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DEPARTMENT OF THE TREASURY

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DATE:

8/2/97

NO. OF PAGES TO FOLLOW:

3

TO:

Sose

FAX:

HSL-7028

FROM:

BeL

COMMENTS:

Call me

Supreme Court Decision -- Law Enforcement Pledges
(as of 7/1/97)

Chief Leo Carrillo, Lafayette Police Department, Lafayette, CO

Lt. Mark Battersby, Lafayette Police Department, Lafayette, CO

Lt. Brad Wiesley, Lafayette Police Department, Lafayette, CO

George Koertge, Executive Director, Illinois Association of Chiefs of Police

Superintendent Matt Rodriguez, Chicago Police Department, Chicago, IL

Chief Ron Moser, Ottumwa Police Department, Ottumwa, IA

Lt. Tom Bos, Dodge City Police Department, Dodge City, KS

★ Chief Ellen T. Hanson, Lenexa Police Department, Lenexa, KS

Assistant Chief Bart Schneider, Vidalia Police Department, Vidalia, LA

Chief Michael Chitwood, Portland Police Department, Portland, ME

★ Chief Patrick J. Farrell, Rochester Police Department, Rochester, MN

★ Chief Sylvester Daughtry, Greensboro Police Department, Greensboro, NC

★ Jerald A. Patterson, Jamestown Police Department, Jamestown, ND

Chief Matthew N. Biscotti, Lakewood Police Department, Lakewood, OH

★ Chief Bruce D. Glasscock, Plano Police Department, Plano, TX

Chief Joe Coughlin, Chippewa Falls Police Department, Chippewa Falls, WI

★ Attorney General James Doyle, Wisconsin

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CHUCK WEXLER
EXECUTIVE DIRECTOR

**Police Executive Research Forum Chiefs
Committed to Voluntarily Conducting Brady Background Checks**

Alaska

Chief Duane Udland/Anchorage PD

Kansas

Chief Ellen Hanson/ Lenexa PD ✓

Chief John Douglass/ Overland Park PD

Chief Philip Major/ Olathe PD

Chief Stephen Cox/ Leawood PD

*Chief xxxxxxxxxxx/ xxxxxxxx PD

Chief James Hill/ Salina PD

Maine

Chief Michael Chitwood/Portland PD

Mississippi

Chief Robert Johnson/Jackson PD

New Mexico

Chief Joseph Polisar/Albuquerque PD

Ohio

Chief Michael Snowden/Cincinnati PD

Chief Gerald Galvin/Toledo PD

Oklahoma

Chief Earl Shirley/Yukon PD

Texas

Chief Bruce Glasscock/Plano PD ✓
Chief Richard Czech/ Midland PD
Chief Felipe Garza/Kingsville PD
Chief Al Philippus/ San Antonio PD
Chief Kenneth Yarbrough/Richardson PD
Chief Melvin Martin/ Abilene PD
*Chief xxxxxxxxxxxxxxxxxxxx PD
*Chief xxxxxxxxxxxx/ xxxxxxxx PD
Chief Ken Walker/ Lubbock PD

***Chief is willing to conduct the checks voluntarily, but does not want to have press calls referred.**

Please call Martha Plotkin, director of communications, at 202/466-7820 x232 if you need phone numbers for the chiefs, their public information officers or Brady background check staff.

PERF is a DC-based think tank and membership organization of progressive police chiefs and criminal justice professionals who serve more than 40 percent of the nation's population. The organization is committed to improving police practices through research, national leadership and debate.



Office of Policy Development
United States Department Of Justice
10th and Constitution Ave. NW
Washington, D.C. 20530

TO: *Jose Cerda*

FAX: ()

FROM: MARK D. GREENBERG

VOICE: (202) 514-2160
FAX (202) 514-9441

Total Pages (excluding this cover): 10

Additional Message:

*Elena suggested I send this to you for
what it's worth*



U.S. Department of Justice

Office of Policy Development

Deputy Assistant Attorney General

Washington, D.C. 20530

June 12, 1997

MEMORANDUM

TO: Attached list

FROM: Mark Greenberg

SUBJECT: Brady Act legislative fix

On June 2, I circulated an OPD draft of the proposed legislative fix to be used in case of an adverse Supreme Court decision in the Brady Act case. I have received very few comments on it and thought it might be useful to provide the following analysis of the major differences between the OPD draft and the Schumer bill. (The analysis is based on the revised version of the Schumer bill received on June 2, and on a June 12 version of the OPD bill. I attach copies of the two bills.)

There are two major issues to be resolved in drafting the legislative fix. The first is how cooperating CLEOS are to be designated. There are a range of possibilities that differ in the burdens they would place on federal agencies (most likely the Secretary of the Treasury, i.e., BATF) and on CLEOS. We obviously want to minimize the burdens placed on federal agencies. At the same time, the success of the regime will depend on the voluntary participation of CLEOS, so we do not want to place obstacles in their way.

The second issue concerns which CLEOS the statute should allow to conduct the background checks. Possible options include the CLEO of the prospective purchaser's place of residence, the CLEO of the gun dealer's place of business, the CLEO of the state itself, and any CLEO in the state. (Only one state would ever be involved because, under 18 U.S.C. § 922(b)(3), a dealer is not permitted to sell a handgun to a purchaser who the dealer has reasonable cause

to believe does not reside in the state of the dealer's place of business.)

With respect to the first issue, the Schumer bill requires the Secretary of the Treasury (the Secretary) to compile and distribute to gun dealers a list of CLEOS that have asked to be certified as cooperating CLEOS. The bill also authorizes but does not require the Secretary to distribute lists of previously certified CLEOS who are determined no longer to be cooperating. The bill thus places the major burden on CLEOS to request certification. By requiring the Secretary to list only those CLEOS who have requested certification, as a de jure matter, the bill does not require much action by the federal government. In practice, however, if many CLEOS fail to take the initiative to request certification, the burden may fall on BATF and the FBI actively to solicit such requests.

The OPD bill takes the different approach of requiring the Secretary to compile and distribute to gun dealers only a list of CLEOS that the Secretary has determined are not cooperating. The intent is that the Secretary will not be required to investigate whether each CLEO is cooperating. Rather, the Secretary's duty will be limited to placing CLEOS on the list when it comes to BATF's attention that a CLEO is not cooperating. (The draft does not provide that the Secretary shall determine which CLEOS are cooperating, but that the Secretary shall maintain a list of CLEOS determined not to be cooperating.) When particular CLEOS are not conducting background checks, it will typically come to the attention of BATF's local offices, especially since many of the CLEOS who do not wish to cooperate are likely attempting to make a political statement.

With respect to the second issue, the Schumer bill would allow a gun dealer to contact any of three CLEOS -- the CLEO of the purchaser's place of residence, of the dealer's place of business, and the CLEO of the state itself -- who is cooperating. It would be left to the dealer which of these to choose. In contrast, the OPD bill would make the CLEO of the purchaser's place of residence the preferred CLEO: the dealer would be required to contact that CLEO if the CLEO is not on the non-cooperating list. In the event that the CLEO is on the list, the bill would require the second-choice CLEO to be the CLEO of the dealer's place of business, if that CLEO is not on the list. As a back-up, the bill would allow the dealer to contact any CLEO in the state who is not on the list. The advantage of requiring the dealer to use the CLEO of the purchaser's place of residence when possible is that this CLEO has the best chance of finding relevant information concerning the purchaser. When the CLEOs of the purchaser's place of residence and the dealer's place of business are not cooperating CLEOs, the OPD bill makes it more likely than the Schumer bill that there will still be a cooperating CLEO because it opens the field to any CLEO in the state. Disadvantages of this option are that it would

increase the possibility of a gun dealer's manipulating the system by selecting specific CLEOS and would make it possible for a sale to be approved based on a background check conducted by a CLEO from a distant part of the state wholly unrelated to the seller or purchaser. Another option would be to leave the back-up CLEO to be specified by regulation.

A final difference between the two bills is that the OPD bill makes entirely clear that if there is no cooperating CLEO, the dealer may not transfer the handgun. (This is unlikely to occur because the OPD bill, as explained above, allows any CLEO in the state to be the back-up CLEO.) The Schumer bill does not address the issue as explicitly, but probably would be interpreted to have the same result. If that is the intent of the Schumer bill, it could easily be changed to make the point clear (e.g., by adding after (s)(1)(A)(ii): "(iii) there is a designated chief law enforcement officer;").

A BILL

To ensure that background checks are conducted before the transfer of a handgun by a firearms dealer.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Brady Law Revitalization Act".

SEC. 2. REFERRAL TO BE SENT TO CHIEF LAW ENFORCEMENT OFFICERS WHO ARE COOPERATING IN CONDUCTING BACKGROUND CHECKS.

Section 922(s) of title 18, United States Code, is amended --

(1) in paragraph (1)(A)(i), by amending subclauses (III) and (IV) to read as follows:

"(III) within 1 day after the transferee furnishes the statement, provided notice of the contents of the statement to a cooperating chief law enforcement officer; and

(IV) within 1 day after the transferee furnishes the statement, transmitted a copy of the statement to a cooperating chief law enforcement officer;" and

(2) in paragraph (1)(A)(ii)(II), by inserting "and" after the semicolon; and

(3) by inserting after paragraph (1)(A)(ii)(II) the following new clause:

"(iii) there is a cooperating chief law enforcement officer;"

and

(4) by striking paragraph (2); and

(5) by redesignating paragraphs (3) through (8) as

paragraphs (2) through (7) respectively; and

(6) by adding the following new paragraph (8):

"(8) For purposes of this subsection, the term 'cooperating chief law enforcement officer' means --

(A) the chief law enforcement officer of the transferee's place of residence, if the chief law enforcement officer of the transferee's place of residence is not listed in the most recent list of non-cooperating chief law enforcement officers compiled under paragraph (9); or

(B) the chief law enforcement officer of the licensee's place of business, if the chief law enforcement officer of the transferee's place of residence is listed in the most recent list of non-cooperating chief law enforcement officers compiled under paragraph (9) and the chief law enforcement officer of the licensee's place of business is not listed in the most recent list; or

(C) any chief law enforcement officer in the State in which the transferee's place of residence is located who is not listed in the most recent list of non-cooperating chief law enforcement officers compiled under paragraph (9), if the chief law enforcement officers of the transferee's place of residence and of the licensee's place of business are on the most recent list."

