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Federal Firearms Licensees [3]

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FACSIMILE COVER SHEET
DEPARTMENT OF THE TREASURY
OFFICE OF POLICY DEVELOPMENT
(ENFORCEMENT)
Phone: (202) 662-0300
Fax: (202) 622-7301

Date:

Page 1 of ___

TO: Dennis Burke

BRADY Bill went from ~~$~~ ~~8~~ 10 to $200

FAX: 456-7028

FROM: S Ginsburg

SUBJECT:
→ POTUS Mem to Treas Sec
→ RER - POTUS Memo
→ FFL #5

MESSAGE: → NJ press on kids & guns

Chicago
1993 → 256
1996 11
→ 96%

NYC
→ 987 1993
→ 259 1996
74% reduction

FACSIMILE COVER SHEET
DEPARTMENT OF THE TREASURY
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(ENFORCEMENT)
Phone: (202) 662-0300
Fax: (202) 622- 7301

Date:

Page 1 of 3

TO: Dennis Burke

FAX: 456-7028

FROM: Susan Ginsburg

SUBJECT: FFL Reduction

MESSAGE:

info to be included in report

Expanded State and Local Cooperative Licensing Initiatives

4

The President's memorandum also directed ATF to expand the use of cooperative agreements with State and local law enforcement agencies to address licensing and trafficking problems. Pursuant to this directive, ATF field offices established contact with various licensing, revenue, and local law enforcement offices within their jurisdictions. They worked in partnership with these State and local offices to ensure that licensees are operating in compliance with Federal, State and local laws.

For example, the city of Berkeley, California enacted ordinances that prohibit firearms sales from a residence. ATF provided the city of Berkeley with a computer printout of all the FFLs in the city. There were 34 licensed dealers in the city. Teams consisting of a Berkeley police officer and an ATF inspector conducted face-to-face interviews with these 34 dealers. As a result, the city of Berkeley now has only 1 FFL.

Similar programs have been completed or are still in progress in numerous other cities and jurisdictions throughout the country. The results from some of those areas are as follows:

New York City	- FFL population declined from 987 in 1993 to 259 in 1996
Baltimore, MD	- 58 out of 59 FFLs operating in residential areas surrendered their licenses
Boston, MA	- 119 FFLs in 1994 have been reduced to the current number of 36
Chicago, IL	- Total FFLs have declined from 256 to 11

It should be noted that the decline in the number of licensees generally does not represent a reduction in viable businesses, but in licensees who were unable to comply with State and local laws.

In the past 3 years the FFL population has declined from 288,001 to ~~144,000~~ 135,000. This total decline is a combination of these early firearms initiatives, the increase in licensing fees mandated by the Brady law, and the 1994 Crime law which mandated compliance with State and local laws and notification of chief law enforcement officers. We have attached charts showing the population decline in both FFLs and FFL applicants. total current

Firearms Tracing and Illegal Trafficking

Use of Out-of-Business Records for Tracing Purposes

5

The President's memorandum directed ATF to expand its capability to effectively utilize the firearms transaction records of out-of-business licensees for tracing purposes through the use of automation and other technology.

In FY 1993, the National Tracing Center implemented the Computer Assisted Retrieval System (CARS). This added indexing features to the microfilming procedure of out-of-business records

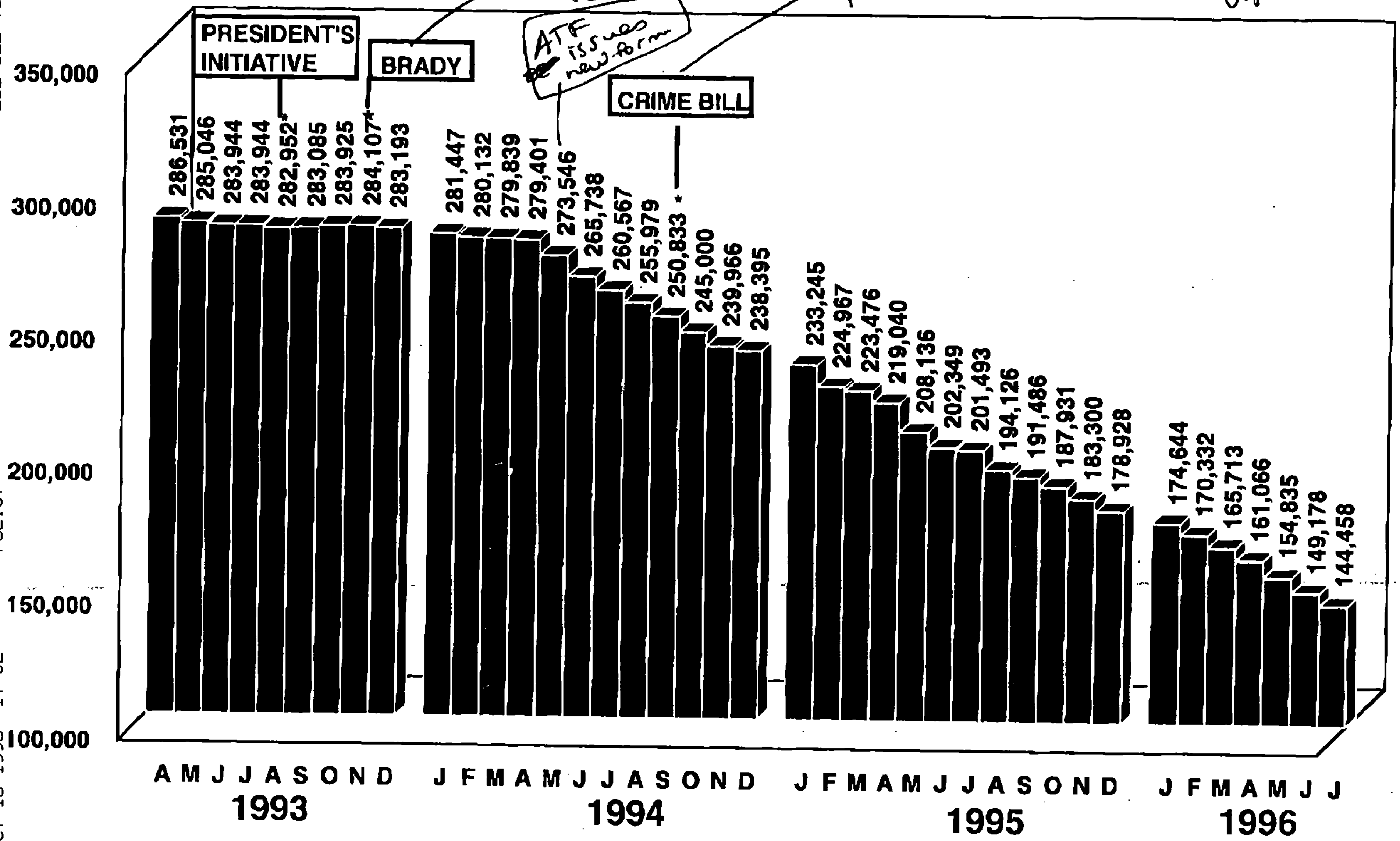
FEDERAL FIREARMS LICENSES

APRIL 1993 - JULY 1996

This is being revised & updated

increases fee

requires certification



VIOLENT CRIME CONTROL + LAW ENFCMT ACT

"(ii) if the person sold, delivered, or otherwise transferred a handgun or ammunition to a juvenile knowing or having reasonable cause to know that the juvenile intended to carry or otherwise possess or discharge or otherwise use the handgun or ammunition in the commission of a crime of violence, shall be fined under this title, imprisoned not more than 10 years, or both.".

(c) TECHNICAL AMENDMENT OF JUVENILE DELINQUENCY PROVISIONS IN TITLE 18, UNITED STATES CODE.—

(1) SECTION 5031.—Section 5031 of title 18, United States Code, is amended by inserting "or a violation by such a person of section 922(x)" before the period at the end.

(2) SECTION 5032.—Section 5032 of title 18, United States Code, is amended—

(A) in the first undesignated paragraph by inserting "or (x)" after "922(p)"; and

(B) in the fourth undesignated paragraph by inserting "or section 922(x) of this title," before "criminal prosecution on the basis".

(d) TECHNICAL AMENDMENT OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974.—Section 223(a)(12)(A) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(a)(12)(A)) is amended by striking "which do not constitute violations of valid court orders" and inserting "(other than an offense that constitutes a violation of a valid court order or a violation of section 922(x) of title 18, United States Code, or a similar State law)."

42 USC 5653 note. (e) MODEL LAW.—The Attorney General, acting through the Director of the National Institute for Juvenile Justice and Delinquency Prevention, shall—

(1) evaluate existing and proposed juvenile handgun legislation in each State;

(2) develop model juvenile handgun legislation that is constitutional and enforceable;

(3) prepare and disseminate to State authorities the findings made as the result of the evaluation; and

Reports. (4) report to Congress by December 31, 1995, findings and recommendations concerning the need or appropriateness of further action by the Federal Government.

Subtitle C—Licensure

SEC. 110301. FIREARMS LICENSURE AND REGISTRATION TO REQUIRE A PHOTOGRAPH AND FINGERPRINTS.

(a) FIREARMS LICENSURE.—Section 923(a) of title 18, United States Code, is amended in the second sentence by inserting "and shall include a photograph and fingerprints of the applicant" before the period.

26 USC 5802. (b) REGISTRATION.—Section 5802 of the Internal Revenue Code of 1986 is amended by inserting after the first sentence the following: "An individual required to register under this section shall include a photograph and fingerprints of the individual with the initial application.".

SEC. 110302. COMPLIANCE WITH STATE AND LOCAL LAW AS A CONDITION TO LICENSE.

Section 923(d)(1) of title 18, United States Code, is amended—

(1) by striking "and" at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting "; and"; and

(3) by adding at the end the following new subparagraph:

"(F) the applicant certifies that—

"(i) the business to be conducted under the license is not prohibited by State or local law in the place where the licensed premise is located;

"(ii)(I) within 30 days after the application is approved the business will comply with the requirements of State and local law applicable to the conduct of the business; and

"(II) the business will not be conducted under the license until the requirements of State and local law applicable to the business have been met; and

"(iii) that the applicant has sent or delivered a form to be prescribed by the Secretary, to the chief law enforcement officer of the locality in which the premises are located, which indicates that the applicant intends to apply for a Federal firearms license.".

SEC. 110303. ACTION ON FIREARMS LICENSE APPLICATION.

Section 923(d)(2) of title 18, United States Code, is amended by striking "forty-five-day" and inserting "60-day".

SEC. 110304. INSPECTION OF FIREARMS LICENSEES' INVENTORY AND RECORDS.

Section 923(g)(1)(B)(ii) of title 18, United States Code, is amended to read as follows:

"(ii) for ensuring compliance with the record keeping requirements of this chapter—

"(I) not more than once during any 12-month period; or

"(II) at any time with respect to records relating to a firearm involved in a criminal investigation that is traced to the licensee.".

