. Within 60 days of enactment, the Secretary of the Treasury would have been required to publish a list of banned weapons. Weapons that were legally owned by individuals at the time of the list's publication would not have been affected. Although scheduled for consideration, the House of Representatives did not consider this bill before the close of the 101st Congress.

Some state and local governments have already proposed or enacted their own legislation to regulate assault weapons.⁷ California prohibits the sale of specific assault weapons throughout that state. Maryland and Virginia have restricted possession,^{8,9} and some cities, like Stockton¹⁰ and Denver,¹¹ have either banned the guns or required registration. Other states and cities have bills pending,¹² but there is not a consensus on exactly which weapons should be included.

BARRIERS TO LEGISLATION

The single greatest barrier to the enactment of federal legislation restricting or banning access to semiautomatic assault weapons is a precise definition of the weapons. Establishing objective criteria is proving difficult for legislators, as expressed by the differences in specific weapons listed in the various federal, state, and local bills that have been passed or are pending.

In his testimony to the Senate Judiciary Committee in May 1989, Edward Emsell, PhD, curator of the National Firearms Collection at the Smithsonian Institution's National Museum of American History, emphasized that the central issue in any gun control argument is the balance between the private ownership of firearms (an individual right) and the question of public safety (the common good),¹³ or in this instance, individual rights vs public health. Cost must also be a primary consideration, since taxpayers bear most of the costs associated with firearms injuries.¹⁴ The AMA will continue to monitor the impact of assault weapons on public health and to support appropriate legislation to reduce this impact and save lives and scarce health care dollars.

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THE WHITE HOUSE

WASHINGTON

May 3, 1994

Mr. Dewey Stokes
National President
Fraternal Order of Police
Suite 205
520 South High Street
Columbus, Ohio 43215

Dear Dewey:

Thanks for your -- and the Fraternal Order of Police's (FOP) -- support of HR 4296, a bill to ban new semiautomatic assault weapons. These weapons have no legitimate purpose in civilian hands, and they have made our nation's streets a veritable battleground.

As we move to prohibit these weapons of war, I do agree with you and the FOP that we should not interfere with the work of law enforcement officials who put their lives at risk to protect our communities, whether they are on or off duty. Retired and off-duty police officers are never far from the call of the public for help and are an essential resource in ensuring the public safety. Thus, I support enactment of an assault weapons ban with a provision that ensures no interference with the ability of law enforcement officers to carry these weapons or large capacity ammunition magazines.

Again, thanks for your support.

Sincerely,

A handwritten signature in black ink, reading "Bill Clinton" with a stylized flourish at the end.

The Law Enforcement Steering Committee

1001 22nd St., N.W., Suite 200
Washington, D.C. 20037

May 4, 1994

Honorable William Clinton
The White House
Washington, D.C.

Dear Mr. Clinton:

The undersigned members of the Law Enforcement Steering Committee (LESC), a coalition of national law enforcement associations representing over 500,000 law enforcement practitioners, endorse legislation that will prohibit the sale and manufacture of military style assault weapons.

The LESC is a non-partisan coalition consisting of the Federal Law Enforcement Officers Association, the Fraternal Order of Police, the International Brotherhood of Police Officers, the Major City Chiefs, the National Association of Police Organizations, the National Organization of Black Law Enforcement Executives, the National Sheriff's Association, the National Troopers Coalition, the Police Executive Research Forum, and the Police Foundation. The LESC is a model of an unprecedented cooperative effort between law enforcement research organizations, police management and labor. We are dedicated to the advancement of legislation and policy that will ensure the safety and security of the American people.

As the threat of violence against police and citizens alike has escalated, so has the LESC's commitment to pass sensible and effective gun-control legislation. In the past, the nation's peace officers have joined together in the fight against crime to persuade Congress to prohibit the sale of armor-piercing ammunition, undetectable plastic handguns and new machine guns. Most recently, the law enforcement community urged Congress to pass the Brady Bill, a legislative measure that would provide police officers with effective means to reduce crime, without infringing on the rights of law-abiding hunters and sportsmen.