(7) by redesignating paragraph (9) as paragraph (10).

(8) by adding after new paragraph (8), added by paragraph

(6) above, the following:

"(9) (A) The Secretary shall maintain a list of the chief law enforcement officers of law enforcement agencies that the Secretary

determines do not maintain the practice of conducting background checks described in subparagraph (B).

(B) For purposes of this subsection, a law enforcement agency maintains a practice of conducting background checks if it maintains a practice, upon receipt of a notice provided pursuant to paragraph (1)(A)(i)(III) with respect to a transfer of a handgun, of making a reasonable effort to ascertain within 5 business days whether receipt or possession of the handgun would be in violation of Federal, State, or local law, including research in whatever State and local recordkeeping systems are available and in a national system designated by the Attorney General.

(C) The Secretary shall provide to each licensed dealer, on an annual basis, a copy of the list described in subparagraph (A).".

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H.L.C.

Original signature of Member

105TH CONGRESS
1ST SESSION

H. R. _____

IN THE HOUSE OF REPRESENTATIVES

Mr. SCHUMER introduced the following bill; which was referred to the
Committee on _____

A BILL

To ensure that background checks are conducted before the
transfer of a handgun by a firearms dealer.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Brady Law Restora-
5 tion Act".

Revised

F:\M5\SCHUME\SCHUME.026

H.L.C.

2

1 SEC. 2. BACKGROUND CHECK REQUESTS REQUIRED TO BE
2 SENT TO CHIEF LAW ENFORCEMENT OFFI-
3 CERS WHOSE POLICE DEPARTMENTS ARE CO-
4 OPERATING IN CONDUCTING THE CHECKS.

5 Section 922(s) of title 18, United States Code, is
6 amended—

7 (1) in each of subclauses (III) and (IV) of para-
8 graph (1)(A)(i), by striking “the chief law enforce-
9 ment officer of the place of residence of the trans-
10 feree” and inserting “a designated chief law enforce-
11 ment officer with respect to the transfer”;

12 (2) by striking paragraph (2) and inserting the
13 following:

14 “(2)(A) Upon request of a chief law enforcement offi-
15 cer of a cooperating law enforcement agency, the Sec-
16 retary shall certify the chief law enforcement officer as
17 the head of a cooperating law enforcement agency.

18 “(B) For purposes of subparagraph (A) of this para-
19 graph, a law enforcement agency is a cooperating law en-
20 forcement agency if the agency maintains a practice, upon
21 receipt of a notice provided pursuant to paragraph
22 (1)(A)(i)(III) with respect to the transfer of a handgun,
23 of making a reasonable effort to ascertain within 5 busi-
24 ness days whether receipt or possession of the handgun
25 by the transferee would be in violation of Federal, State,
26 or local law, including research in whatever State and local

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H.L.C.

3

1 record keeping systems are available and in a national sys-
2 tem designated by the Attorney General.

3 "(C)(i) Not later than 90 days after the date of the
4 enactment of this paragraph and periodically thereafter,
5 the Secretary shall provide to each licensed dealer a list
6 of the chief law enforcement officers certified under sub-
7 paragraph (A).

8 "(ii) From time to time, the Secretary may provide
9 to each licensed dealer, or to each licensed dealer within
10 a State, a list of chief law enforcement officers previously
11 certified under subparagraph (A) who the Secretary deter-
12 mines are no longer the head of a cooperating law enforce-
13 ment agency."; and

14 (3) in paragraph (8)—

15 (A) by inserting "(A)" after "(8)"; and

16 (B) by adding at the end the following:

17 "(B) For purposes of this subsection, the term 'des-
18 ignated chief law enforcement officer' means, with respect
19 to a handgun transfer, any of the following who is a listed
20 chief law enforcement officer:

21 "(i) The chief law enforcement officer of the
22 place of residence of the transferee.

23 "(ii) The chief law enforcement officer of the
24 place of business of the transferor at which the
25 handgun transfer is to be made.

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H.L.C.

4

1 “(iii) The chief law enforcement officer of the
2 State in which the place of business described in
3 clause (ii) is located.

4 “(C) For purposes of this subsection, the term ‘listed
5 chief law enforcement officer’ means, with respect to a
6 handgun transferor, a chief law enforcement officer who—

7 “(i) has been identified, in the list of chief law
8 enforcement officers most recently distributed to the
9 transferor under paragraph (2)(C)(i), as the head of
10 a cooperating law enforcement agency; and

11 “(ii) has not been identified, in a list of chief
12 law enforcement officers subsequently distributed to
13 the transferor under paragraph (2)(C)(ii), as the
14 head of a law enforcement agency that has ceased
15 to be a cooperating law enforcement agency.”.

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POLICE EXECUTIVE
RESEARCH FORUM

CHUCK WEXLER
EXECUTIVE DIRECTOR

FOR IMMEDIATE RELEASE

DATE: June 27, 1997

CONTACT: Martha Plotkin 202/466-7820 ext. 232 or Ellen Painter 202/466-7820 ext. 248

**POLICE CHIEFS WILL VOLUNTARILY CONDUCT BRADY
BACKGROUND CHECKS AFTER SUPREME COURT RULING**

Washington, DC—The Police Executive Research Forum (PERF) in response to today's Supreme Court decision on the Brady law announced that it will continue to support voluntary background checks of prospective gun purchasers. While the Court ruled that the federal government could not mandate police chiefs to make reasonable efforts to conduct background checks on people who buy handguns from federally licensed dealers, many law enforcement leaders in affected states are already organizing to do the background checks voluntarily.

According to PERF Executive Director Chuck Wexler, 22 PERF member police agencies in eight of the 22 affected states have already voiced their commitment to voluntarily continue background checks so long as the immunity provisions of the Brady law still apply to their conducting these checks, they maintain access to the national criminal record system, and no other state or federal prohibitions apply. In some states such as Arkansas, Arizona, South Carolina, Kentucky and Ohio, a state agency conducts the Brady background checks for local police agencies, which means police chiefs will be waiting to see how those state agencies decide to act, except in the few instances in which local police departments have existing ordinances to conduct the checks on their own. Chiefs are, of course, counting on the fact that the federal government still mandates federally licensed firearms dealers to submit background requests to their police agencies.

"Compared with the resource investment required to conduct a gun-related homicide investigation—not to mention the immeasurable human costs of gun violence—the

investment that police agencies must make to conduct background checks is very reasonable," remarked Chief Ellen Hanson of Lenexa, Kansas. Hanson is a member of PERF's board of directors and one of the 22 PERF member chiefs who have committed to continuing background checks even though they are no longer required to do so.

PERF joined several other national law enforcement groups in an amicus brief to the Court in support of the Brady law because they know the decision has national impact beyond the 22 "Brady states." Police chiefs know that the Brady background checks provide the kind of national approach needed to address a gun violence problem that is exacerbated by uneven responses among the states.

Evidence shows the Brady law's extraordinary success. According to the Justice Department's Bureau of Justice Statistics, in the first 28 months after Brady was enacted, more than 186,000 illegal gun sales were blocked by background checks, and it is estimated that more than 70 percent of blocked purchase attempts each month involve indicted or convicted felons.

"Police know that it makes no sense to allow felons and purchasers ineligible because of mental illness, domestic violence convictions or other gun possession prohibitions to walk into a gun shop and get a gun—no background check required," said PERF Executive Director Chuck Wexler. "Brady checks may not be a panacea for the nation's gun violence problem, but it is a tremendous step in the right direction—a step police are unwilling to abandon."

PERF is a DC-based think tank and membership organization of progressive police chiefs and criminal justice professionals who serve more than 40 percent of the nation's population. The organization is committed to improving police practices through research, national leadership and debate.

Jun 27 97 11:31p

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p. 1
CHUCK WEXLER
EXECUTIVE DIRECTOR



TELECOPIER INFORMATION SHEET

TIME: _____ A.M. / P.M.

DATE: 6-27-97

This transmission is 3 pages (including cover sheet).

TO: Jose Cerda

Agency/Organization: White House
456-7028

FROM: Martha Plotkin 202-466-7820

COMMENTS:

FYI. Please share with your media staff working on the Brady

decision for possible referral to us on police chief responses.

If you do not receive all pages, please call PERF at (202) 466-7820

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FAX COVER SHEET

DATE: 6-26-97 NO. OF PAGES (INCLUDING COVER): 5

TO: Mr. Jose Cerda

ORGANIZATION: The White House

FAX TELEPHONE #: (202) 456-7028 OFFICE TELEPHONE #: (202) 757-5000

FROM: Dir. Mark G. Spurrier

Legal Division
700 E. Joppa Road, 9th Floor
Towson, Maryland 21286-5501

FAX TELEPHONE #: (410) 887-4933 OFFICE TELEPHONE #: (410) 887-2211

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The Law Enforcement Steering Committee

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

DRAFT

FOR IMMEDIATE RELEASE
June 27, 1997

CONTACT: Mary Malina (202) 833-1460 or
Walt Wallmark (202) 433-9230

WASHINGTON, DC—In the wake of today's Supreme Court's decision to strike down the Brady Law's background check provision, the Law Enforcement Steering Committee (LESC), a coalition of nine national law enforcement organizations, said it will encourage law enforcement to conduct these checks voluntarily since they have proven to be an effective tool in curbing crime.

Hubert Williams, the President of the Police Foundation and Chairman of the LESC, said, "Brady Law background checks are not an onerous burden law enforcement. Law enforcement has long been willing to conduct background checks to keep guns out of the wrong hands."