SEC. 110305. REPORTS OF THEFT OR LOSS OF FIREARMS.

Section 923(g) of title 18, United States Code, is amended by adding at the end the following new paragraph:

"(6) Each licensee shall report the theft or loss of a firearm from the licensee's inventory or collection, within 48 hours after the theft or loss is discovered, to the Secretary and to the appropriate local authorities.".

SEC. 110306. RESPONSES TO REQUESTS FOR INFORMATION.

Section 923(g) of title 18, United States Code, as amended by section 110405, is amended by adding at the end the following new paragraph:

"(7) Each licensee shall respond immediately to, and in no event later than 24 hours after the receipt of, a request by the Secretary for information contained in the records required to be kept by this chapter as may be required for determining the disposition of 1 or more firearms in the course of a bona fide criminal investigation. The requested information shall be provided orally or in writing, as the Secretary may require. The Secretary shall implement a system whereby the licensee can positively identify and establish that an individual requesting information via telephone is employed by and authorized by the agency to request such information.".

SEC. 110307. NOTIFICATION OF NAMES AND ADDRESSES OF FIREARMS LICENSEES.

Section 923 of title 18, United States Code, is amended by adding at the end the following new subsection:

"(l) The Secretary of the Treasury shall notify the chief law enforcement officer in the appropriate State and local jurisdictions of the names and addresses of all persons in the State to whom a firearms license is issued.".

Subtitle D—Domestic Violence

SEC. 110401. PROHIBITION AGAINST DISPOSAL OF FIREARMS TO, OR RECEIPT OF FIREARMS BY, PERSONS WHO HAVE COMMITTED DOMESTIC ABUSE.

(a) INTIMATE PARTNER DEFINED.—Section 921(a) of title 18, United States Code, as amended by section 110103(b), is amended by inserting at the end the following new paragraph:

"(32) The term 'intimate partner' means, with respect to a person, the spouse of the person, a former spouse of the person, an individual who is a parent of a child of the person, and an individual who cohabitates or has cohabited with the person.".

(b) PROHIBITION AGAINST DISPOSAL OF FIREARMS.—Section 922(d) of title 18, United States Code, is amended—

(1) by striking "or" at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting "; or"; and

(3) by inserting after paragraph (7) the following new paragraph:

"(8) is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, except that this paragraph shall only apply to a court order that—

"(A) was issued after a hearing of which such person received actual notice, and at which such person had the opportunity to participate; and

"(B)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

"(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury.".

(c) PROHIBITION AGAINST RECEIPT OF FIREARMS.—Section 922(g) of title 18, United States Code, is amended—

(1) by striking "or" at the end of paragraph (6);

(2) by inserting "or" at the end of paragraph (7); and

(3) by inserting after paragraph (7) the following:

EXECUTIVE OFFICE OF THE PRESIDENT
LAW LIBRARY
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Room 528 x53397

TO: Leanne

ROOM: DATE: 10/21/94

☑ Per Your Request

☐ FYI

Message:

From: Linda Cabelli

Public Law 103-159
103d Congress

An Act

Nov. 30, 1993
[H.R. 1025]

To provide for a waiting period before the purchase of a handgun, and for the establishment of a national instant criminal background check system to be contacted by firearms dealers before the transfer of any firearm.

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

Brady Handgun Violence Prevention Act.
Inter-governmental relations.
Law enforcement and crime.
18 USC 921 note.

TITLE I—BRADY HANDGUN CONTROL

SEC. 101. SHORT TITLE.

This title may be cited as the "Brady Handgun Violence Prevention Act".

SEC. 102. FEDERAL FIREARMS LICENSEE REQUIRED TO CONDUCT CRIMINAL BACKGROUND CHECK BEFORE TRANSFER OF FIREARM TO NON-LICENSEE.

(a) INTERIM PROVISION.—

(1) IN GENERAL.—Section 922 of title 18, United States Code, is amended by adding at the end the following:

Effective date.
Termination date.

"(s)(1) Beginning on the date that is 90 days after the date of enactment of this subsection and ending on the day before the date that is 60 months after such date of enactment, it shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell, deliver, or transfer a handgun to an individual who is not licensed under section 923, unless—

"(A) after the most recent proposal of such transfer by the transferee—

"(i) the transferor has—

"(I) received from the transferee a statement of the transferee containing the information described in paragraph (3);

"(II) verified the identity of the transferee by examining the identification document presented;

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

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

"(ii)(I) 5 business days (meaning days on which State offices are open) have elapsed from the date the transferor furnished notice of the contents of the statement to the chief law enforcement officer, during which period the transferor has not received information from the chief law enforcement officer that receipt or possession of the handgun by the transferee would be in violation of Federal, State, or local law; or

"(II) the transferor has received notice from the chief law enforcement officer that the officer has no information indicating that receipt or possession of the handgun by the transferee would violate Federal, State, or local law;

"(B) the transferee has presented to the transferor a written statement, issued by the chief law enforcement officer of the place of residence of the transferee during the 10-day period ending on the date of the most recent proposal of such transfer by the transferee, stating that the transferee requires access to a handgun because of a threat to the life of the transferee or of any member of the household of the transferee;

"(C)(i) the transferee has presented to the transferor a permit that—

"(I) allows the transferee to possess or acquire a handgun; and

"(II) was issued not more than 5 years earlier by the State in which the transfer is to take place; and

"(ii) the law of the State provides that such a permit is to be issued only after an authorized government official has verified that the information available to such official does not indicate that possession of a handgun by the transferee would be in violation of the law;

"(D) the law of the State requires that, before any licensed importer, licensed manufacturer, or licensed dealer completes the transfer of a handgun to an individual who is not licensed under section 923, 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) the Secretary has approved the transfer under section 5812 of the Internal Revenue Code of 1986; or

"(F) on application of the transferor, the Secretary has certified that compliance with subparagraph (A)(i)(III) is impracticable because—

"(i) the ratio of the number of law enforcement officers of the State in which the transfer is to occur to the number of square miles of land area of the State does not exceed 0.0025;

"(ii) the business premises of the transferor at which the transfer is to occur are extremely remote in relation to the chief law enforcement officer; and

"(iii) there is an absence of telecommunications facilities in the geographical area in which the business premises are located.

"(2) A chief law enforcement officer to whom a transferor has provided notice pursuant to paragraph (1)(A)(i)(III) shall make a reasonable effort to ascertain within 5 business days whether receipt or possession would be in violation of the law, including research in whatever State and local recordkeeping systems are available and in a national system designated by the Attorney General.

"(3) The statement referred to in paragraph (1)(A)(i)(I) shall contain only—

"(A) the name, address, and date of birth appearing on a valid identification document (as defined in section 1028(d)(1)) of the transferee containing a photograph of the transferee and a description of the identification used;

"(B) a statement that the transferee—

"(i) is not under indictment for, and has not been convicted in any court of, a crime punishable by imprisonment for a term exceeding 1 year;

"(ii) is not a fugitive from justice;

"(iii) is not an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act);

"(iv) has not been adjudicated as a mental defective or been committed to a mental institution;

"(v) is not an alien who is illegally or unlawfully in the United States;

"(vi) has not been discharged from the Armed Forces under dishonorable conditions; and

"(vii) is not a person who, having been a citizen of the United States, has renounced such citizenship;

"(C) the date the statement is made; and

"(D) notice that the transferee intends to obtain a handgun from the transferor.

"(4) Any transferor of a handgun who, after such transfer, receives a report from a chief law enforcement officer containing information that receipt or possession of the handgun by the transferee violates Federal, State, or local law shall, within 1 business day after receipt of such request, communicate any information related to the transfer that the transferor has about the transfer and the transferee to—

"(A) the chief law enforcement officer of the place of business of the transferor; and

"(B) the chief law enforcement officer of the place of residence of the transferee.

"(5) Any transferor who receives information, not otherwise available to the public, in a report under this subsection shall not disclose such information except to the transferee, to law enforcement authorities, or pursuant to the direction of a court of law.

"(6)(A) Any transferor who sells, delivers, or otherwise transfers a handgun to a transferee shall retain the copy of the statement of the transferee with respect to the handgun transaction, and shall retain evidence that the transferor has complied with subclauses (III) and (IV) of paragraph (1)(A)(i) with respect to the statement.

"(B) Unless the chief law enforcement officer to whom a statement is transmitted under paragraph (1)(A)(i)(IV) determines that a transaction would violate Federal, State, or local law—

Records.

"(i) the officer shall, within 20 business days after the date the transferee made the statement on the basis of which the notice was provided, destroy the statement, any record

containing information ived from the statement, and any record created as a result of the notice required by paragraph (1)(A)(i)(III);

"(ii) the information contained in the statement shall not be conveyed to any person except a person who has a need to know in order to carry out this subsection; and

"(iii) the information contained in the statement shall not be used for any purpose other than to carry out this subsection.

"(C) If a chief law enforcement officer determines that an individual is ineligible to receive a handgun and the individual requests the officer to provide the reason for such determination, the officer shall provide such reasons to the individual in writing within 20 business days after receipt of the request.

"(7) A chief law enforcement officer or other person responsible for providing criminal history background information pursuant to this subsection shall not be liable in an action at law for damages—

"(A) for failure to prevent the sale or transfer of a handgun to a person whose receipt or possession of the handgun is unlawful under this section; or

"(B) for preventing such a sale or transfer to a person who may lawfully receive or possess a handgun.

"(8) For purposes of this subsection, the term 'chief law enforcement officer' means the chief of police, the sheriff, or an equivalent officer or the designee of any such individual.

Publication. Public information

"(9) The Secretary shall take necessary actions to ensure that the provisions of this subsection are published and disseminated to licensed dealers, law enforcement officials, and the public.".

(2) HANDGUN DEFINED.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

"(29) The term 'handgun' means—

"(A) a firearm which has a short stock and is designed to be held and fired by the use of a single hand; and

"(B) any combination of parts from which a firearm described in subparagraph (A) can be assembled.".

(b) PERMANENT PROVISION.—Section 922 of title 18, United States Code, as amended by subsection (a)(1), is amended by adding at the end the following:

Effective date.

"(t)(1) Beginning on the date that is 30 days after the Attorney General notifies licensees under section 103(d) of the Brady Handgun Violence Prevention Act that the national instant criminal background check system is established, a licensed importer, licensed manufacturer, or licensed dealer shall not transfer a firearm to any other person who is not licensed under this chapter, unless—

"(A) before the completion of the transfer, the licensee contacts the national instant criminal background check system established under section 103 of that Act;

"(B)(i) the system provides the licensee with a unique identification number; or

"(ii) 3 business days (meaning a day on which State offices are open) have elapsed since the licensee contacted the system, and the system has not notified the licensee that the receipt of a firearm by such other person would violate subsection (g) or (n) of this section; and

"(C) the transferor has verified the identity of the transferee by examining a valid identification document (as defined in section 1028(d)(1) of this title) of the transferee containing a photograph of the transferee.