We have urged Congress to pass legislation that would ban the sale and manufacture of military style assault weapons. Currently, assault weapons are easily accessible to hate groups, terrorists, organized crime and felons, and they have become the weapon of choice for drug dealers and gangs. The military features of these guns, including large-capacity ammunition magazines, folding stocks, bayonet mounts and threaded barrels

Steering Committee
Members

Federal Law Enforcement
Officers Association
Fraternal Order of Police

International
Brotherhood of
Police Officers
Major City Chiefs

National Association of
Police Organizations
National
Black Law Enforcement
Executives

National Sheriff's Association
National Troopers Coalition
Police
Police Foundation

Representing
Policing in
America

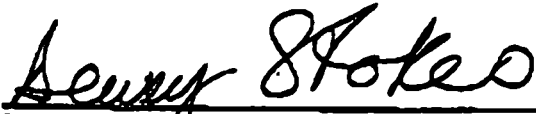
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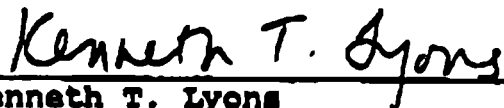
designed to accept silencers have made them attractive weapons to the criminal class. Their firepower not only encourages deadlines in protecting criminal enterprises, they encourage armed resistance to police apprehension.

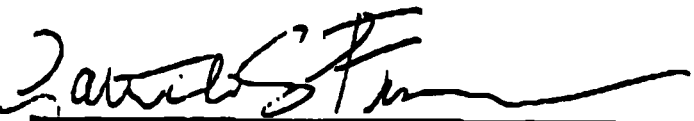
We support a prohibition of those assault weapons named in the Senate Crime Bill and in HR 4296, and offer our support to the Administration in seeking this important public safety legislation.

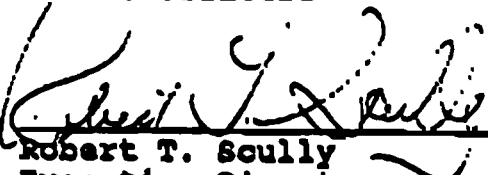
Very truly yours,

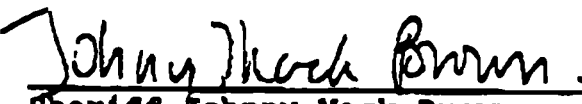

 Victor G. Oboyski
 President
 Federal Law Enforcement
 Officers Association


 Dewey R. Stokes
 President
 Fraternal Order of Police

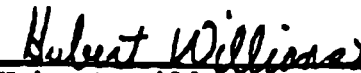

 Kenneth T. Lyons
 National President
 International Brotherhood of
 Police Officers

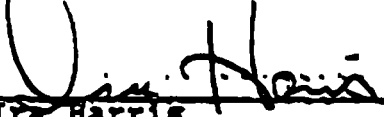

 Patrick S. Fitzsimmons
 Chairman
 Major Cities Chiefs


 Robert T. Scully
 Executive Director
 National Association of
 Police Organizations


 Sheriff Johnny Mack Brown
 President
 National Sheriffs' Association


 Chuck Wexler
 Executive Director
 Police Executive Research Forum


 Hubert Williams
 President
 Police Foundation


 Ima Harris
 National Organization of Black
 Law Enforcement Executives



Police Commissioner's Office

William J. Bratton
Police Commissioner



Police Department
City of New York

1 Police Plaza
New York, N.Y. 10038

Telephone: (212) 374-5410
Fax: (212) 227-6861

Facsimile Message

Date:

5/5/94

Time Sent:

11:45 AM

To:

Jose Corda

Office:

Fax:

202 456 7028

Number of Pages including cover sheet:

5

From:

John Brady

Office:

PCM:

Special Instructions/Notes:

Thank You

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Clinton holds a Tea-9 yesterday as he addressed law-enforcement officials at the White House, assailing gun-lobby efforts to kill an assault-weapons ban

Lobbying Intense As Giuliani Backs Assault-Gun Ban

By William Douglas
WASHINGTON BUREAU

Washington — The Clinton administration, scrambling for votes on a House bill that would ban semiautomatic assault weapons, found an ally yesterday in Republican Mayor Rudolph Giuliani.

The mayor pledged his support for the measure, a move proponents say will help sway skittish Republican House members to vote for it on Thursday.

"Assault weapons are equally offensive to Republicans and Democrats," said Giuliani, calling the guns "a group of weapons that have no legitimate purpose [except] to kill the maximum number of people in the shortest period of time."

Rep. Charles Schumer (D-Brooklyn), a co-author of the bill, said Giuliani's endorsement "surely helps" but he still worried that it might not be enough.

Schumer said his latest count has the bill 15 votes short of passage. Schumer said given his druthers he would like to see the vote postponed for a week.

"The margin is moving toward us slowly," he said. "I think we have a shot but it's uphill. I would feel a lot

better with an extra week."

Administration officials — including Attorney General Janet Reno, Treasury Secretary Lloyd Bentsen, and Housing and Urban Development Secretary Henry Cisneros — have begun phoning House members who the White House feels are undecided or leaning against the bill, asking for their support.

At a White House ceremony with law-enforcement officials yesterday, Clinton said the pending vote on the ban is a "no-brainer and Congress must not walk away from it."