Law enforcement supports the Brady Law because it is working. Since the law went into effect on February 29, 1994, background checks have stopped nearly 250,000 convicted felons and other prohibited purchasers from buying a handgun. That means every day 157 felons were stopped from buying handguns.

"These and other statistics confirm what America's law enforcement community has always believed," said Hubert Williams, "that the Brady Law will reduce gun crime in America. The law is an important tool in law enforcement's arsenal against crime and violence."

The Brady Law has effectively ended the honor system by which guns were sold over the counter. Prior to the enactment of the Brady Law, in 32 states, any individual already prohibited from possessing a gun, including convicted felons, domestic abusers, the mentally ill or juveniles, could walk into a gun store, fill out a form and walk out with a gun.

LESC stresses that the Brady Law is sound, effective and rational public policy. It addresses one of the most serious conditions we face as a society; a level of violence that affects the safety and well being of our citizens and of the police themselves.

Founded in 1985, the Law Enforcement Steering Committee is a nonpartisan coalition of national law enforcement groups representing over 500,000 police practitioners. Comprised of the Federal Law Enforcement Officers Association, the Fraternal Order of Police, the International Brotherhood of Police Officers, Major Cities Chiefs, the National Association of Police Organizations, the National Organization of Black Law Enforcement Executives, the National Troopers Coalition, the Police Executive Research Forum, and the Police Foundation, LESC embodies an unprecedented cooperative effort among law enforcement research organizations and police management and labor organizations.

-0-

Please note new LESC address effective July 1, 1997:
1201 Connecticut Avenue, N.W., Suite 200
Washington, D.C. 20036

Steering Committee
Members

Federal Law Enforcement
Officers Association
Fraternal Order of Police

International
Brotherhood of
Police Officers
Major Cities Chiefs

National Association of
Police Organizations
National Organization of
Black Law Enforcement
Executives

National Troopers Coalition
Police Executive Research
Forum
Police Foundation

Representing
Policing in
America

TO 8/1/4108874933

0002/004



June 24, 1997

Memorandum

To: Members, Public Safety Telecommunications Coordinating Council (PSTCC)

From: Frank Shafroth

Re: Reconciliation & The Future IV

Update: I spoke with Chairman Domenici's staff this afternoon; they are trying to work with the White House to help put pressure on fixing the giveback language, so this might help in terms of the radar screen for compliance with the budget agreement between the White House and Congress. They have promised to keep us advised.

ACTION

Please find following the proposed letter from *as many public safety organizations as possible* to the House and Senate Commerce Committees:

June 25, 1997

The Honorable Thomas J. Bliley
Chairman, House Commerce Committee
Washington, D.C. 20515

The Honorable John McCain
Chairman, Senate Commerce, Science and Transportation Committee
Washington, D.C. 20510

Dear Chairman Bliley and Chairman McCain:

We are writing on behalf of the organizations representing the men and women who put their lives on the line, day in and day out, to protect and respond to any citizen in danger and to protect property from crimes, fires, accidents, natural and man-made disasters to urge your leadership to ensure that any final reconciliation legislation meet the balanced budget agreement's commitment to public safety. Because the current spectrum available for public safety falls far short of the amount necessary today to protect lives and property and to respond effectively in the event of any threat, we look to your leadership to remove any obstacles in conference that could jeopardize public safety.

We are grateful for your efforts to report legislation requiring the FCC to re-allocate 24 MHz of spectrum for public safety use from the current analog channels 60-69, as the President, Chairman Hundt, and the

PSWAC Commission, the budget agreement, the Attorney General, and Chairman McCain have all recommended. While the basic provisions of the Budget Reconciliation legislation reported by your respective Committees achieve this critical objective, we are deeply concerned that certain other provisions in the versions of each House's bill could completely undermine this very commitment to public safety. Such an outcome would have serious ramifications for the ability of our nation's police, fire, emergency medical, and other public safety personnel to communicate. We cannot afford, as a nation, another repeat of the kinds of telecommunications problems we experienced in Oklahoma City, so we very much hope you will act to resolve these issues in conference, if not sooner.

Our most important concern is with a provision in the House version aimed at protecting low power TV translators, Section 3303(f), which could have the unintended effect of blocking reallocation of the 24 MHz from channels 60-69 to public safety, because the provision appears to make spectrum reallocation for those channels contingent upon finding alternative channels for nearly every displaced low power station. We believe this reallocation will prove to be an impossible task, especially as it relates to urban low power stations for which replacement channels may not exist. The Senate version, Section 3003(h), is preferable because it does not impose this contingency on the 24 MHz to be reallocated for public safety.

Our members are apprehensive that both committees have adopted amendments which could subject the needed allocation of spectrum for public safety to an indefinite transition period. Unfortunately, indefinite delay is not an option when responding to a fire, an automobile accident, a plane crash, or other emergency. In many urban areas, the full 24 MHz of spectrum from channels 60-69 will not be available for public safety use until the end of the digital TV transition, due to the impact of existing full power analog stations and proposed DTV allotments on channels 60-69. We believe that this provision is untenable, with potentially serious consequences, unless the committees agree to a date certain for ensuring the reallocation for these 24 MHz. An indefinite delay in meeting existing, critical needs can only make more difficult meeting the PSWAC recommendations for interoperability and future needs.

From the beginning of our efforts as a coordinating council, we have had to deal with another issue confronting the Congress - efforts by governmental and non-governmental entities to cloak themselves in the mantle of "public safety." The Public Safety Wireless Advisory Council's recommendations on this front were clear: the need was for agencies of state and local governments to receive 24 MHz to meet *existing* needs. We are concerned that both versions of the bill open the door to other entities, diluting whatever resources are made available in a way inconsistent with both the recommendations and the responsibility our members have to any member of the public. This legislation is not the place to redefine who "public safety" professionals are.

It is our hope that this legislation will be something the President can sign and we can celebrate with police and fire officers in every community across the nation. It would be an important first step in bring the nation's safety personnel up to date communications technology. Changes to ensure timely reallocation of 24 MHz would address some of the most immediate concerns identified by PSWAC, but not all of the long term needs. Therefore, any decision by the FCC to auction spectrum should consider the needs of public safety since, once spectrum is sold at auction, it is unlikely ever to be recovered for public safety use. Section 3001(c)(2)(C) of the Senate version reflects this concern, and should be included in the final legislation.

In our view, there is no more important issue affecting public safety pending before the Congress. In the wake of tragic bombings, hurricanes, and flooding, this could address the serious spectrum shortages facing the public safety community. It would be a difference measurable in lives. To achieve this promise will require leadership. We hope that you will support these efforts and make appropriate changes to the pending legislation. We stand ready to work with you and to keep our members apprised of your efforts.

Sincerely,

cc: Senate Commerce Committee Members
House Commerce Committee Members
Senate Budget Committee Members
House Budget Committee Members



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Executive Secretary
B. D. "BUD" STONE
Past President PORAC
Berkeley, CA

Executive Director
ROBERT T. SCULLY
General Counsel
WILLIAM J. JOHNSON
Legislative Consultants
JULES BERNSTEIN
LINDA UPSETT

DATE: _____

TO: Christa & Jose

ORGANIZATION: _____

FAX NUMBER: _____

FROM: Jody

NUMBER OF PAGES INCLUDING COVER: 2

COMMENTS: _____

**If you have any questions regarding this FAX,
please call (202)842-4420.**

THIS FACSIMILE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE RECIPIENT OF THIS FACSIMILE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING THIS FACSIMILE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL FACSIMILE TO US AT THE ABOVE ADDRESS BY THE U.S. POSTAL SERVICE.

THANK YOU.



NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

Representing America's Finest

750 First Street, N.E., Suite 920 • Washington, D.C. 20002-4241

(202) 842-4420 • (800) 322-NAPO • (202) 842-4396 FAX

President

THOMAS J. SCOTTO
President, Detectives'
Endowment Association
of New York City
New York, NY

FOR IMMEDIATE RELEASE
June 27, 1997

CONTACT: JODY HEDEMAN
(202) 842-3560

Executive Director
ROBERT T. SCULLY
Legislative Consultants
JULES BERNSTEIN
LINDA LIPSETT

Executive Vice President

ERNEST W. GEORGE
President, Palm Beach County
Police Benevolent Association
West Palm Beach, FL

NAPO REACTS TO SUPREME COURT DECISION CALLS FOR VOLUNTARY BACKGROUND CHECKS

Recording Secretary
O. J. HOLT

President, Central
Coast Chapter, PORAC
San Jose, CA

WASHINGTON, DC—The National Association of Police Organizations (NAPO) voiced its concern over today's Supreme Court decision to strike down the Brady Law's background check provision, and said that it will encourage law enforcement to continue to conduct these checks on a voluntary basis.

Treasurer
WILLIAM BIRDSEYE
Police Officers
Association of Michigan

"NAPO fought hard for background checks on handgun purchasers," said Robert T. Scully, Executive Director. "It does not create an extra burden on our law enforcement officers -- it helps to save their lives, and the lives of the citizens they are sworn to protect."

Sergeant-at-Arms
MARTIN McKEAN
Executive Secretary,
Ohio PBA
Berea, OH

"According to the Justice Department, to date, background checks authorized under the Brady Law have stopped more than 250,000 prohibited purchasers from buying handguns, including 157 felons everyday," continued Scully.

Executive Secretary
B. D. "BUD" STONE
Past President PORAC
Berkeley, CA

"The police of this country fight the daily battle against crime and put our lives on the line all in a day's work. NAPO calls for the continued use of background checks by all police departments affected by this ruling on a voluntary basis to help our officers in their fight against crime," said Scully.

Today's Supreme Court decision directly affects 23 states (Brady States) who have been operating background checks under the Brady Law, but does not affect 28 other states (Brady Alternates) which conduct their background checks under state laws.

The ruling appears not to have affected the "waiting period" in the 23 "Brady States" which was designed to give law enforcement officers the time they need to conduct background checks, and also serves as a "cooling off period" for handgun purchasers. The National Instant Criminal Background Check System (NICS) is scheduled to be fully operational by November 30, 1998, however, many states have not yet made their computerized criminal history records available through the Interstate Identification Index (III).