"(2) If receipt of a firearm would not violate section 922 (g) or (n) or State law, the system shall—

"(A) assign a unique identification number to the transfer;

"(B) provide the licensee with the number; and

Records.

"(C) destroy all records of the system with respect to the call (other than the identifying number and the date the number was assigned) and all records of the system relating to the person or the transfer.

"(3) Paragraph (1) shall not apply to a firearm transfer between a licensee and another person if—

"(A)(i) such other person has presented to the licensee a permit that—

"(I) allows such other person to possess or acquire a firearm; and

"(II) was issued not more than 5 years earlier by the State in which the transfer is to take place; and

"(ii) the law of the State provides that such a permit is to be issued only after an authorized government official has verified that the information available to such official does not indicate that possession of a firearm by such other person would be in violation of law;

"(B) the Secretary has approved the transfer under section 5812 of the Internal Revenue Code of 1986; or

"(C) on application of the transferor, the Secretary has certified that compliance with paragraph (1)(A) is impracticable because—

"(i) the ratio of the number of law enforcement officers of the State in which the transfer is to occur to the number of square miles of land area of the State does not exceed 0.0025;

"(ii) the business premises of the licensee at which the transfer is to occur are extremely remote in relation to the chief law enforcement officer (as defined in subsection (s)(8)); and

"(iii) there is an absence of telecommunications facilities in the geographical area in which the business premises are located.

"(4) If the national instant criminal background check system notifies the licensee that the information available to the system does not demonstrate that the receipt of a firearm by such other person would violate subsection (g) or (n) or State law, and the licensee transfers a firearm to such other person, the licensee shall include in the record of the transfer the unique identification number provided by the system with respect to the transfer.

"(5) If the licensee knowingly transfers a firearm to such other person and knowingly fails to comply with paragraph (1) of this subsection with respect to the transfer and, at the time such other person most recently proposed the transfer, the national instant criminal background check system was operating and information was available to the system demonstrating that receipt of a firearm by such other person would violate subsection (g) or (n) of this section or State law, the Secretary may, after notice and opportunity for a hearing, suspend for not more than 6 months or revoke any license issued to the licensee under section 923, and may impose on the licensee a civil fine of not more than $5,000.

"(6) Neither a local government nor an employee of the Federal Government or of any State or local government, responsible for providing information to the national instant criminal background check system shall be liable in an action at law for damages—

"(A) for failure to prevent the sale or transfer of a firearm to a person whose receipt or possession of the firearm is unlawful under this section; or

"(B) for preventing such a sale or transfer to a person who may lawfully receive or possess a firearm.".

(c) PENALTY.—Section 924(a) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking "paragraph (2) or (3) of"; and

(2) by adding at the end the following:

"(5) Whoever knowingly violates subsection (s) or (t) of section 922 shall be fined not more than $1,000, imprisoned for not more than 1 year, or both.".

SEC. 103. NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

Computers.
Records.
Telecommunications.
18 USC 922 note.

(a) DETERMINATION OF TIMETABLES.—Not later than 6 months after the date of enactment of this Act, the Attorney General shall—

(1) determine the type of computer hardware and software that will be used to operate the national instant criminal background check system and the means by which State criminal records systems and the telephone or electronic device of licensees will communicate with the national system;

(2) investigate the criminal records system of each State and determine for each State a timetable by which the State should be able to provide criminal records on an on-line capacity basis to the national system; and

(3) notify each State of the determinations made pursuant to paragraphs (1) and (2).

(b) ESTABLISHMENT OF SYSTEM.—Not later than 60 months after the date of the enactment of this Act, the Attorney General shall establish a national instant criminal background check system that any licensee may contact, by telephone or by other electronic means in addition to the telephone, for information, to be supplied immediately, on whether receipt of a firearm by a prospective transferee would violate section 922 of title 18, United States Code, or State law.

(c) EXPEDITED ACTION BY THE ATTORNEY GENERAL.—The Attorney General shall expedite—

(1) the upgrading and indexing of State criminal history records in the Federal criminal records system maintained by the Federal Bureau of Investigation;

(2) the development of hardware and software systems to link State criminal history check systems into the national instant criminal background check system established by the Attorney General pursuant to this section; and

(3) the current revitalization initiatives by the Federal Bureau of Investigation for technologically advanced fingerprint and criminal records identification.

(d) NOTIFICATION OF LICENSEES.—On establishment of the system under this section, the Attorney General shall notify each licensee and the chief law enforcement officer of each State of the existence and purpose of the system and the means to be used to contact the system.

(e) ADMINISTRATIVE PROVISIONS.—

(1) AUTHORITY TO OBTAIN OFFICIAL INFORMATION.—Notwithstanding any other law, the Attorney General may secure directly from any department or agency of the United States such information on persons for whom receipt of a firearm would violate subsection (g) or (n) of section 922 of title 18, United States Code or State law, as is necessary to enable the system to operate in accordance with this section. On request of the Attorney General, the head of such department or agency shall furnish such information to the system.

(2) OTHER AUTHORITY.—The Attorney General shall develop such computer software, design and obtain such telecommunications and computer hardware, and employ such personnel, as are necessary to establish and operate the system in accordance with this section.

(f) WRITTEN REASONS PROVIDED ON REQUEST.—If the national instant criminal background check system determines that an individual is ineligible to receive a firearm and the individual requests the system to provide the reasons for the determination, the system shall provide such reasons to the individual, in writing, within 5 business days after the date of the request.

(g) CORRECTION OF ERRONEOUS SYSTEM INFORMATION.—If the system established under this section informs an individual contacting the system that receipt of a firearm by a prospective transferee would violate subsection (g) or (n) of section 922 of title 18, United States Code or State law, the prospective transferee may request the Attorney General to provide the prospective transferee with the reasons therefor. Upon receipt of such a request, the Attorney General shall immediately comply with the request. The prospective transferee may submit to the Attorney General information to correct, clarify, or supplement records of the system with respect to the prospective transferee. After receipt of such information, the Attorney General shall immediately consider the information, investigate the matter further, and correct all erroneous Federal records relating to the prospective transferee and give notice of the error to any Federal department or agency or any State that was the source of such erroneous records.

Confidential information.

(h) REGULATIONS.—After 90 days' notice to the public and an opportunity for hearing by interested parties, the Attorney General shall prescribe regulations to ensure the privacy and security of the information of the system established under this section.

(i) PROHIBITION RELATING TO ESTABLISHMENT OF REGISTRATION SYSTEMS WITH RESPECT TO FIREARMS.—No department, agency, officer, or employee of the United States may—

(1) require that any record or portion thereof generated by the system established under this section be recorded at or transferred to a facility owned, managed, or controlled by the United States or any State or political subdivision thereof; or

(2) use the system established under this section to establish any system for the registration of firearms, firearm owners, or firearm transactions or dispositions, except with respect to persons, prohibited by section 922 (g) or (n) of title 18, United States Code or State law, from receiving a firearm.

(j) DEFINITIONS.—As used in this section:

(1) LICENSEE.—The term "licensee" means a licensed importer (as defined in section 921(a)(9) of title 18, United States Code), a licensed manufacturer (as defined in section 921(a)(10) of that title), or a licensed dealer (as defined in section 921(a)(11) of that title).

(2) OTHER TERMS.—The terms "firearm", "handgun", "licensed importer", "licensed manufacturer", and "licensed dealer" have the meanings stated in section 921(a) of title 18, United States Code, as amended by subsection (a)(2).

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated, which may be appropriated from the Violent Crime Reduction Trust Fund established by section 1115 of title 31, United States Code, such sums as are necessary to enable the Attorney General to carry out this section.

SEC. 104. REMEDY FOR ERRONEOUS DENIAL OF FIREARM.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 925 the following new section:

"§ 925A. Remedy for erroneous denial of firearm

"Any person denied a firearm pursuant to subsection (s) or (t) of section 922—

"(1) due to the provision of erroneous information relating to the person by any State or political subdivision thereof, or by the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act; or

"(2) who was not prohibited from receipt of a firearm pursuant to subsection (g) or (n) of section 922,

may bring an action against the State or political subdivision responsible for providing the erroneous information, or responsible for denying the transfer, or against the United States, as the case may be, for an order directing that the erroneous information be corrected or that the transfer be approved, as the case may be. In any action under this section, the court, in its discretion, may allow the prevailing party a reasonable attorney's fee as part of the costs.".

(b) TECHNICAL AMENDMENT.—The chapter analysis for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 925 the following new item:

"925A. Remedy for erroneous denial of firearm.".

SEC. 105. RULE OF CONSTRUCTION. 18 USC 921 note.

This Act and the amendments made by this Act shall not be construed to alter or impair any right or remedy under section 552a of title 5, United States Code.

SEC. 106. FUNDING FOR IMPROVEMENT OF CRIMINAL RECORDS.

(a) USE OF FORMULA GRANTS.—Section 509(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3759(b)) is amended—

(1) in paragraph (2) by striking "and" after the semicolon;

(2) in paragraph (3) by striking the period and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(4) the improvement of State record systems and the sharing with the Attorney General of all of the records described in paragraphs (1), (2), and (3) of this subsection and the records required by the Attorney General under section 103 of the Brady Handgun Violence Prevention Act, for the purpose of implementing that Act.".

18 USC 922 note.

(b) ADDITIONAL FUNDING.—

(1) GRANTS FOR THE IMPROVEMENT OF CRIMINAL RECORDS.—The Attorney General, through the Bureau of Justice Statistics, shall, subject to appropriations and with preference to States that as of the date of enactment of this Act have the lowest percent currency of case dispositions in computerized criminal history files, make a grant to each State to be used—

(A) for the creation of a computerized criminal history record system or improvement of an existing system;

(B) to improve accessibility to the national instant criminal background system; and

(C) upon establishment of the national system, to assist the State in the transmittal of criminal records to the national system.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for grants under paragraph (1), which may be appropriated from the Violent Crime Reduction Trust Fund established by section 1115 of title 31, United States Code, a total of $200,000,000 for fiscal year 1994 and all fiscal years thereafter.

TITLE II—MULTIPLE FIREARM PURCHASES TO STATE AND LOCAL POLICE

SEC. 201. REPORTING REQUIREMENT.

Section 923(g)(3) of title 18, United States Code, is amended—

(1) in the second sentence by inserting after "thereon," the following: "and to the department of State police or State law enforcement agency of the State or local law enforcement agency of the local jurisdiction in which the sale or other disposition took place,";

(2) by inserting "(A)" after "(3)"; and

(3) by adding at the end thereof the following:

Records.