Meanwhile, opponents of the bill led by the National Rifle Association, have upped their efforts through phone banks, letters and visits to lawmakers at their home and Washington offices.

Opponents say the bill — which would ban 19 specific assault weapons, copy-cat models and limit detachable magazines to 10 rounds — infringes upon their Second Amendment rights to bear arms and would adversely affect hunters and other sportsmen. But supporters say the bill would exempt nearly 700 other types of guns.

Bob Liff contributed to this story.

NY Newsday 5/3/94

Demand Action on Assault Weapons

AK-47's, Uzis and Street Sweepers are made with one purpose: to kill human beings quickly and efficiently. They are not sporting weapons; they have no legitimate civilian purpose. The Senate has already voted to ban those guns, along with a list of other semiautomatic weapons and detachable magazines that can hold more than 10 rounds of ammunition. The ban would not apply to guns now legally owned, although it would require the filing of a Federal form for such guns to be transferred.

The Senate's assault weapons ban was passed as part of the crime bill. It was chopped off the House version. Now it is before the House as a freestanding bill, sponsored by Representative Charles Schumer of New York.

The kinds of weapons described in this legislation are the most deadly guns legally available in most places in America. They are the weapons of choice of mass murderers and urban gangs. Their ability to deliver several rounds per second makes them ideal for drive-by shootings and the horrific massacres that have taken place in restaurants, workplaces and playgrounds around the country.

Opponents of this legislation point out that when these guns are used to commit crimes, they are often illegal guns; therefore to ban them would make no difference. But some horrible mass murders have been committed with legal assault weapons. And most of the illegal guns on American city streets were legally manufactured. If this bill passes, the deadliest ones will be manufactured no more.

Passage of the bill is far from certain. The House leadership seems determined to bring it to a vote this week, and its supporters believe it is still 15 to 20 votes shy of passage.

There have been two heartening switches in recent days. The most important was that of Henry Hyde, who voted against such a ban in 1991 but who supported this version in the Judiciary Committee.

Locally, Representative Susan Molinari of New York, who until a few days ago opposed the measure, has now changed her mind.

But there are still representatives from the New York area who plan to vote against the bill. Among them are Hamilton Fish, James Walsh, Bill Paxton and Gerald Solomon, all of New York, and Dean Gallo of New Jersey.

Mr. Fish voted against the bill in the Judiciary Committee. His opposition is hard to understand. He represents much of Westchester County; many of his constituents work in New York City. Does he not want to see the Tech-9's and Street Sweepers off New York streets?

Other representatives who are either undecided or have not publicly committed to support the bill are Benjamin Gilman, Sherwood Boehlert, Maurice Hinchey, Jack Quinn, John McHugh and Amo Houghton from New York, and James Saxton and Dick Zimmer from New Jersey. These members of Congress need a call today from their constituents urging a vote for the bill.

Of the Connecticut delegation, only Gary Franks is planning to vote against the measure. Mr. Franks, who represents Waterbury, one of the state's small, violence-torn cities, should know better.

It is a relief to see President Clinton taking the initiative to support this measure; his lobbying on its behalf in recent days has not been matched since the days of NAFTA. New York's Mayor, Rudolph Giuliani, also added his support yesterday.

Many of the members of Congress listed here have already had the guts to stand up to the gun lobby by voting for the Brady law. They now need to assess whether they want to stand against the President, enlightened hunters, almost every police organization in the country, the Mayor of the nation's biggest city and most of his fellow mayors — out of fear of the well-organized fanaticism of the National Rifle Association.

NY Times 5/3/94

Short of Votes, Clinton Presses Fight for Assault-Gun

By GWEN IFILL

Special to The New York Times

WASHINGTON, May 2 — Acknowledging the uphill battle he faces, President Clinton met with Congressional leaders today and telephoned wavering members of the House to try to persuade them to support legislation to ban 19 types of semiautomatic weapons.

And, appearing with a display of dozens of handguns and assault weapons, many of which would not be outlawed by the ban, Mr. Clinton said no member of Congress should be penalized at election time for supporting a weapons ban that he said was so obviously needed and unassailable that it was a "lay-down no-brainer."

"No good member of the House or Senate, no Republican or Democrat, no rural legislator should ever fear losing their seat for voting for this bill," Mr. Clinton said in urging law-enforcement officials and gun-control advocates gathered at the Old Executive Office Building to lobby for the measure. "Something else you ought to do is tell every office you call, 'If you do this, I will fight for you for voting for this.'"

Backers of the ban said today that they remained at least 13 votes short of winning passage of the measure, which the House expected to take up on Thursday. The Senate has already approved a ban on some assault weapons.

The White House has been lobbying House members on the weapons ban since last week, a departure from the hands-off policy it had adopted while the measure was in the Senate.