"NAPO also calls for the swift cooperation of all states to make their computerized criminal history records available through the Interstate Identification Index," said Scully.

The National Association of Police Organizations (NAPO) is a coalition of police unions and associations from across the United States that serves to advance the interests of America's law enforcement officers through legislative and legal advocacy, political action and education. Founded in 1978, NAPO now represents 4,000 police organizations and nearly 200,000 sworn law enforcement officers.



U.S. Department of Justice
Office of Intergovernmental Affairs

Director

Washington, D.C. 20530

June 27, 1997

MEMORANDUM FOR:

Rahm Emanuel
Assistant to the President

Bruce Reed
Assistant to the President and
Director, Domestic Policy Council

Mickey Ibarra
Assistant to the President and
Director of Intergovernmental Affairs

Maria Echaveste
Assistant to the President and
Director of Public Liaison

Jose Cerda
Senior Policy Advisor
Domestic Policy Council

A handwritten signature in dark ink, appearing to read "N. M. Gess", is written over the typed name of Nicholas M. Gess.

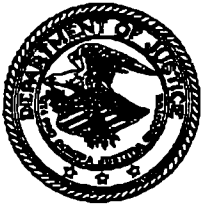
FROM: Nicholas M. Gess
Director of Intergovernmental Affairs
Department of Justice

SUBJECT: Brady Handgun Control Act

Attached please find a copy of a letter issued earlier today by Attorney General Janet Reno and Secretary of the Treasury Robert E. Rubin regarding the Brady Handgun Control Act. This letter is being distributed to all relevant law enforcement.

If you have any questions, please do not hesitate to call me on 514-3465 or Deputy Director Matthew Levine on 514-7399.

Enclosure



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

June 27, 1997

Dear Law Enforcement Colleague:

Earlier today, the Supreme Court ruled that part of the Brady Handgun Control Act is unconstitutional. Although we are disappointed in the Court's decision, we must all abide by it.

All of you should understand that the Supreme Court's decision did not "strike down the Brady Act," "declare it unconstitutional" or any one of a number of broad based and inaccurate statements that you may hear. Rather, the Court simply stated that the federal government cannot require that state, county and municipal officials conduct the checks provided for under the law until November 1998, at which time the National Instacheck System (NICS) will become effective.

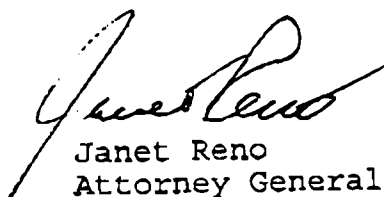
We know that the vast majority of concerned and effective law enforcement officers in this country support and conduct background checks under the Brady Act, not because they are required, but because it is good law enforcement. Therefore, this decision will likely have little impact on law enforcement. Those who wish to purchase a handgun from a licensed federal firearms dealer (FFL) must still complete a background check form under the Brady Act, and the FFL must forward that form to the chief law enforcement officer (CLEO). As before, if, after five days, the CLEO has not advised the FFL not to transfer the handgun, the FFL may sell the handgun to the purchaser.

The sole change occasioned by the Supreme Court decision is that the CLEO is no longer required by federal law to run the Brady background check. We expect and hope that the vast majority of law enforcement agencies in America will continue to run these checks voluntarily because they are saving lives, keeping guns out of the hands of criminals and generally in the best interest of law enforcement. We urge you to continue these checks.

Since the Brady Act went into effect, over 250,000 felons, fugitives and other prohibited persons have been denied handguns. We are making great strides in reducing violent crime in America and our failure to keep up these Brady background checks will seriously undermine all of our efforts in this regard.

We recognize that some CLEOs may still use the Court's decision as an excuse not to conduct Brady background checks. That would be most unfortunate for the people of this country. It is just common sense that we all keep doing whatever we can to keep guns from criminals.

Please do not let America down. Please join responsible law enforcement in continuing to serve and protect the public.



Janet Reno
Attorney General

Sincerely,



Robert E. Rubin
Secretary of the Treasury

PHONE: (202) 466-7820
FAX: (202) 466-7825
TTY: (202) 466-7870



TELECOPIER INFORMATION SHEET

TIME: _____ A.M. / P.M.

DATE: 6-27-97

This transmission is 3 pages (including cover sheet).

TO: Jose Cerda

Agency/Organization: White House
456-7028

FROM: Martha Plotkin 202-466-7820

COMMENTS:

FYI. Please share with your media staff working on the Brady

decision for possible referral to us on police chief responses.

If you do not receive all pages, please call PERF at (202) 466-7820

1120 CONNECTICUT AVENUE, N.W., SUITE 930
WASHINGTON, D.C. 20036
PHONE: (202) 466-7820
FAX: (202) 466-7826
TTY: (202) 466-2670



POLICE EXECUTIVE
RESEARCH FORUM

CHUCK WEXLER
EXECUTIVE DIRECTOR

**Police Executive Research Forum Chiefs
Committed to Voluntarily Conducting Brady Background Checks**

Alaska

Chief Duane Udland/Anchorage PD

Kansas

Chief Ellen Hanson/ Lenexa PD

Chief John Douglass/ Overland Park PD

Chief Philip Major/ Olathe PD

Chief Stephen Cox/ Leawood PD

*Chief xxxxxxxxxxxx/ xxxxxxxx PD

Chief James Hill/ Salina PD

Maine

Chief Michael Chitwood/Portland PD

Mississippi

Chief Robert Johnson/Jackson PD

New Mexico

Chief Joseph Polisar/Albuquerque PD

Ohio

Chief Michael Snowden/Cincinnati PD

Chief Gerald Galvin/Toledo PD

Oklahoma

Chief Earl Shirley/Yukon PD

Texas

Chief Bruce Glasscock/Plano PD

Chief Richard Czech/ Midland PD

Chief Felipe Garza/Kingsville PD

Chief Al Philippus/ San Antonio PD

Chief Kenneth Yarbrough/Richardson PD

Chief Melvin Martin/ Abilene PD

*Chief xxxxxxxxxxxxxxxxxxxx PD

*Chief xxxxxxxxxxxx/ xxxxxxxx PD

Chief Ken Walker/ Lubbock PD

***Chief is willing to conduct the checks voluntarily, but does not want to have press calls referred.**

Please call Martha Plotkin, director of communications, at 202/466-7820 x232 if you need phone numbers for the chiefs, their public information officers or Brady background check staff.

PERF is a DC-based think tank and membership organization of progressive police chiefs and criminal justice professionals who serve more than 40 percent of the nation's population. The organization is committed to improving police practices through research, national leadership and debate.

ARAPAHOE COUNTY SHERIFF'S OFFICE

5686 S. Court Place
Littleton, Colorado 80120-1200

FAX TRANSMITTAL SHEET

TO: Jose Cerda Date: Jun 24 1997
Office of Domestic Policy Time: _____
From: Pat Sullivan, Jr., Sheriff

FAX (303)Phone (303)

 x 797-4444 Sheriff's Administration.....795-4702
 797-4407 Budget.....795-4708

Total number of pages 6 , including this page.

Remarks:

ARAPAHOE COUNTY SHERIFF'S OFFICE

5686 S. Court Pl. • Littleton, Colorado 80120-1200

PATRICK J. SULLIVAN JR., SHERIFF

(303) 795-4711

June 24, 1997

Mr. Vincent Carroll
Editorial Editor
Rocky Mountain News
400 West Colfax
PO Box 719
Denver, CO 80204

Dear Mr. Carroll:

This week the United States Supreme Court will issue 16 landmark legal rulings. Among those 16 is the case involving the Brady Handgun Purchaser Check mandated by Congress to be performed by the Chief Law Enforcement Official (CLEO) for the jurisdiction where the retail handgun purchase is to occur. This is a federal law applying to all 50 states. Some states, such as California, already had a state law in place requiring such a check plus a waiting period. A state was exempt from the Federal Brady Act if it had state legislation that met Federal Brady Standards.

Colorado had no such law and therefore would be subject to all the provision of the November 1993 Federal Brady Act requiring local CLEO's to do the Brady Check for new retail handgun purchases in their respective jurisdictions throughout Colorado.

We, the County Sheriff's of Colorado, Inc. along with Detective Tony Lombard, Denver P. D.'s legislative representative approached the Speaker of the Colorado House Chuck Berry and the President of the Senate Tom Norton with the existing Virginia Instant Check Law that met all the Federal Brady Check requirements. We asked Speaker Berry and President Norton to assign sponsors and fast track a Colorado law through the Colorado Legislature to be in place by the time the Federal Brady Check law became effective on February 28, 1994.

Please find a copy of House Bill 94-1276 by Representative David Owen and Senator Jim Rizzuto signed into law on Saturday, February 26, 1994, by Governor Roy Romer.

We, therefore, think the efforts of the County Sheriff's of Colorado, Inc., Tony Lombard of Denver P. D., Speaker Berry and President Norton with sponsorship of the bill by Representative Owen and Senator Rizzuto avoided a federal mandate on the CLEO's of Colorado, but still accomplished what the Federal Brady Act intended.

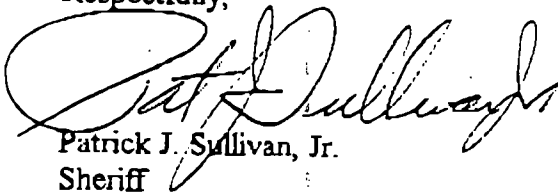


We feel that this weeks Supreme Court decision probably will not have any impact on the Colorado Brady Instant Check Program operated by the Colorado Bureau of Investigation.