"(B) Except in the case of forms and contents thereof regarding a purchaser who is prohibited by subsection (g) or (n) of section 922 of this title from receipt of a firearm, the department of State police or State law enforcement agency or local law enforcement agency of the local jurisdiction shall not disclose any such form or the contents thereof to any person or entity, and shall destroy each such form and any record of the contents thereof no more than 20 days from the date such form is received. No later than the date that is 6 months after the effective date of this subparagraph, and at the end of each 6-month period thereafter, the department of State police or State law enforcement agency or local law enforcement agency of the local jurisdiction shall certify to the Attorney General of the United States that no disclosure contrary to this subparagraph has been made and that all forms and any record of the contents thereof have been destroyed as provided in this subparagraph.".

Certification.

TITLE III—FEDERAL FIREARMS LICENSE REFORM

Federal Firearms License Reform Act of 1993.

SEC. 301. SHORT TITLE.

18 USC 921 note.

This title may be cited as the "Federal Firearms License Reform Act of 1993".

SEC. 302. PREVENTION OF THEFT OF FIREARMS.

(a) COMMON CARRIERS.—Section 922(e) of title 18, United States Code, is amended by adding at the end the following: "No common or contract carrier shall require or cause any label, tag, or other written notice to be placed on the outside of any package, luggage, or other container that such package, luggage, or other container contains a firearm.".

(b) RECEIPT REQUIREMENT.—Section 922(f) of title 18, United States Code, is amended—

(1) by inserting "(1)" after "(f)"; and

(2) by adding at the end the following new paragraph:

"(2) It shall be unlawful for any common or contract carrier to deliver in interstate or foreign commerce any firearm without obtaining written acknowledgement of receipt from the recipient of the package or other container in which there is a firearm.".

(c) UNLAWFUL ACTS.—Section 922 of title 18, United States Code, as amended by section 102, is amended by adding at the end the following new subsection:

"(u) It shall be unlawful for a person to steal or unlawfully take or carry away from the person or the premises of a person who is licensed to engage in the business of importing, manufacturing, or dealing in firearms, any firearm in the licensee's business inventory that has been shipped or transported in interstate or foreign commerce.".

(d) PENALTIES.—Section 924 of title 18, United States Code, is amended by adding at the end the following new subsection:

"(i)(1) A person who knowingly violates section 922(u) shall be fined not more than $10,000, imprisoned not more than 10 years, or both.

"(2) Nothing contained in this subsection shall be construed as indicating an intent on the part of Congress to occupy the field in which provisions of this subsection operate to the exclusion of State laws on the same subject matter, nor shall any provision of this subsection be construed as invalidating any provision of State law unless such provision is inconsistent with any of the purposes of this subsection.".

SEC. 303. LICENSE APPLICATION FEES FOR DEALERS IN FIREARMS.

Section 923(a)(3) of title 18, United States Code, is amended—

(1) in subparagraph (A), by adding "or" at the end;

(2) in subparagraph (B) by striking "a pawnbroker dealing in firearms other than" and inserting "not a dealer in";

(3) in subparagraph (B) by striking "$25 per year; or" and inserting "$200 for 3 years, except that the fee for renewal of a valid license shall be $90 for 3 years."; and

(4) by striking subparagraph (C).

Approved November 30, 1993.

75

90

LEGISLATIVE HISTORY—H.R. 1025 (S. 414):

HOUSE REPORTS: Nos. 103-344 (Comm. on the Judiciary) and 103-412 (Comm. of Conference).
CONGRESSIONAL RECORD, Vol. 139 (1993):
Nov. 10, considered and passed House.
Nov. 19, 20, considered and passed Senate, amended, in lieu of S. 414.
Nov. 23, House agreed to conference report.
Nov. 24, Senate agreed to conference report.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 29 (1993):
Nov. 30, Presidential remarks.

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

FACSIMILE TRANSMITTAL COVER SHEET

DATE:

TO: Dennis

FACSIMILE NO. 456-7028

TELEPHONE NO.

FROM: Erik

FACSIMILE NO. (202) 514-1724

TELEPHONE NO. (202) 514-2107

NUMBER OF PAGES INCLUDING COVER SHEET:

COMMENTS:

NCHLP

TO: Dennis/Christa
FROM: Erik
SUBJECT: DOJ Grants/Reports
DATE: October 22, 1996

Attached is the information you requested on DOJ reports and grants. We need to know asap if there is any White House interest the release of these awards/reports because announcement plans are already in place. Thanks.

A. NCHIP awards -- $33 million to states to update criminal history records; brings total amount awarded to $112 million; awards scheduled for announcement within the next two weeks.

B. New data on criminal history records -- data show that only 33% of the criminal history records in the U.S. are computerized and include case dispositions; shows we have made substantial progress in updating and computerizing records, but we still have a lot to do before moving to an InstantCheck system; data scheduled for announcement at the IACP Conference.

C. Law enforcement family support awards -- $750,000 to eight jurisdictions to develop or expand programs responding to the high level of stress law enforcement officers face; rank-and-file law enforcement loves this program; grantees include local FOP chapter in Louisiana, NAPO, and Arkansas State Police; awards scheduled for announcement at the IACP Conference.

D. Other grants -- list of OJP grants that are scheduled for announcement within the next two weeks.

E. JJ report on gun violence -- report provides guidance for communities seeking to develop gun violence reduction programs for young people; provides examples of 11 successful programs; report developed in conjunction with IACP; report scheduled for announcement at the IACP Conference; announcement could be modeled on the curfew report announcement.

attachments

10/18/96

(A)

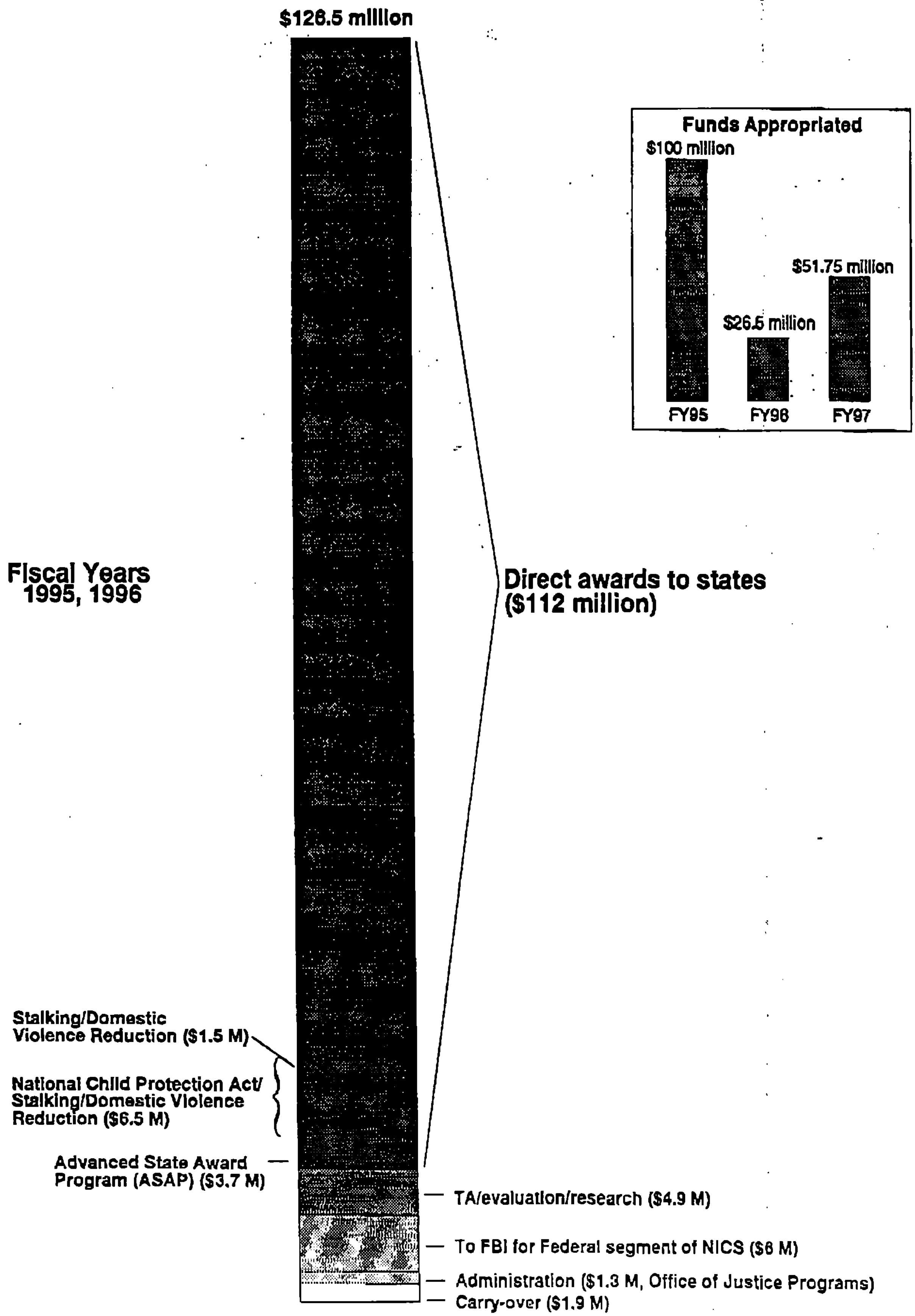
STATUS OF NCHIP FUNDING
(10/18/96)

* Not yet announced

State	NCHIP 95 Core Award	NCHIP 95 ASAP Award	NCHIP 96 Award	Total NCHIP Awards
Alabama	$552,733		$337,637	$890,370
Alaska	$825,675	$175,643	$340,000	$1,341,318
American Samoa	$200,000			$200,000
Arizona	$1,099,147		$625,000	$1,724,147
Arkansas	$659,390		$393,720	$1,053,110
California	$3,405,542	$120,000	$5,400,000	$8,925,542
Colorado	$986,315		$340,635	$1,326,950
Connecticut	$638,191	$215,000	$975,000	$1,828,191
Delaware	$962,400	$162,689	$310,930	$1,436,019
D.C.	$862,576		$386,100	$1,248,676
Florida	$2,894,331	$250,000	$833,835	$3,978,166
Georgia	$1,500,000	$249,910	$505,000	$2,254,910
Guam	$200,000			$200,000
Hawaii	$600,000		$507,125	$1,107,125
Idaho	$490,000		$250,000	$740,000
Illinois	$2,800,000	$250,000	$1,112,000	$4,162,000
Indiana	$1,581,442		$550,831	$2,132,273
Iowa	$792,036		$405,164	$1,197,200
Kansas	$903,000		$325,000	$1,228,000
Kentucky	$1,200,000		$250,000	$1,450,000
Louisiana	$1,300,000		$327,665	$1,627,665
Maine	$1,975,000		$199,000	$2,174,000
Maryland	$1,700,000		$400,000	$2,100,000
Massachusetts	$1,901,209		$1,324,041	$3,225,250
Michigan	$1,124,874		$1,806,000	$2,930,874
Minnesota	$1,487,300	$249,060	$544,000	$2,280,360
Mississippi	$1,725,000		$250,000	$1,975,000
Missouri	$1,619,570	$250,000	$387,648	$2,257,218
Montana	$335,000		$273,270	$608,270
Nebraska	$830,330		$425,000	$1,255,330
Nevada	$700,000	$240,000	$325,000	$1,265,000
New Hampshire	$1,200,000		$567,513	$1,767,513
New Jersey	$2,309,395	$249,473	$634,581	$3,193,449
New Mexico	$2,126,328			$2,126,328
New York	$4,792,375	$250,000	$1,768,720	$6,811,095
North Carolina	$1,460,705	$245,000	$344,500	$2,050,205
North Dakota	$556,365	$141,497	$475,000	$1,172,862
Ohio	$2,178,241	$232,330	$1,455,772	$3,866,343
Oklahoma	$612,741		$499,350	$1,112,091
Oregon	$1,300,000	$226,850	$355,000	$1,881,850
Pennsylvania	$2,632,984		$1,369,000	$4,001,984
Rhode Island	$541,804		$322,000	$863,804
South Carolina	$1,145,955	$147,065	$693,000	$1,986,020
South Dakota	$530,000		$145,270	$675,270
Tennessee	$1,250,000		$419,155	$1,669,155
Texas	$4,961,200		$2,000,000	$6,961,200
Utah	$642,653	$50,000	$338,000	$1,030,653
Vermont	$1,975,279		$199,500	$2,174,779
Virginia	$2,215,105		$383,669	$2,598,774
Washington	$1,200,000		$594,682	$1,794,682
West Virginia	$1,919,000		$75,000	$1,994,000
Wisconsin	$1,700,000		$396,000	$2,096,000
Wyoming	$479,856			
Total direct awards to states	$75,581,047	$3,704,517	$33,145,313	$111,951,021