Not in Position to Win

"I don't know if we've made much progress, but we're trying hard," one White House official said. "I think we'll pick up some votes from last year, but I don't think we're in a position to win right now."

To that end, Mr. Clinton met privately with Congressional leaders and House supporters of the ban today as he also tried to win over some undecided representatives. "The President believes that this is an uphill struggle and that there are still a lot of votes that need to be converted," said Dee Dee Myers, the White House spokeswoman.

Today, the White House flew David Stellingraber, head of the Wisconsin Police Chiefs Association, to Washington to describe how a 30-year veteran of the Waukesha police force was killed in the line of duty by an assault rifle.

Over the weekend, David Dreyer, an assistant to the President, had

called reporters to circulate the story of a crime that was committed with a weapon that would be banned under the legislation and that occurred in the home district of Representative F. James Sensenbrenner, the senior Republican on the House Judiciary Committee's subcommittee on crime and criminal justice.

Mr. Sensenbrenner, who opposes the ban, said today in a telephone interview from Wisconsin that Mr. Clinton was using the "tragic killing of a police officer to advance his legislative agenda." He said that Government statistics showed that less than 1 percent of homicides involved the semiautomatic rifles and weapons that this new legislation would ban.

He and other critics have argued that the bill would have little effect in curbing crime but that broader legislation would impinge on the rights of law-abiding gun owners.

The House bill, similar to one passed last year by the Senate, would ban the manufacture, sale or possession of 19 specific assault-type weapons, including the TEC-9 and the AK-47, as well as copycat models that have two or more features associated with assault weapons, like bayonet mounts, pistol grips or large-capacity ammunition clips. The bill would allow current owners of such weapons to keep them and would exempt more than 650 of the guns that are commonly used for hunting and other sports.

Greater Efforts

Supporters say the bill is narrowly focused on weapons that spray several rounds of bullets in rapid succession, while critics contend the list of banned weapons is arbitrary and would create an opening for Congress to further restrict other firearms.

In New York, Mayor Giuliani joined Representative Charles E. Schumer, Democrat of Brooklyn, in pushing for passage, and Gov. Mario M. Cuomo released a letter urging members of Congress from New York to vote for it. Last week, Representative Susan Molinari, Republican of New York, said she had been persuaded to vote for it by meeting with Mr. Giuliani and Police Commissioner William J. Bratton.

Mr. Clinton and Treasury Secretary Lloyd Bentsen both said that the weapons they seek to ban would not be used by legitimate hunters.

"I have heard people with a straight face saying, 'Well, there are some adults that like to go target practice with these things,'" Mr. Clinton said. "Well, they need to read a good book. Or take up bowling."

NY TIMES 5/3/94

NY Post 5/3/84

Bill & Rudy call for ban on assault weapons

By THOMAS FERRARO
in Washington
and DAVID SEIFMAN
in New York

President Clinton and Mayor Giuliani appealed to a divided House of Representatives yesterday to stand up to the powerful gun lobby and ban semiautomatic assault weapons.

With the House set to take up the measure as early as Thursday, proponents figure they are behind by about 15 votes.

"This is an uphill battle," admitted White House spokeswoman Dee Dee Myers.

Tanya Metaksa, chief lobbyist for the anti-gun control National Rifle Association, laughed and said: "We're guardedly optimistic."

A confidential House survey last Friday found just two downstate New Yorkers with the opposition. Congressional aides said yesterday Rep. Ben Gilman (Hudson Valley) and Hamilton Fish (Poughkeepsie), told head counters they were "leaning" against the measure, which is backed by cops and the public.

At the White House, Clinton declared: "This is a lay-down, no brainer and Congress must not walk away from it."

Taking aim at the NRA, the president said, "This is not about gun control, it's about crime control."

At New York's City Hall, the Republican mayor backed the Democratic president's call for passage of the measure, which would outlaw 19 types of semi-automatics, such as the Street Sweeper and Uzi, and limit detachable magazines to 10 rounds.

The Senate has adopted such a measure as part of a comprehensive anti-crime bill that awaits final congressional passage.

Flanked by Police Commissioner William Bratton and Rep. Charles Schumer (D-Brooklyn/Queens), chief sponsor of the House bill, Giuliani said the measure "would be enormously helpful to New York City and all urban areas and really to America."

Brushing aside the NRA's position that the bill would violate a person's right to bear arms and open the way to even broader gun control, the mayor said: "There is absolutely no legitimate argument against this bill."

Rep. Susan Molinari (R-Statens Island/Brooklyn), who earlier opposed the bill, announced her support last week, and Rep. Rick Lazio (R-Long Island), long "undecided," said he will vote for it, too.