We support our Colorado Instant Check as a rational approach to taking effective steps to keep handguns out of the hands of prohibited individuals. Those who say criminals will not try to buy a handgun over the counter in a retail establishment are very wrong. See the 1996 CBI Colorado Instant Check results enclosed to prove this point. In 1996 in Colorado, the Colorado Brady Instant Check Program stopped 2557 prohibited individuals from purchasing a handgun over the counter. 185 of those prohibited individuals were subject to restraining orders, most issued out of Domestic Violence cases. The Colorado Brady Instant Check is working in Colorado.

We as a nation, a state and local jurisdictions must face up to the tragic toll handguns are taking in our society particularly among our youth. We hope the Colorado Brady Instant Check Program survives the standards that may come down from the U. S. Supreme Court this week. It's a rational approach that does not bar law abiding citizens the opportunity to purchase a handgun for self protection or to protect their family, guests or employees.

Respectfully,



Patrick J. Sullivan, Jr.
Sheriff

Chairman, Congressional Affairs Committee,
National Sheriff Association

Enclosures

COLORADO - BRADY ACT STATS FOR YEAR ENDING 1996
COMPILED ON 1/5/97 AT 9:00 AM

1996	APPROVED	PERCENT	DENIED	PERCENT	TOTAL
	48,438	94%	3,010	6%	51,448

CAUSE FOR DENIAL SUMMARY

1996	ARRESTS	CONVICTIONS	FUGITIVE	RESTRAINT
RESTRAINT	0	0	0	185
HOMICIDE	30	5	0	0
KIDNAPPING	13	1	0	0
SEXUAL ASSAULT	70	19	0	0
ROBBERY	62	18	1	0
ASSAULT	935	118	9	0
BURGLARY	217	78	2	0
DRUGS	387	92	5	0
ALL OTHER	728	162	48	0
TOTALS	2,442	479	65	185

APPEALS	RECEIVED	REVERSED
1996	839	614

FOOTNOTE:

THE ABOVE STATISTICS MAY CHANGE AFTER PUBLICATION
 DUE TO THE REVERSAL OF A TRANSACTION DENIAL DUE TO
 SUCCESSFUL APPEAL, AND/OR DUE TO THE DISCOVERY OF NEW
 INFORMATION THAT RESULTS IN THE REVERSAL OF AN
 EARLIER APPROVAL

COLORADO - BRADY ACT STATS FOR MAY 1997
 COMPILED ON 5/2/97 AT 11:30 AM

MONTH	APPROVED	PERCENT	DENIED	PERCENT	TOTAL
MAY	3.451	93%	247	7%	3.698

CAUSE FOR DENIAL SUMMARY

MAY	ARRESTS	CONVICTIONS	FUGITIVE	RESTRAINT
RESTRAINT	0	0	0	27
HOMICIDE	2	4	0	0
KIDNAPPING	1	0	0	0
SEXUAL ASSAULT	9	1	1	0
ROBBERY	4	0	0	0
ASSAULT	69	8	0	0
BURGLARY	15	2	1	0
DRUGS	39	8	0	0
ALL OTHER	58	13	3	0
TOTALS	197	36	5	27

APPEALS	RECEIVED	REVERSED
MAY	71	59

FOOTNOTE:

THE ABOVE STATISTICS MAY CHANGE AFTER PUBLICATION
 DUE TO THE REVERSAL OF A TRANSACTION DENIAL DUE TO
 SUCCESSFUL APPEAL, AND/OR DUE TO THE DISCOVERY OF NEW
 INFORMATION THAT RESULTS IN THE REVERSAL OF AN
 EARLIER APPROVAL

GLOSSARY

Approved	No reason was found to deny approval for the handgun transaction.
Arrest	An arrest record was found, lacking a final disposition, for which, if there were a conviction, would by law prohibit the person from possessing a firearm.
Conviction	A conviction record was found for a crime that, by federal law, prohibits the person from possessing a firearm.
Denial	The handgun transaction was denied. This means the transaction was "disapproved" pursuant to State and Federal law.
Denied	Reason was found to disapprove or to deny the handgun transaction.
Fugitive	An active arrest warrant was found for the person seeking to acquire a handgun. The law prohibits a fugitive from justice from possessing a firearm.



U.S. Department of Justice
Office of Intergovernmental Affairs

Director

Washington, D.C. 20530

June 27, 1997

MEMORANDUM FOR:

Rahm Emanuel
Assistant to the President

Bruce Reed
Assistant to the President and
Director, Domestic Policy Council

Mickey Ibarra
Assistant to the President and
Director of Intergovernmental Affairs

Maria Echaveste
Assistant to the President and
Director of Public Liaison

Jose Cerda
Senior Policy Advisor
Domestic Policy Council

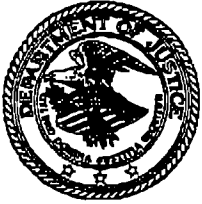
FROM: Nicholas M. Gess
Director of Intergovernmental Affairs
Department of Justice

SUBJECT: Brady Handgun Control Act

Attached please find a copy of a letter issued earlier today by Attorney General Janet Reno and Secretary of the Treasury Robert E. Rubin regarding the Brady Handgun Control Act. This letter is being distributed to all relevant law enforcement.

If you have any questions, please do not hesitate to call me on 514-3465 or Deputy Director Matthew Levine on 514-7399.

Enclosure



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

June 27, 1997

Dear Law Enforcement Colleague:

Earlier today, the Supreme Court ruled that part of the Brady Handgun Control Act is unconstitutional. Although we are disappointed in the Court's decision, we must all abide by it.

All of you should understand that the Supreme Court's decision did not "strike down the Brady Act," "declare it unconstitutional" or any one of a number of broad based and inaccurate statements that you may hear. Rather, the Court simply stated that the federal government cannot require that state, county and municipal officials conduct the checks provided for under the law until November 1998, at which time the National Instacheck System (NICS) will become effective.

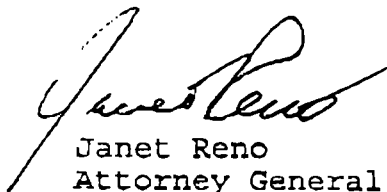
We know that the vast majority of concerned and effective law enforcement officers in this country support and conduct background checks under the Brady Act, not because they are required, but because it is good law enforcement. Therefore, this decision will likely have little impact on law enforcement. Those who wish to purchase a handgun from a licensed federal firearms dealer (FFL) must still complete a background check form under the Brady Act, and the FFL must forward that form to the chief law enforcement officer (CLEO). As before, if, after five days, the CLEO has not advised the FFL not to transfer the handgun, the FFL may sell the handgun to the purchaser.

The sole change occasioned by the Supreme Court decision is that the CLEO is no longer required by federal law to run the Brady background check. We expect and hope that the vast majority of law enforcement agencies in America will continue to run these checks voluntarily because they are saving lives, keeping guns out of the hands of criminals and generally in the best interest of law enforcement. We urge you to continue these checks.

Since the Brady Act went into effect, over 250,000 felons, fugitives and other prohibited persons have been denied handguns. We are making great strides in reducing violent crime in America and our failure to keep up these Brady background checks will seriously undermine all of our efforts in this regard.

We recognize that some CLEOs may still use the Court's decision as an excuse not to conduct Brady background checks. That would be most unfortunate for the people of this country. It is just common sense that we all keep doing whatever we can to keep guns from criminals.

Please do not let America down. Please join responsible law enforcement in continuing to serve and protect the public.



Janet Reno
Attorney General

Sincerely,



Robert E. Rubin
Secretary of the Treasury

ARAPAHOE COUNTY SHERIFF'S OFFICE

5686 S. Court Place
Littleton, Colorado 80120-1200

FAX TRANSMITTAL SHEET

To: JOSE CERDA Date: June 27, 1997

OFFICE OF DOMESTIC POLICY Time: 10:15 a.m.

From: PATRICK J. SULLIVAN, JR. SHERIFF

FROM: FAX (303) Phone (303)

XX 797-4444 Sheriff's Administration..... 795-4702

Total number of pages 4, including this page.

Remarks:

ARAPAHOE COUNTY SHERIFF'S OFFICE

5686 S. Court Pl. • Littleton, Colorado 80120-1200

PATRICK J. SULLIVAN JR., SHERIFF

(303) 795-4711

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: News Editors/News DirectorsFROM: Sheriff Patrick J. Sullivan, Jr. DATE: June 27, 1997TIME: 9:30 a.m.Total number of pages 6, including this page.

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL BACK AS SOON AS POSSIBLE. PHONE (303) 795-4702

M E D I A R E L E A S E**COLORADO BRADY INSTANT CHECK**

This week the United States Supreme Court will issue 16 landmark legal rulings. Among those 16 is the case involving the Brady Handgun Purchaser Check mandated by Congress to be performed by the Chief Law Enforcement Official (CLEO) for the jurisdiction where the retail handgun purchase is to occur. This is a federal law applying to all 50 states. Some states, such as California, already had a state law in place requiring such a check plus a waiting period. A state was exempt from the Federal Brady Act if it had state legislation that met Federal Brady Standards.

Colorado had no such law and therefore would be subject to all the provision of the November 1993 Federal Brady Act requiring local CLEO's to do the Brady Check for new retail handgun purchases in their respective jurisdictions throughout Colorado.

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News Editors/News Directors
June 27, 1997
Page 2

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We, therefore, think the efforts of the County Sheriffs of Colorado, Inc., Tony Lombard of Denver P. D., Speaker Berry and President Norton with sponsorship of the bill by Representative Owen and Senator Rizzuto **avoided a federal mandate on the CLEO's of Colorado**, but still accomplished what the Federal Brady Act intended. Only 23 states are now affected by the Federal Brady Background check by local CLEO's.

We feel that today's Supreme Court 5-4 decision probably does not have any impact on the Colorado Brady Instant Check Program operated by the Colorado Bureau of Investigation since Colorado passed its own law that does not mandate background checks by CLEO's.