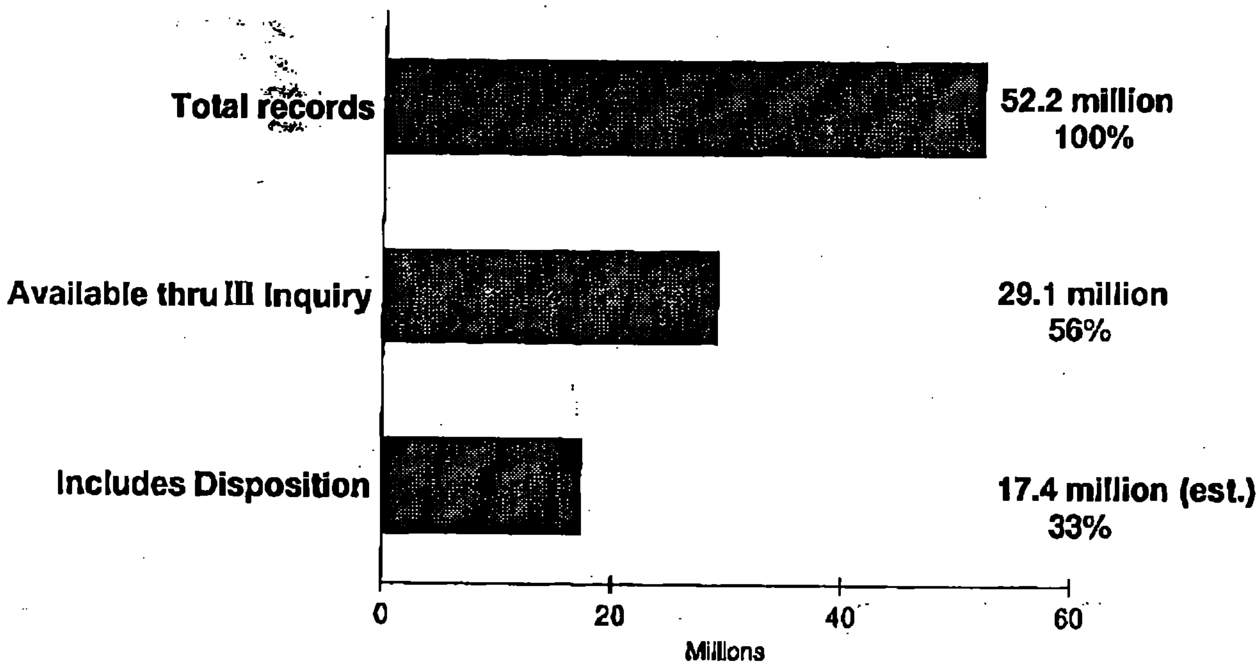
(A)

Bureau of Justice Statistics
National Criminal History Improvement Program (NCHIP)



(B)

Criminal History Records in the United States



*Through July 1996
Source: FBI data on Interstate Identification Index (III) records in 1996.

DRAFT AS OF 10/22/96 @ 9:00AM

DRAFT

~~FOR IMMEDIATE RELEA~~SE
~~Tuesday, October 22, 1996~~

NIJ
202/307-0703

Justice Department Awards $780,000 for Law Enforcement Family Support

WASHINGTON, D.C. -- To respond to the high level of stress law enforcement officers face, the Justice Department today announced a new grant program authorized by President Clinton's 1994 Crime Law. Eight law enforcement organizations, including state and local police departments and police organizations, will receive awards to test innovative practices and provide training to reduce to reduce the stress police officers and their families face.

The National Institute of Justice (NIJ) will administer the $780,000 Law Enforcement Family Support program. "..., said NIJ Director Jeremy Travis.

Grant recipients include: Iowa State University; Fraternal Order of Police, Lodge #1 in Baton Rouge, Louisiana; Miami Police Department; New York City Patrolmen's Benevolent Association; New York State Division of Criminal Justice; Vermont Department of Public Safety; Arkansas State Police; and the National Association of Police Organizations.

Stress among law enforcement can be seen in high incidence of alcoholism, divorce and suicide. In addition, police agencies can experience stress on an organizational level which further impacts stress experienced by its personnel and their families. Stress-causing factors

(MORE)

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include shift work, inadequate opportunities for career advancement, discrimination of minority status officers, making the transition from traditional to community-oriented policing and perceptions of negatively biased reporting of police operations by the media.

The eight funded demonstration and training programs will afford NIJ the opportunity to advance understanding about the nature and effects of stress on law enforcement personnel, families and organizations, and then to disseminate its findings throughout the country.

These and other findings are documented in an NIJ report, "Developing a Law Enforcement Stress Program for Officers and Their Families," which will be published later this year and available through the National Criminal Justice Reference Service (NCJRS) by e-mail at **askncjrs@ncjrs.org** or at 800/851-3420.

###

NIJ 96-249

After hours contact: James Phillips at 202/???-???? (pager)

DRAFT (c)

OFFICE OF JUSTICE PROGRAMS

NATIONAL INSTITUTE OF JUSTICE

Law Enforcement Family Support Program

Research Program Award

AWARD TO: Arkansas State Police
Little Rock, Arkansas

AMOUNT: $58,970 *

SUMMARY: This 18-month project will equip and enable a statewide law enforcement chaplaincy program to provide emergency and routine stress management services, including death notifications, alcohol and/or chemical dependency counseling, post-shooting counseling, and officer trauma counseling. Specialized education for police recruits and their families would also be provided. The International Conference of Police Chaplains will provide a three-day training workshop for all police chaplains in Arkansas. A process evaluation of program activities will be conducted with assistance of NIJ staff.

Local Contact: Colonel John R. Bailey, Director
Arkansas State Police
501/221-8200

OJP Contact: James M. Phillips
Office of Congressional and Public Affairs
202/307-0703

*Final award amount to be determined pending budget review.

(C)

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OFFICE OF JUSTICE PROGRAMS

NATIONAL INSTITUTE OF JUSTICE

Law Enforcement Family Support Program

Research Program Award

AWARD TO: Iowa State University
Ames, Iowa

AMOUNT: $169,618 *

SUMMARY: Iowa State University will develop and evaluate a comprehensive model stress management program for university, municipal, and county law enforcement officers and their families in rural areas. Participating law enforcement agencies include the Ames Police Department, the Story County Sheriff's Department, and the Iowa State University Campus Police.

Local Contact: Richard E. Hasbrook, Contracts Officer
Iowa State University
515/294-5225

OJP Contact: James M. Phillips
Office of Congressional and Public Affairs
202/307-0703

*Final award amount to be determined pending budget review.

(C)

DRAFT

OFFICE OF JUSTICE PROGRAMS

NATIONAL INSTITUTE OF JUSTICE

Law Enforcement Family Support Program

Research Program Award

AWARD TO: Fraternal Order of Police, Lodge #1
Baton Rouge, Louisiana

AMOUNT: $180,000 *

SUMMARY: The project will expand the present Critical Incident Stress Debriefing (CID) program to cover the entire state and will include stress reduction services for all types of employment-related stress, including crises care and training for family members and significant others. An assessment model and a process evaluation of all program activities will be developed by Louisiana State University. A Program Development Guide will be produced and provided to other states and jurisdictions.

Local Contact: Charles Carter, President
Fraternal Order of Police, Lodge #1
Baton Rouge, Louisiana
504/275-1684

OJP Contact: James M. Phillips
Office of Congressional and Public Affairs
202/307-0703

*Final award amount to be determined pending budget review.

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OFFICE OF JUSTICE PROGRAMS

NATIONAL INSTITUTE OF JUSTICE

Law Enforcement Family Support Program

Research Program Award

AWARD TO: Miami Police Department
Miami, Florida

AMOUNT: $47,250 *

SUMMARY: Due to attrition and supplemental hiring authority, the Miami Police Department is in the process of hiring approximately 200 new officers. It is anticipated that 85 percent of the new hires will have no prior police experience, and that most of the others will have less than three years experience. In an effort to reduce overall stress within the department, this project will provide training for the new officers in stress management techniques.

The project will augment the department's existing Officer Assistance Program and Early Warning System referrals by requiring all new officers, at four month intervals, to participate in three individualized stress management training and counseling sessions during the officer's initial year of employment. Sessions will be conducted by consulting departmental psychologists and counselors. In addition, the sessions will address general stress management issues, as well as personal and work-related problems. Family members and significant others will be encouraged to participate, particularly in the first session. A client satisfaction survey will be conducted following the last counseling session as an indicator of program success.

Local Contact: Donald H. Warshaw, Chief of Police
Miami Police Department
305/579-6565

OJP Contact: James M. Phillips
Office of Congressional and Public Affairs
202/307-0703

*Final award amount to be determined pending budget review.

DRAFT c

OFFICE OF JUSTICE PROGRAMS

NATIONAL INSTITUTE OF JUSTICE

Law Enforcement Family Support Program

Research Program Award

AWARD TO: National Association of Police Organizations
Police Research and Education Project
Washington, D.C.

AMOUNT: $145,627 *

SUMMARY: This project builds on preliminary work under an existing NIJ grant to develop, implement, and evaluate innovative and comprehensive stress reduction educational training programs that address officers' perceived work and family needs in Erie County (NY), Dallas, and Minneapolis. The work will be accomplished through a four-phase process.