We support our Colorado Instant Check as a rational approach to taking effective steps to keep handguns out of the hands of prohibited individuals. Those who say criminals will not try to buy a handgun over the counter in a retail establishment are very wrong. See the 1996 CBI Colorado Instant Check results enclosed to prove this point. In 1996 in Colorado, the Colorado Brady Instant Check Program stopped 2557 prohibited individuals from purchasing a handgun over the counter. 185 of those prohibited individuals were subject to restraining orders, most issued out of Domestic Violence cases. The Colorado Brady Instant Check is working in Colorado.

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News Editors/News Directors

June 27, 1997

Page 3

For further information contact Sheriff Pat J. Sullivan, Jr.,
Chairman, Congressional Affairs Committee, National Sheriffs'
Association, 303-795-4701.



FAX TRANSMITTAL SHEET

DATE 7/2 #OF PAGES 3
(including cover sheet)

FAX# 456-702-8

PHONE# _____

TO: Tore Linder

FROM: Margy Wheeler 608-1237

COMMENTS:

- If you need to track down Eric Fingerhelt - let me know.
- Anne Saunders will call w/ Will's vitals --

IF THERE IS A PROBLEM WITH THIS TRANSMISSION
PLEASE CONTACT:

2167812988 FED FOR COMM PLANN

151 P02

JUN 30 '97 19:38

HANDGUN CONTROL FEDERATION OF OHIO

**For immediate release
June 27, 1997**

**Contact: Handgun Control Federation of Ohio
(216) 561-3663**

Or

**Eric D. Fingerhut
(216) 283-5682**

MONTGOMERY PUTS OHIO CITIZENS AT RISK

TODAY(June 27, 1997) --- In a move likely to endanger the lives of many Ohioans, Ohio Attorney General Betty D. Montgomery announced the State will stop conducting background checks on gun purchasers effective immediately.

"Montgomery's decision was an unnecessary and irresponsible response to today's U.S. Supreme Court ruling permitting, rather than requiring states to conduct background checks," said Handgun Control Federation of Ohio President Eric D. Fingerhut. "The Supreme Court ruling does not prohibit States from doing background checks. It simply says the federal government can not compel States to conduct them."

In addition to this unwise decision, other statements made by Montgomery are clearly false. The federal government, in fact does not have a system to pick up where Ohio leaves off.

The following excerpt from a statement released by her office today is misleading to the public: "This decision leaves the Brady handgun check still in place, but effectively ends Ohio's involvement as the means to carry out that background check. That responsibility will now be taken back by the federal government."

To tell the citizens of Ohio the federal government is prepared to take on this responsibility is simply untrue, Fingerhut said.

This unilateral decision flies in the face of the overwhelming opinion polls of Ohioans who support the background checks. "For the safety and well-being of all Ohioans, it is our organizations hope Ms. Montgomery will rescind her order and reinstate background checks."

Since the Brady Bill's enactment (1993), the background check has caught 1206 felons in Ohio and 250,000 nationwide, trying to buy guns.

1120 CONNECTICUT AVENUE, N.W., SUITE 930
WASHINGTON, D.C. 20036
PHONE: (202) 466-7820
FAX: (202) 466-7826
TTY: (202) 466-2670



POLICE EXECUTIVE
RESEARCH FORUM

CHUCK WEXLER
EXECUTIVE DIRECTOR

FOR IMMEDIATE RELEASE

DATE: June 27, 1997

CONTACT: Martha Plotkin 202/466-7820 ext. 232 or Ellen Painter 202/466-7820 ext. 248

**POLICE CHIEFS WILL VOLUNTARILY CONDUCT BRADY
BACKGROUND CHECKS AFTER SUPREME COURT RULING**

Washington, DC—The Police Executive Research Forum (PERF) in response to today's Supreme Court decision on the Brady law announced that it will continue to support voluntary background checks of prospective gun purchasers. While the Court ruled that the federal government could not mandate police chiefs to make reasonable efforts to conduct background checks on people who buy handguns from federally licensed dealers, many law enforcement leaders in affected states are already organizing to do the background checks voluntarily.

According to PERF Executive Director Chuck Wexler, 22 PERF member police agencies in eight of the 22 affected states have already voiced their commitment to voluntarily continue background checks so long as the immunity provisions of the Brady law still apply to their conducting these checks, they maintain access to the national criminal record system, and no other state or federal prohibitions apply. In some states such as Arkansas, Arizona, South Carolina, Kentucky and Ohio, a state agency conducts the Brady background checks for local police agencies, which means police chiefs will be waiting to see how those state agencies decide to act, except in the few instances in which local police departments have existing ordinances to conduct the checks on their own. Chiefs are, of course, counting on the fact that the federal government still mandates federally licensed firearms dealers to submit background requests to their police agencies.

"Compared with the resource investment required to conduct a gun-related homicide investigation—not to mention the immeasurable human costs of gun violence—the

investment that police agencies must make to conduct background checks is very reasonable," remarked Chief Ellen Hanson of Lenexa, Kansas. Hanson is a member of PERF's board of directors and one of the 22 PERF member chiefs who have committed to continuing background checks even though they are no longer required to do so.

PERF joined several other national law enforcement groups in an amicus brief to the Court in support of the Brady law because they know the decision has national impact beyond the 22 "Brady states." Police chiefs know that the Brady background checks provide the kind of national approach needed to address a gun violence problem that is exacerbated by uneven responses among the states.

Evidence shows the Brady law's extraordinary success. According to the Justice Department's Bureau of Justice Statistics, in the first 28 months after Brady was enacted, more than 186,000 illegal gun sales were blocked by background checks, and it is estimated that more than 70 percent of blocked purchase attempts each month involve indicted or convicted felons.

"Police know that it makes no sense to allow felons and purchasers ineligible because of mental illness, domestic violence convictions or other gun possession prohibitions to walk into a gun shop and get a gun—no background check required," said PERF Executive Director Chuck Wexler. "Brady checks may not be a panacea for the nation's gun violence problem, but it is a tremendous step in the right direction—a step police are unwilling to abandon."

PERF is a DC-based think tank and membership organization of progressive police chiefs and criminal justice professionals who serve more than 40 percent of the nation's population. The organization is committed to improving police practices through research, national leadership and debate.

**International
Union of Police
Associations**



TO: Kyle Green FAX #: 202-456-7431
FROM: Rich Roberts, Public Information Officer PHONE: 703-549-7473
DATE: June 27, 1997
RE: Brady Decision

The Executive Committee of the International Union of Police Associations was disappointed in the Supreme Court ruling striking down the requirement that local police run background checks on prospective gun buyers. They stated that while sympathetic with the additional administrative burden that some law enforcement executives may feel is imposed by the background check requirement, it is not unreasonable as an interim measure until the federal government can implement a national system of instant checks. According to the police union leaders, it is not only in the interest of the general public safety to reduce the number of weapons available to convicted criminals, it is also in the interest of the safety of the rank and file law enforcement officers who must face those criminals on a daily basis.

They were equally pleased that the court chose to not address the issue of a waiting period and expressed the hope that by maintaining the waiting period and improving the speed with which background checks can be made, further progress can be made in reducing the availability of handguns to criminals. The I.U.P.A. Executive Committee is made up of senior union officials, all of whom are retired career law enforcement officers. All union members are active duty, full time field level law enforcement personnel.



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

June 27, 1997

Dear Law Enforcement Colleague:

Earlier today, the Supreme Court ruled that part of the Brady Handgun Control Act is unconstitutional. Although we are disappointed in the Court's decision, we must all abide by it.

All of you should understand that the Supreme Court's decision did not "strike down the Brady Act," "declare it unconstitutional" or any one of a number of broad based and inaccurate statements that you may hear. Rather, the Court simply stated that the federal government cannot require that state, county and municipal officials conduct the checks provided for under the law until November 1998, at which time the National Instacheck System (NICS) will become effective.

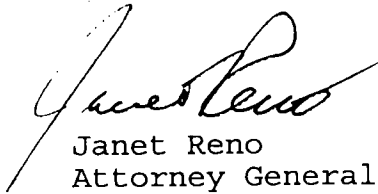
We know that the vast majority of concerned and effective law enforcement officers in this country support and conduct background checks under the Brady Act, not because they are required, but because it is good law enforcement. Therefore, this decision will likely have little impact on law enforcement. Those who wish to purchase a handgun from a licensed federal firearms dealer (FFL) must still complete a background check form under the Brady Act, and the FFL must forward that form to the chief law enforcement officer (CLEO). As before, if, after five days, the CLEO has not advised the FFL not to transfer the handgun, the FFL may sell the handgun to the purchaser.

The sole change occasioned by the Supreme Court decision is that the CLEO is no longer required by federal law to run the Brady background check. We expect and hope that the vast majority of law enforcement agencies in America will continue to run these checks voluntarily because they are saving lives, keeping guns out of the hands of criminals and generally in the best interest of law enforcement. We urge you to continue these checks.

Since the Brady Act went into effect, over 250,000 felons, fugitives and other prohibited persons have been denied handguns. We are making great strides in reducing violent crime in America and our failure to keep up these Brady background checks will seriously undermine all of our efforts in this regard.

We recognize that some CLEOs may still use the Court's decision as an excuse not to conduct Brady background checks. That would be most unfortunate for the people of this country. It is just common sense that we all keep doing whatever we can to keep guns from criminals.

Please do not let America down. Please join responsible law enforcement in continuing to serve and protect the public.



Janet Reno
Attorney General

Sincerely,



Robert E. Rubin
Secretary of the Treasury



P R E S S R E L E A S E

FOR IMMEDIATE RELEASE
June 27, 1996

CONTACT: Mary Malina
(202) 833-1460

WASHINGTON, DC—In the wake of today's Supreme Court decision to strike down the Brady Law's background check provisions, the Police Foundation, a private, independent, nonprofit organization dedicated to supporting innovation and improvement in policing, urges law enforcement agencies to continue to conduct these checks on a voluntary basis.

Police Foundation President Hubert Williams said, "The Brady Law works. Since the law went into effect on February 29, 1994, background checks have stopped nearly 250,000 convicted felons and other prohibited purchasers from buying a handgun. Every day 157 felons were stopped from buying handguns because of Brady background checks."

Prior to the enactment of the Brady Law, in 32 states, anyone including convicted felons, domestic abusers, the mentally ill, or juveniles could walk into a gun store, fill out a form, and walk out with a gun.

"For 6 years, America's law enforcement community worked tirelessly for passage of the Brady Law, and believes that background checks have reduced gun crime in America. It is our hope that law enforcement will continue to employ this important tool in its arsenal against crime and violence," said Williams.

The Law Enforcement Steering Committee

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

FOR IMMEDIATE RELEASE
June 27, 1997

CONTACT: Mary Malina (202) 833-1460 or
Walt Wallmark (202) 433-9230

WASHINGTON, DC—In the wake of today's Supreme Court's decision to strike down the Brady Law's background check provision, the Law Enforcement Steering Committee (LESC), a coalition of nine national law enforcement organizations, said it will encourage law enforcement to conduct these checks voluntarily since they have proven to be an effective tool in curbing crime.

Hubert Williams, the President of the Police Foundation and Chairman of the LESC, said, "Brady Law background checks are not an onerous burden law enforcement. Law enforcement has long been willing to conduct background checks to keep guns out of the wrong hands."

Law enforcement supports the Brady Law because it is working. Since the law went into effect on February 29, 1994, background checks have stopped nearly 250,000 convicted felons and other prohibited purchasers from buying a handgun. That means every day 157 felons were stopped from buying handguns.

"These and other statistics confirm what America's law enforcement community has always believed," said Hubert Williams, "that the Brady Law will reduce gun crime in America. The law is an important tool in law enforcement's arsenal against crime and violence."

The Brady Law has effectively ended the honor system by which guns were sold over the counter. Prior to the enactment of the Brady Law, in 32 states, any individual already prohibited from possessing a gun, including convicted felons, domestic abusers, the mentally ill or juveniles, could walk into a gun store, fill out a form and walk out with a gun.

LESC stresses that the Brady Law is sound, effective and rational public policy. It addresses one of the most serious conditions we face as a society; a level of violence that affects the safety and well being of our citizens and of the police themselves.

Founded in 1985, the Law Enforcement Steering Committee is a nonpartisan coalition of national law enforcement groups representing over 500,000 police practitioners. Comprised of the Federal Law Enforcement Officers Association, the Fraternal Order of Police, the International Brotherhood of Police Officers, Major Cities Chiefs, the National Association of Police Organizations, the National Organization of Black Law Enforcement Executives, the National Troopers Coalition, the Police Executive Research Forum, and the Police Foundation, LESC embodies an unprecedented cooperative effort among law enforcement research organizations and police management and labor organizations.

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Please note new LESC address effective July 1, 1997:
1201 Connecticut Avenue, N.W., Suite 200
Washington, D.C. 20036

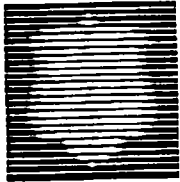
Steering Committee
Members

Federal Law Enforcement
Officers Association
Fraternal Order of Police

International
Brotherhood of
Police Officers
Major Cities Chiefs

National Association of
Police Organizations
National Organization of
Black Law Enforcement

National Troopers Coalition
Police Executive Research
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Representing
Policing in
America



IACP NEWS



International Association of Chiefs of Police / 515 N. Washington Street / Alexandria, Virginia 22314-2357 / 703 836-6767

FOR IMMEDIATE RELEASE
FRIDAY, JUNE 26, 1997

CONTACT: SARA JOHNSON
703/836-6767

SUPREME COURT RULING ON THE BRADY LAW

ALEXANDRIA, VIRGINIA -- IACP President Darrell L. Sanders, Chief of Police in Frankfort, Illinois, issued the following statement today in the wake of the U.S. Supreme Court ruling on the Brady Law:

"Members of the International Association of Chiefs of Police have known for decades that requiring handgun purchasers to undergo background checks and waiting periods is good policing and good crime prevention.

It is this view that prompted our support for the Brady Act and we certainly have been pleased with the results that have been achieved since its enactment.

Today's Supreme Court decision strikes down the law's mandatory requirement but allows for law enforcement to continue to conduct Brady checks.

I know that police chiefs around the country will continue to conduct these checks in large numbers, wherever and whenever they can.

We look forward to working with the President and members of his Administration along with leaders in the House and Senate to find ways to encourage greater use of the important and valuable provisions of this law in the weeks and months ahead."

The International Association of Chiefs of Police is the world's oldest and largest non-profit organization of police executives. Established in 1893, the IACP has more than 16,000 members in 92 countries.

* * *



NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

Representing America's Finest

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Legislative Consultants
JULES BERNSTEIN
LINDA LIPSETT

FOR IMMEDIATE RELEASE
June 27, 1997

CONTACT: JODY HEDEMAN
(202) 842-3560

NAPO REACTS TO SUPREME COURT DECISION CALLS FOR VOLUNTARY BACKGROUND CHECKS

WASHINGTON, DC-The National Association of Police Organizations (NAPO) voiced its concern over today's Supreme Court decision to strike down the Brady Law's background check provision, and said that it will encourage law enforcement to continue to conduct these checks on a voluntary basis.

"NAPO fought hard for background checks on handgun purchasers," said Robert T. Scully, Executive Director. "It does not create an extra burden on our law enforcement officers — it helps to save their lives, and the lives of the citizens they are sworn to protect."

"According to the Justice Department, to date, background checks authorized under the Brady Law have stopped more than 250,000 prohibited purchasers from buying handguns, including 157 felons everyday," continued Scully.

"The police of this country fight the daily battle against crime and put our lives on the line all in a day's work. NAPO calls for the continued use of background checks by all police departments affected by this ruling on a voluntary basis to help our officers in their fight against crime," said Scully.

Today's Supreme Court decision directly affects 23 states (Brady States) who have been operating background checks under the Brady Law, but does not affect 28 other states (Brady Alternates) which conduct their background checks under state laws.

The ruling appears not to have affected the "waiting period" in the 23 "Brady States" which was designed to give law enforcement officers the time they need to conduct background checks, and also serves as a "cooling off period" for handgun purchasers. The National Instant Criminal Background Check System (NICS) is scheduled to be fully operational by November 30, 1998, however, many states have not yet made their computerized criminal history records available through the Interstate Identification Index (III).

"NAPO also calls for the swift cooperation of all states to make their computerized criminal history records available through the Interstate Identification Index," said Scully.

The National Association of Police Organizations (NAPO) is a coalition of police unions and associations from across the United States that serves to advance the interests of America's law enforcement officers through legislative and legal advocacy, political action and education. Founded in 1978, NAPO now represents 4,000 police organizations and nearly 200,000 sworn law enforcement officers.

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INTERNATIONAL BROTHERHOOD OF POLICE OFFICERS
A DIVISION OF THE NATIONAL ASSOCIATION OF GOVERNMENT EMPLOYEES, AFL-CIO

317 South Patrick Street, Alexandria, VA 22314
Telephone 703/519-0300 Fax 703/519-0311 E-mail nage @ crols.com



FOR IMMEDIATE RELEASE
June 27, 1997

Contact: Chris Donnellan
(703) 519-0300

STATEMENT OF

KENNETH T. LYONS
NATIONAL PRESIDENT
INTERNATIONAL BROTHERHOOD OF POLICE OFFICERS

Today, the Supreme Court ruled one provision of the Brady Law unconstitutional. That provision is a requirement that state and local law enforcement officials make a reasonable effort to conduct a background check on handgun purchasers.

The IBPO along with other law enforcement organizations worked long and hard for passage of the Brady Bill. Police organizations know first hand that background checks work. Since the Brady Law went into effect, background checks have stopped more than 250,000 prohibited purchasers from buying handguns, including 157 felons a day,

This decision by the Supreme Court will not end background checks in every state. Today's decision will effect 23 states. The other 27 states have their own laws requiring a background check.

As President of the International Brotherhood of Police Officers, I urge local and state law enforcement agencies to voluntarily continue background checks. The reason for this request is simple. The Brady Law works! Handgun crimes have declined dramatically after passage of this law. Police officers know first hand the success of the Brady Bill.

The IBPO is an affiliate of the Service Employees International Union. It is the largest police union in the AFL-CIO representing over 40,000 police officers nationwide.



FRA' ERNAL OR DER OF POL CE NATIONAL LEGISLATIVE PROGRAM

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NATIONAL VICE PRESIDENT
CHAIRMAN, NATIONAL LEGISLATIVE COMMITTEE

FOR IMMEDIATE RELEASE
27 JUNE 1997

CONTACT: JIM PASCO
(202) 547-8189

NATIONAL FRATERNAL ORDER OF POLICE DOWNPLAYS BRADY DECISION

Today's Supreme Court decision overturning the Brady Law on the basis that it violates the Tenth Amendment will have very limited impact on public safety and law enforcement efforts to prevent criminals from illegally obtaining firearms.

"The battle to ensure that criminals do not obtain weapons from Federally licensed firearms dealers will go on," said Gilbert G. Gallegos, National President of the Fraternal Order of Police. "We urge the public not to be taken in by the special interests who would portray this decision as either a great victory or a great defeat for reasonable regulation of firearms. It is neither--it's just a little bump in the road to sane firearms policy."

The Fraternal Order of Police played a pivotal role in the debate and eventual adoption of the Brady Law and we remain committed to the merits of that legislation. Its passage caused many States, particularly larger, more populous States with high violent crime rates to recognize the value of what the Brady Law set out to do--keep guns out of the hands of criminals. To this end, many States have already moved to the next level of Brady--"instant check" systems--a more efficient and less costly way to accomplish the aims of the Brady Law.

Law enforcement officers are not compelled to make "Brady checks"--but they can. Several States have already committed to continue doing Brady checks, today's decision notwithstanding. The waiting period to purchase firearms is still in place, as are the rules regarding the completion of the "Brady forms." This decision, therefore, affects a very narrow population--those from smaller, less populous States with significantly less violent crime.