Local Contact: Robert T. Scully, Executive Director
National Association of Police Organizations
202/842-4420

OJP Contact: James M. Phillips
Office of Congressional and Public Affairs
202/307-0703

*Final award amount to be determined pending budget review.

DRAFT C

OFFICE OF JUSTICE PROGRAMS

NATIONAL INSTITUTE OF JUSTICE

Law Enforcement Family Support Program

Research Program Award

AWARD TO: New York State Division of Criminal Justice
Bureau for Municipal Police
Albany, New York

AMOUNT: $25,030 *

SUMMARY: This project seeks to undertake a state-wide " train the trainers" program in two phases. Phase I will develop and implement a 12-hour pilot instruction course for recruit officers and their spouses or significant others. Phase II will provide training to officials in 14 zones throughout the state so that it can continually be offered to law enforcement officers and their families on both a recruit and in-service basis to develop stress management skills. The project consists of classroom lectures on concepts of stress reduction and management, and presentations by Employee Assistance Program professionals concerning confidentiality and available support services.

Local Contact: Stephen M. Bernardi, Deputy Commissioner
New York State Division of Criminal Justice
Bureau for Municipal Police
514/457-6101

OJP Contact: James M. Phillips
Office of Congressional and Public Affairs
202/307- 0703

*Final award amount to be determined pending budget review.

(c)

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OFFICE OF JUSTICE PROGRAMS

NATIONAL INSTITUTE OF JUSTICE

Law Enforcement Family Support Program

Research Program Award

AWARD TO: New York City Patrolmen's Benevolent Association
Membership Assistance Program
New York, New York

AMOUNT: $ 130,000 *

SUMMARY: This project builds upon an existing department-supported Peer Support Officer Program, which is union organized and managed. The program will: 1) develop a handbook for peer support officers; 2) provide awareness training to expand a provider referral network of mental health clinicians familiar with the specific needs and problems of police officers and their families; 3) conduct a three-part regional training seminar for up to 1,500 officers and/or family members; and 4) form support groups for officers and families which will meet regularly after completion of the project.

Local Contact: William "Bill" Genet, Director
New York City Patrolmen's Benevolent Association
Membership Assistance Program
212/298-9111

OJP Contact: James M. Phillips
Office of Congressional and Public Affairs
202/307-0703

*Final award amount to be determined pending budget review.

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OFFICE OF JUSTICE PROGRAMS

NATIONAL INSTITUTE OF JUSTICE

Law Enforcement Family Support Program

Research Program Award

AWARD TO: Vermont Department of Public Safety
Waterbury, Vermont

AMOUNT: $30,000 *

SUMMARY: The Vermont State Police Peer Support Team and the Vermont State Police Spouse Peer Support Team will provide services on an as-needed basis throughout the state. Team members will be trained as couples in Basic Critical Incident Stress Debriefing and Peer Support, Traumatic Stress Management, and Family Issues in Public Safety Families. Teams will be assigned to geographic troop areas to conduct appropriate interventions when critical incidents are experienced. Services will also be made available to law enforcement personnel and their families throughout geographic areas of assignment, even if they are not affiliated with the Vermont State Police.

Local Contact: A. James Walton Jr., Commissioner
Vermont Department of Public Safety
802/244-8718

OJP Contact: James M. Phillips
Office of Congressional and Public Affairs
202/307-0703

*Final award amount to be determined pending budget review.

UPCOMING OJP GRANTS CURRENT TO October 18, 1996 - REPORT #104

D

Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
09/30/96	University of Maryland College Park, Maryland	Probationer Compliance with Conditions of Supervision $ 38,464	NIJ/Supplemental
NOTIFICATION TO:	Sen. Paul Sarbanes Sen. Barbara Mikulski	Rep. Steny Hoyer - #5	USA Lynne Battaglia

Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
09/30/96	National Center for State Courts Williamsburg, Virginia	Data Collection and Communication: An Implementation Guide $ 144,913	NIJ/Initial
	National Center for State Courts Williamsburg, Virginia	Civil Trial Court Network Project II $ 263,463	BJS/Initial Cooperative Agreement
NOTIFICATION TO:	Sen. John Warner Sen. Charles Robb	Rep. Herbert Bateman - #1	USA Helen Fahey - ED

Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
09/30/96	American Statistical Association Alexandria, Virginia	Technical Assistance for Law & Justice Statistics $ 200,000	BJS/Initial Cooperative Agreement
	International Association of Chiefs of Police (IACP) Alexandria, Virginia	National Police Use of Force Database Project--Supplement No. 1 $ 129,622	BJS/Supplemental Cooperative Agreement
NOTIFICATION TO:	Sen. John Warner Sen. Charles Robb	Rep. James Moran - #8	USA Helen Fahey - ED

Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
09/30/96	The Regents of the University of New Mexico Albuquerque, New Mexico NOTE: Albuquerque is an urban enterprise community.	New Mexico Statistical Analysis Center (SAC-2 Program) $ 50,000	BJS/Supplemental Cooperative Agreement
NOTIFICATION TO:	Sen. Pete Domenici Sen. Jeff Bingaman	Rep. Steven Schiff - #1	USA John Kelly

D

UPCOMING OJP GRANTS CURRENT TO October 18, 1996 - REPORT #104

Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
09/30/96	Police Executive Research Forum Washington, DC	Reducing Repeat Victimization of Residential Burglary $ 441,647	NIJ/Initial
	Police Executive Research Forum Washington, DC	Evaluating Effects of Fatigue on Police Patrol Officers and their Relations with Community $ 285,123	NIJ/Initial
	Justice Research & Statistics Association Washington, DC Note: Washington is an enterprise community.	Analysis of the Factors Affecting the Clearance of Homicide $ 269,826	NIJ/Initial
NOTIFICATION TO:	Rep. Eleanor Holmes Norton	USA Eric Holder Jr	

Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
09/30/96	University of Virginia Charlottesville, Virginia	Police/Academic Partnership for Evaluation & Research $ 128,739	NIJ/Initial
NOTIFICATION TO:	Sen. John Warner Sen. Charles Robb	Rep. Lewis Payne Jr - #5	USA Helen Fahey - ED

Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
09/30/96	RAND Corporation Santa Monica, California	Local Impact of Violent Offenders and Truth-in-Sentencing Legislation: How Probation & Community Corrections Respond to the Challenge $ 199,462	NIJ/Initial
NOTIFICATION TO:	Sen. Dianne Feinstein Sen. Barbara Boxer	Rep. Henry Waxman - #29	USA Nora M. Manella -CD

Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
09/30/96	Macro International, Inc. Calverton, Maryland	Community Policing Strategies: First National Survey Update $ 285,529	NIJ/Initial
NOTIFICATION TO:	Sen. Paul Sarbanes Sen. Barbara Mikulski	Rep. Steny Hoyer - #5	USA Lynne Battaglia

UPCOMING OJP GRANTS CURRENT TO October 18, 1996 - REPORT #104

D

Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
~~10/17/96~~	~~City of Orlando~~ c/o Orlando Police Department Orl~~ando, Florida~~	~~Weed & Seed FY 96~~ ~~$ 90,000~~	~~OJP/Initial~~
NOTIFICATION TO:	Sen. Bob Graham Sen. Connie Mack	Rep. Corrine Brown - #3 Rep. John Mica - #7	Rep. Bill McCollum - #8 USA Charles Wilson - MD

D

UPCOMING OJP GRANTS CURRENT TO October 18, 1996 - REPORT #103

Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
09/30/96	State of New Jersey **Trenton, New Jersey** Note: Camden is an empowerment zone; Newark is an urban enterprise community.	New Jersey Data Analysis Center $ 50,000	BJS/Supplemental Cooperative Agreement
NOTIFICATION TO:	Sen. Bill Bradley Sen. Frank Lautenberg Rep. Robert Andrews - #1 Rep. Frank LoBiondo - #2 Rep. Jim Saxton - #3 Rep. Christopher Smith - #4	Rep. Marge Roukema - #5 Rep. Frank Pallone Jr - #6 Rep. Bob Franks - #7 Rep. Bill Martini - #8 Rep. Robert Torricelli - #9 Rep. Donald Payne - #10	Rep. Rodney Frelinghuysen-11 Rep. Richard Zimmer - #12 Rep. Robert Menendez - #13 USA Faith Houchberg

Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
09/30/96	**Pennsylvania Commission on Crime and Delinquency** **Harrisburg, Pennsylvania** Note: Philadelphia is an empowerment zone; Clinton County and the City of Lock Haven are rural enterprise communities; Harrisburg & Pittsburgh are urban enterprise communities.	Pennsylvania Statistical Analysis Center $ 26,827	BJS/Supplemental Cooperative Agreement
NOTIFICATION TO:	Sen. Arlen Specter Sen. Rick Santorum Rep. Thomas Foglietta - #1 Rep. Chaka Fattah - #2 Rep. Robert Borski - #3 Rep. Ron Klink - #4 Rep. William Clinger Jr - #5 Rep. Tim Holden - #6 Rep. Curt Weldon - #7	Rep. Jim Greenwood - #8 Rep. Bud Shuster - #9 Rep. Joseph McDade - #10 Rep. Paul Kanjorski - #11 Rep. John Murtha - #12 Rep. Jon Fox - #13 Rep. William Coyne - #14 Rep. Paul McHale - #15 Rep. Robert Walker - #16	Rep. George Gekas - #17 Rep. Michael Doyle - #18 Rep. William Goodling - #19 Rep. Frank Mascara - #20 Rep. Philip English - #21 USA Michael Stiles - ED USA David Barasch - MD USA Frederick Thieman - WD

Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
09/30/96	State of Connecticut **Hartford, Connecticut** NOTE: New Haven is an urban enterprise community.	Connecticut Statistical Analysis Center $ 50,000	BJS/Supplemental Cooperative Agreement
NOTIFICATION TO:	Sen. Christopher Dodd Sen. Joseph Lieberman Rep. Barbara Kennelly - #1	Rep. Sam Gejdenson - #2 Rep. Rosa DeLauro - #3 Rep. Christopher Shays - #4	Rep. Gary Franks - #5 Rep. Nancy L. Johnson - #6 USA Christopher Droney

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UPCOMING OJP GRANTS CURRENT TO October 21, 1996 - REPORT #105

Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
✓ 09/30/96	RAND Corporation Santa Monica, California	Managing Felons in the Los Angeles County: An Evaluation Partnership Between Law Enforcement & Probation $ 187,708	NIJ/Initial
NOTIFICATION TO:	Sen. Dianne Feinstein Sen. Barbara Boxer Rep. Anthony Beilenson - #24 Rep. Howard McKeon - #25 Rep. Howard Berman - #26 Rep. Carlos Moorhead - #27	Rep. Henry Waxman - #29 Rep. Xavier Becerra - #30 Rep. Matthew Martinez - #31 Rep. Julian Dixon - #32 Rep. Lucille Roybal-Allard #33 Rep. Maxine Waters - #35	Rep. Jane Harman - #36 Rep. Juanita Millender-McDonald - #37 Rep. Steve Horn - #38 USA Nora M. Manella -CD

Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
✓ 09/30/96	CA State University, San Marcos San Marcos, California	An Evaluation of the LA Cty Juv Drug Treat Boot Camp $ 178,705	NIJ/Initial
NOTIFICATION TO:	Sen. Dianne Feinstein Sen. Barbara Boxer Rep. Anthony Beilenson - #24 Rep. Howard McKeon - #25 Rep. Howard Berman - #26 Rep. Carlos Moorhead - #27 Rep. Henry Waxman - #29	Rep. Xavier Becerra - #30 Rep. Matthew Martinez - #31 Rep. Julian Dixon - #32 Rep. Lucille Roybal-Allard #33 Rep. Maxine Waters - #35 Rep. Jane Harman - #36 Rep. Juanita Millender- McDonald - #37	Rep. Steve Horn - #38 Rep. Randy Cunningham - #51 USA Nora M. Manella -CD USA Alan Bersin - SD

Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
✓ 09/30/96	Police Executive Research Forum Washington, DC	Investigative Function in Community Policing Context $ 405,875	NIJ/Initial
09/30/96	The Urban Institute Washington, DC Note: Washington is an enterprise community.	Supplemental Activities for the Process Evaluation of Title I of the 1994 Crime Act (COPS Program) $ 359,998	NIJ/Supplemental
NOTIFICATION TO:	Rep. Eleanor Holmes Norton	USA Eric Holder Jr	

UPCOMING OJP GRANTS CURRENT TO October 21, 1996 - REPORT #105

Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
09/30/96	The Florida State University Tallahassee, Florida	The Florida Law Enforcement Research Coalition: Securing the Vision $ 136,755	NIJ/Supplemental
NOTIFICATION TO:	Sen. Bob Graham Sen. Connie Mack	Rep. Pete Peterson - #2	USA P.M. Patterson - ND

Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
09/30/96	Florida Atlantic University Boca Raton, Florida	A Test of the Efficacy of Court-Mandated Counseling for Dom Viol Offenders: A Broward Cty Experiment $ 134,867	NIJ/Initial
NOTIFICATION TO:	Sen. Bob Graham Sen. Connie Mack	Rep. Harry Johnston II - #19 Rep. E. Clay Shaw - #22	Rep. Alcee Hastings - #23 USA William A. Keefer - SD

Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
09/30/96	Indiana University Bloomington, Indiana	Identifying Strategies to Market the Police in the News $ 133,189	NIJ/Initial
NOTIFICATION TO:	Sen. Richard Lugar Sen. Dan Coats	Rep. John Hostettler - #8	USA Judith Stewart - SD

Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
09/30/96	ABT Associates, Inc. Cambridge, Massachusetts	Evaluation of Youth Firearms Violence Initiative $ 300,000	NIJ/Supplemental
NOTIFICATION TO:	Sen. Edward M. Kennedy Sen. John F. Kerry	Rep. Joseph Kennedy II - #8	USA Donald Stern

Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
09/30/96	Regents of the University of Michigan Ann Arbor, Michigan	Race, Overconfinement & Crowding in Juv Corr Facil $ 99,927	NIJ/Initial
NOTIFICATION TO:	Sen. Carl Levin Sen. Spencer Abraham	Rep. Lynn Rivers - #13	USA Saul Green - ED

UPCOMING OJP GRANTS CURRENT TO October 21, 1996 - REPORT #105

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Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
09/30/96	Richard L. Linster Arlington, Virginia	Evaluation of Florida's Residential Drug Treatment Prison Diversion Program $ 112,349	NIJ/Initial
NOTIFICATION TO:	Sen. John Warner Sen. Charles Robb	Rep. James Moran - #8	USA Helen Fahey - ED

Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
09/30/96	Washington State University Pullman, Washington	Reducing Disorder, Fear & Crime in Public Housing: An Evaluation of an Advanced-Stage Drug Crime Elimination Program & Community Revitalization $ 172,159	NIJ/Initial
NOTIFICATION TO:	Sen. Slade Gorton Sen. Patty Murray	Rep. George Nethercutt - #5	USA James Connelly - ED

Award Date	Recipient/Locale	Program/Award Amount	Bureau/Type Funding
09/30/96	University of WI - Parkside Kenosha, Wisconsin	Meeting the Needs of Racine Citizens: Evaluation of a Community Policing Program $ 82,497	NIJ/Initial
NOTIFICATION TO:	Sen. Herbert H. Kohl Sen. Russ Feingold	Rep. Mark Neumann - #1	USA Peg Lautenschlager - WD

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five years if Con-
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Lawrence J. I a spokesman for the federal Office of Management and Budget, said yesterday that the plan's numbers were based on "careful study" and that the administration is confident federal and local officials will support the plan once they have more details.

But control board member Constance B. Newman said the annual federal payment should not be signed to offset revenue the District loses out on because it cannot tax D.C. real estate owned by the federal government.

Singletary said the Clinton administration's estimate of the additional money the city would gain includes funds that would go to both the annual operating budget and capital projects, such as major road and bridge repairs. But the proposed package would leave

The views expressed by Singletary and Newman are at odds with the position taken by control board Chairman Andrew F. Brimmer. Brimmer said he would have preferred that the Clinton proposal not include elimination of the federal payment, but he has endorsed the plan nevertheless.

"I believe that, taken as a whole, the package is a constructive re-

man of the Senate Appropriations D.C. subcommittee, said yesterday that the city's major problem is poor management, not insufficient funds. He said the city may need to shift from a mayoral form of government to a city manager system, according to his spokesman. Such a change, which would require congressional legislation, would strip the mayor of consid-

See DISTRICT, B5, Col. 5

BY BILL O'LEARY—THE WASHINGTON POST

usiness boom has caused Larry Carlson's Black Dog Props to outgrow its Solomons Island location.

t that Carlson's shop is on the cutting edge propeller repair, going one very expensive p further than the competition.

Black Dog is one of only four shops in the ntry—the others are in Florida—that use h-technology equipment to measure the an- shape of a propeller blade, taking the rk out of the pounding.

complicated? It is. But then propeller blades have been mystifying the marine industry for decades.

"Propeller geometry is deceptively simple and surprisingly complicated," said Dave Gerr, a New York-based boat designer and author of "The Propeller Handbook," the industry bible.

An off-balance propeller—with one blade higher or lower than another—can cause a

See PROPELLER, B3, Col. 1

Tighter U.S. Rules Cut Number Of Licensed Gun Dealers in Half

Local Decline Since '93 Mirrors Nation's

By Pierre Thomas and Peter Finn
Washington Post Staff Writers

The number of federally licensed firearms dealers has fallen by more than half in the Washington area and nationwide since 1993 because of tighter federal rules for gun sellers, Treasury Department officials and firearms experts said.

There now are 124,286 licensed gun dealers nationally, down from 287,000 in 1993, when firearms dealers outnumbered gas stations. The ranks of licensed dealers shrank by 58 percent in Virginia, from 7,877 to 3,245, in the same period. In Maryland, the number dropped 57 percent, from 3,864 to 1,661. The District, which had just 55 legal dealers four years ago and has banned handgun sales since the early 1970s, now has 11 dealers.

Clinton administration supporters and critics agree that increased government scrutiny of those selling guns has slashed the number of licensed dealers. Treasury officials say the change reflects good government oversight that will help keep guns away from criminals. But gun rights advocates such as the National Rifle Association say the crackdown is overzealous federal regulation that harms small businesses.

Federal authorities agree that the overwhelming majority of gun dealers are law-abiding citizens, but they said the massive reduction in dealers is helping to root out those who were distributing hundreds, and sometimes thousands, of guns directly to criminals.

"There were a large number of marginal dealers, operating out of the trunk of their car or from their kitchen table," said Raymond Kelly, the Treasury Department's undersecretary for enforcement. "There was a high potential for illegal gun sales. We have reduced the potential for illegal firearms dealing. We have tightened up, and will continue to

See GUNS, B5, Col. 1

The Washington Post
January 23, 1997

least two occasions, Kerns went home to pick up items after questions were raised regarding the whereabouts of recovered stolen goods.

Kerns's attorney, John W. Bevis, did not dispute that Kerns may have had items at his home, but said, "It was not done with any criminal in-

■ A Frederick County man pleaded guilty yesterday to conspiring to murder his estranged wife, avoiding a third trial on charges arising from her death more than five years ago.

Under a plea agreement, William Robert Fagan, 41, was sentenced to 10 years in prison to

sentatives, said Mark ... Edmonds charge... and sexual battery invol... who were part-time e... Kielsgard said Edmon... go to trial this ...

Fewer Licensed Gun Dealers; Effect on Crime i...

GUNS, From B1

tighten to make sure that we are dealing with legitimate dealers."

Federal officials cite the case of a now-closed Temple Hills gun shop. Local agents of the Bureau of Alcohol, Tobacco and Firearms have traced more than 290 firearms found at crime scenes back to Freestate Arms and Munitions. The crimes included homicides, robberies and assaults on police officers. In Virginia, federal authorities won convictions of Richmond area drug dealers who had obtained gun licenses and sold 16 weapons to federal agents in a sting operation without recording the sales.

Similarly, federal officials said, a single Whittier, Calif., gun dealer sold 1,700 guns illegally, including two weapons used in crimes that were confiscated from teenagers with gang ties.

Before 1993, the Treasury Department granted about 3,000 federal firearms licenses a month as part of a system that then-Treasury Secretary Lloyd Bentsen described as "ridiculous" and "reckless." Nine out of 10 dealers were not interviewed in person before getting their permits, renewals were virtually automatic, and most dealers could expect to be audited once in 20 years.

"Until recently, some of our dealers never saw [a Treasury] agent after they first got their license," said Sanford Abrams, vice president of the Maryland Licensed Firearms Dealers Association, which is based in Silver Spring.

Under Clinton, ATF increased the fee for a three-year license from $30 to $200, boosted renewal fees, and added new requirements for applicants. Would-be dealers must:

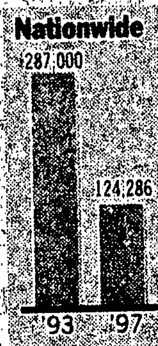
■ Provide fingerprints and identification photographs for background checks.

■ Meet face to face with ATF officials and prove they have legitimate businesses.

■ Comply with all state and local laws and notify their state or local law enforce... t officials of ... tent to operate a business.

GUN DEALER LICENSES DROP

Since 1993, the federal government has tightened the rules for federally licensed gun dealers, requiring applicants to undergo background checks, meet with federal inspectors, have a physical place of business and pay a $200 fee for a three-year license. In the last four years, the number of federally licensed gun dealers has plummeted locally and nationally.