The Fraternal Order of Police remains committed to the intent of the Brady Law and our attorneys will be studying the decision announced today. Further action will be considered by the F.O.P. National Board at the 53rd Biennial Conference in Orlando, Florida, August 3rd-6th.

"While other organizations may try to maximize the effect of this decision for political ends through strident rhetoric, the Fraternal Order of Police maintains that it will have a very minimal real effect on public safety. We remain committed to working toward a safer America for our officers and our families, and toward reasonable measures which will help us achieve that goal," said Gallegos.

The Fraternal Order of Police is the largest organization of law enforcement professionals in the United States, with over 278,000 members.

SIGNING OF THE DRUG-FREE COMMUNITIES ACT OF 1997

Today, the President will be joined by General McCaffrey, Secretary Shalala, Members of Congress, and leaders of community anti-drug organizations to sign the Drug-Free Communities Act of 1997. At this Roosevelt Room event, the President will also reiterate his commitment to a thorough public health review of the tobacco settlement. Secretary Shalala and Domestic Policy Advisor Bruce Reed will be opening the press briefing later in the day.

DRUG-FREE COMMUNITIES ACT OF 1997

The Drug-Free Communities Act represents a targeted effort by Congress to rechannel existing federal drug-control money into community-based programs focused on preventing and treating teenage substance abuse. The measure, authored by Congressman Rob Portman (R-OH) and originally co-sponsored by Congressman Sandy Levin (D-MI), Congressman Hastert (R-IL), and Congressman Rangel (R-NY), engendered broad bipartisan support as evidenced by a 420-1 vote in the House and Senate passage by voice vote. The measure represents a significant collaboration between Congressman Portman and the Office of National Drug Control Policy which has resulted in a strong Congressional endorsement of community-based drug prevention programs.

The measure will authorize the Office of National Drug Control Policy (ONDCP) to spend up to \$143.5 million over five years (\$10 million in FY'98 with increasing amounts in each fiscal year culminating in \$43.5 million for FY 2002) to support long-term, community-based substance abuse programs that meet the following criteria:

- 1) programs must show a comprehensive approach and community-wide leadership and commitment for reducing and preventing drug abuse;
- 2) programs must develop a self-evaluation process and raise funds to match the federal grant dollar for dollar (grants are capped at \$100,000);
- 3) programs must maintain substantial volunteer involvement from youth, parents, schools, religious leaders, police officials and others; and
- 4) programs must develop and demonstrate financial support that will continue after the federal grant is expended.

The bill would establish an 11-member commission to advise the Director of ONDCP on the design and implementation of the grant program established by the bill. The members of the commission will be appointed by the President and must have a demonstrated interest and expertise in substance abuse reduction programs.

President Clinton: Building Stronger Communities by Combatting Drug Use

Historic and High Profile Anti-Drug Strategy

The largest anti-drug budgets ever. Year-in and year-out, President Clinton has proposed the largest anti-drug budgets ever, including this year's proposed \$16 billion. [ONDCP, The National Drug Control Strategy, 1997: Budget Summary, 1997]

Elevated the Drug Czar to a Cabinet Position. President Clinton is the first President to make the Director of National Drug Control Policy a Cabinet position. [U.P.I. 7/1/1993] He appointed four-star general, Barry McCaffrey, to lead our nation's fight against drugs.

Developed a comprehensive National Drug Control Strategy that will reduce illegal drug use through law enforcement, prevention, treatment, interdiction and international efforts. [Office of National Drug Control Strategy (ONDCP), National Drug Control Strategy, 1997]

Protecting Our Children from Drugs and Violence

Targeting young people with anti-drug messages. The President's proposed FY 98 budget funds a \$175 million national advertising campaign that would rely on high-impact, anti-drug television ads to educate young people on the dangers of illegal drug use. [ONDCP, The National Drug Control Strategy, 1997: Budget Summary, 1997]

Strengthened and expanded the Safe and Drug-Free Schools and Communities Act. The President's proposed FY 98 budget contains a \$60 million increase for Safe and Drug-Free Schools Program, which reaches 97% of the nation's school districts. Schools use these funds to keep violence, drugs and alcohol away from students and out of schools. [ONDCP, The National Drug Control Strategy, 1997: Budget Summary, 1997]

Proposed funding for 1,000 after-school initiatives in communities across the country. The President's Anti-Gang and Youth Violence Strategy will help keep schools open late, on weekends and in the summer so young people will stay off the streets and out of trouble.

Getting Tough on Drug-Related Crime

Putting 100,000 new community police on our streets. The President's plan represents the federal government's biggest commitment ever to local law enforcement.

Mandatory drug testing of state prisoners and parolees as a condition of parole. President Clinton fought for and signed legislation requiring states to drug test parolees so that they can send them back to prison if they get back on drugs. [Omnibus Consolidated Appropriation Act, 1997, P.L. 104-208, Signed 9/30/96]

Targeting gangs with new prosecutors and tougher penalties as part of the President's Anti-Gang and Youth Violence Strategy. The President's strategy increases penalties for selling drugs to kids and using kids to sell drugs.

Expanding drug courts. The Clinton Administration has established drug courts across the country because they have proven effective in breaking the cycles of drugs and crime. The President's FY 98 budget increases funding for this program by 150% over last year's funding. [ONDCP, The National Drug Control Strategy, 1997: Budget Summary, 1997]

Developed a comprehensive strategy to combat the trafficking and abuse of methamphetamine, one of the country's most dangerous drugs. The President fought for and signed legislation that increases penalties for trafficking in meth and those chemicals used to produce meth. [Comprehensive Methamphetamine Control Act of 1996, P.L. 104-237, 10/3/96] And the strategy worked. In the eight cities where meth use had been skyrocketing, it declined substantially in 1996. [National Institute of Justice's Drug Use Forecasting Program, 1996]

Stopping Drugs at the Border

Drug seizures are up. The Clinton Administration has increased seizures of marijuana by 50% - from 787,523 pounds in 1992 to 1,163,989 pounds in 1996. And seizures of heroin are up 32% -from 1,157 kilograms in 1992 to 1,524 kilograms in 1996. [DEA's FDSS Report, 3/11/97]

More border patrol agents than ever. There are now over 6,000 Border Patrol Agents stemming the flow of crime and drugs over the border. This represents an increase of over 70% since 1993. [Federal News Service, Prepared Testimony of Commissioner Doris Meissner, Immigration and Naturalization Services, 4/10/97]

Stopping drug smugglers. In 1996 the Clinton Administration implemented "Zorro II," an effort to shut down a cocaine trafficking partnership between the Cali mafia and a major Mexican mafia trafficking organization. The results: 156 suspects arrested; 5,500 kilograms of cocaine and 1,000 pounds of marijuana seized; and several million dollars of drug proceeds seized. [ONDCP, The National Drug Control Strategy, 1997: Budget Summary, 1997]

Part of a Strategy that's Working

Crime rates have dropped for five straight years. For five years before President Clinton took office, violent crime was *increasing* in America. The President's anti-crime strategy has helped reverse this trend --and violent crime has now *dropped* five years in a row. [FBI, Uniform Crime Report, 1/5/97]

CLINTON ADMINISTRATION OUTLINES TOBACCO SETTLEMENT REVIEW PROCESS

Today, during the signing of the Safe and Drug-Free Communities Act, President Clinton reiterated his commitment to a rigorous public health review of the proposed settlement. The President also announced that Secretary of Health and Human Services Donna E. Shalala and Domestic Policy Advisor Bruce Reed will lead the comprehensive analysis.

Public Health Review

As President Clinton said today, the Administration's preliminary analysis will be conducted by four interdepartmental review panels. Each panel will include representatives from the Domestic Policy Council (DPC) and the Department of Health and Human Services (HHS). Where appropriate, each of them will also include representatives of other federal agencies, such as the Departments of Treasury, Justice, Labor, Agriculture, Veterans' Affairs, Interior, and Defense, the General Services Administration, and the Environmental Protection Agency. The four panels will focus on four key areas:

Regulatory Issues. The regulatory panel will primarily review the elements in the proposed settlement affecting FDA jurisdiction. The panel will also examine issues surrounding environmental tobacco smoke.

Program and Budget Issues. The program and budget panel will look at proposed uses of settlement funds, including the anti-smoking advertising campaign, grassroots programs, smoking cessation, and any issues that involve research on nicotine, tobacco and health, and smoking cessation.

Legal Issues. The legal panel will examine issues around liability, enforcement, compliance, and the disposition of tobacco industry documents.

Industry Issues. The industry issues panel will examine the settlement's proposed targets, penalties and incentives; evaluate potential international impacts of the settlement; and conduct an economic analysis.

President Clinton's Plan to Reduce Youth Tobacco Use

On August 23, 1996, President Clinton announced the nation's first-ever comprehensive program to protect children from the dangers of tobacco and a lifetime of nicotine addiction. The President's program was launched with the publication of the Food and Drug Administration's (FDA) final rule on tobacco and children, and with FDA's initiation of a process to require tobacco companies to educate children and adolescents -- using a national multi-media campaign -- about the dangers of cigarettes and smokeless tobacco. The first provisions of the rule -- making 18 the age for the purchase of tobacco products nationwide and requiring photo IDs for anyone under age 27 -- became effective February 28, 1997. The President's comprehensive and coordinated plan is intended to reduce tobacco use by children and adolescents by 50 percent in seven years. This ambitious initiative will work to accomplish this objective while preserving the availability of tobacco products for adults. The proposed tobacco settlement will be evaluated within this framework to evaluate whether it meets the President's objectives.

Working Toward Our Fundamental Goal

As the President has said, protecting the public health -- and particularly our children's health -- is and has always been our primary concern. We know that nearly 3,000 young people become regular smokers each day, and nearly 1,000 of these children and adolescents will die early from their use of tobacco products. We must do everything in our power to dramatically reduce smoking by young people because they deserve a life free from the disease that comes with using tobacco.