Area	1993	1997
District	55	11
Maryland	3,864	1,661
Virginia	7,877	3,245
Selected jurisdictions:		
Baltimore	114	62
Chicago	256	11
Detroit	468	92
Los Angeles County	4,436	2,247
New York City	987	259

SOURCE: U.S. Treasury Department

THE WASHINGTON POST

But advocates for gun enthusiasts and dealers say the drop in the number of dealers has yielded little or no crime-fighting dividend and has cut lawful commerce in firearms through unfair regulatory pressure on legitimate part-time and small-time dealers.

"The intent of the Clinton administration is to reduce the number of [dealers] for no other reason than it believes that is a good thing," said Chip Walker, a spokesman for the National Rifle Association.

"Many people who buy and sell firearms with a [license] do so to supplement their income, or they want to buy wholesale for themselves or friends at the club where they shoot. And there is no reason to force people like that out of business."

NRA officials said they believe that ATF is misusing the rules requiring permit-holders to have "business premises" and be "engaged in the business" of selling guns to deny licenses to legitimate applicants. NRA officials said some of their members have been told that their licenses were not renewed because they sold too few guns. Others, who worked out of their homes, have been told that they need to find commercial premises or have their homes rezoned, they said.

"Going after [federally licensed gun dealers] to stop criminals is like looking for drunk drivers by setting up a roadblock outside the parking lot of a church on Sunday morning," Walker said.

ATF Director John Magaw said his agency is not seeking to reduce the number of dealers but rather "to ensure that those who are licensed are in compliance with federal law."

Harry Scopinich, a 73-year-old gunsmith, said that he repaired firearms for 30 years in the basement of his Baltimore home and that he had a federal license because the law requires gunsmiths to have one. He said he did not sell firearms.

Last year, Scopinich said, he forgot to renew his license. When he remembered and called ATF, he said, he was told that he would fall under the regulations for new applicants and, therefore, would have to have "zoned commercial premises."

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Fewer Licensed Gun Dealers; Effect on Crin e in Disput

GUNS, From B1

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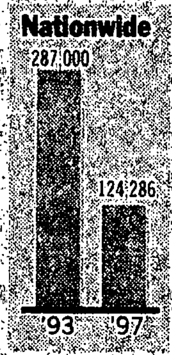

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Federal authorities said they yet know how much of an effe new rules have had on illega dealing. But they said the incr gun regulations are part of overall effort to help local la forcement. The measures incl waiting period for handgun pu es, a ban on assault weapons a hiring of more police officers. point out that the homicide ra been falling nationally and that years of steady increase, the nu of firearm-related homicides h clined.

Local law enforcement off disagreed about the effects of efforts.

"We certainly believe this is ing a positive effect on gun tr ing in Maryland," said Capt. Shipley, spokesman for the land State Police. "There were people using [federal licenses] way to sell weapons illegally. W lieve the reduction in [license contributing to the overall forcement effort to reduce gu lence."

Others were less certain.

"I would think the inspection the regulations might weed some" criminals, said Sgt. Brooks, in the records manage division of the Virginia State P "But I think a lot of the small people who did a little busines just getting out. That probabl counts for most of" the decline.

FOR MORE INFORMATI

For details of state firearms on the above symbol on the front p The Post's site on the World Wide at http://www.washingtonpost.com

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GUN DEALER LICENSES DROP

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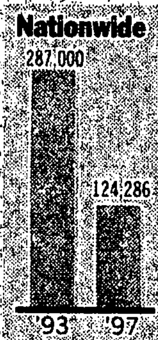

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"Maybe I could have challenged them, I don't know. But I just said the heck with it," Scopinich said. "I was disappointed. But I understand why they're reducing the numbers. There were too many people selling guns out of their basements, and there was no regulation. And with everyone shooting up everyone, something had to be done."

Federal authorities said they don't yet know how much of an effect the new rules have had on illegal gun dealing. But they said the increased gun regulations are part of their overall effort to help local law enforcement. The measures include a waiting period for handgun purchases, a ban on assault weapons and the hiring of more police officers. They point out that the homicide rate has been falling nationally and that after years of steady increase, the number of firearm-related homicides has declined.

Local law enforcement officials disagreed about the effects of ATF's efforts.

"We certainly believe this is having a positive effect on gun trafficking in Maryland," said Capt. Greg Shipley, spokesman for the Maryland State Police. "There were some people using [federal licenses] as a way to sell weapons illegally. We believe the reduction in [licenses] is contributing to the overall law enforcement effort to reduce gun violence."

Others were less certain.

"I would think the inspections and the regulations might weed out some" criminals, said Sgt. K.D. Brooks, in the records management division of the Virginia State Police. "But I think a lot of the small-time people who did a little business are just getting out. That probably accounts for most of" the decline.

FOR MORE INFORMATION

For details of state firearms laws, click on the above symbol on the front page of The Post's site on the World Wide Web at http://www.washingtonpost.com

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DEPARTMENT OF THE TREASURY
OFFICE OF POLICY DEVELOPMENT
(ENFORCEMENT)
Phone: (202) 622-0300
Fax: (202) 622-7301

Date: 12/4/97

Page 1 of __

TO: Rahm Emanuel

FAX: 456-2531 tel
456- ~~6423~~ 2530 FX

FROM: Susan Ginsburg

SUBJECT: Chicago gun article

MESSAGE: Good work

Sunday Southtown, Chicago, IL 11/23/97 p. 1 of 3

Home gun dealers fading out

Laws cut number from 300 to 79 in Southland

By Amy Hetzner
Staff Writer

It's, say, the difference between Dirty Harry and Mr. Smith (the one who went to Washington).

And in the end, Mr. Smith's way seems to have won.

Who would have known that all it took to put gun dealers out of business was a little bureaucracy?

There's the fingerprinting, photographing and fees, added to zoning requirements, location barriers and background checks.

All are credited with driving more and more "kitchen table" gun dealers out of the trade in Chicago's southern suburbs.

At the end of the first renewal cycle since the U.S. and local governments added such requirements to dealers' federal firearms licenses, the Chicago area already has seen a dramatic decrease in the number of people licensed to sell guns.

According to the U.S. Bureau of Alcohol, Tobacco and Firearms, there are 79 licensed gun dealers in Chicago's south and southwest suburbs, including northeastern Will County. And if that seems like a lot, compare it with nearly 300 who used to operate in the same area three years ago.

Statewide, numbers plummeted from 10,283 federal firearms licenses in January 1994 to 3,812 in October 1997.

And that means fewer ways that guns can make it into the hands of juveniles or criminals, said ATF spokesman Michael

Fitzgerald in Chicago.

The difference is a battery of laws from Brady to President Clinton's crime bill approved in 1993 and 1994 that increased license requirements and stipulated that all dealers had to comply with local laws, many of which either ban gun sales outright or restrict where they can take place.

"Until 1994, you could hold a permit to sell firearms ... even if the business was in violation of state or local ordinance," Fitzgerald said. Now, "local villages and cities have a lot more say who goes in and out of the gun business."

Among the added requirements were that all gun dealers submit fingerprints and photographs to the federal government. The three-year license renewal fee was raised to $90 from $30, and a $200 fee was placed on any new licensees. In 1994 Cook County increased the three-year license renewal fee to $500 from $30.

It was that fee increase that drove Mark Hanson, an Oak Lawn truck driver, to drop his gun dealing license several years ago.

A former Hometown police officer, Hanson said the few guns he sold each year were to his former colleagues, either for their personal or professional use.

"I didn't really sell many," he said. "Mostly it's a convenience for other guys in the department."

Coburn Maddox, a Homer Township resident who says he sold about two weapons per year in his 13 years as a licensed dealer, said the bureaucracy is forcing him to drop his license.

There's no reason the Will County land use department needs to get involved in zoning a business that keeps no inventory and has no customer visits, he said. After all, they don't regulate Tupperware or Amway workers.

"They're treating it as if I were setting up a real business that was set up for the public," Maddox said. "It's a deliberate attempt to get the gun licenses out of people's hands."

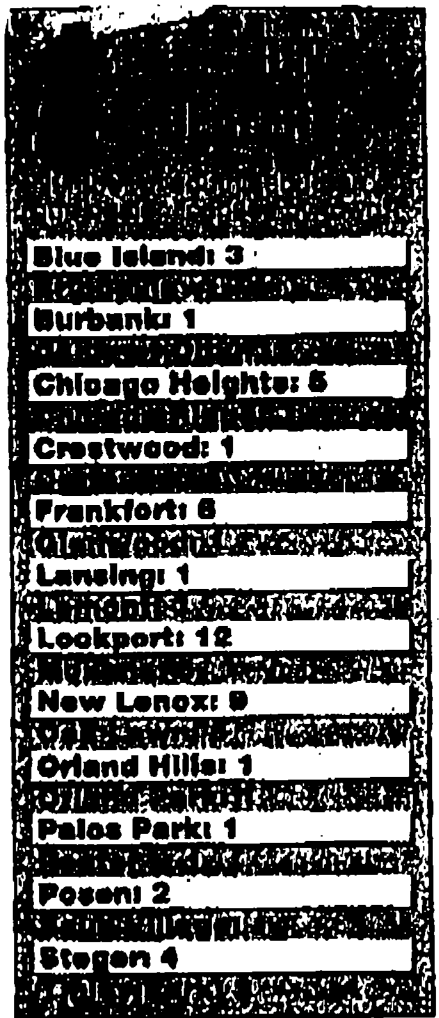
Before the changes in the laws, a vast majority of licensed gun dealers in the country were just like Hanson and Maddox. A 1993 report by the ATF said that nearly three-quarters of federal firearms licensees operated out of their homes, earning them the name "kitchen table dealers."

It's these small-time dealers who have been most affected by the changes in law, which is also why they doubt its effect on crime.

Paying the higher fee just isn't worth it to the dealer who sells only a few guns per year and holds the license mostly to get a better price for weapons, Hanson said.

And those located in places such as Tinley Park and Lansing, both of which changed their ordinances several years ago to require such businesses be in commercial areas, now cannot qualify for license renewals without zoning changes.

Elsewhere, the home-based dealers have been forced to come before planning commissions and



Source: U.S. Bureau of Alcohol, Tobacco and Firearms city councils to request zoning waivers that would allow them to operate out of their houses.

Trustees in unincorporated Homer Township recently recommended against such a request by Gregory Muntean, who said he had been selling weapons to law enforcement agencies out of his house without problem.

It remains to be seen whether Homer officials will be successful.

There are no specific restrictions on gun dealers in Will County's zoning laws. That may be why nearly half of the dealers licenses in the area are concentrated in northeastern Will County.

"If he met all of the criteria and the regulations for that type of business, I don't know that you can discriminate," said New Lenox planner Carrie Hansen.

Will County planners seem to agree. Last week the planning and zoning commission for Will County unanimously recommended approving Muntean's request, with a few stipulations. The decision now has to go before the board's land use committee and then the full board.

Homer Township hopes it will stop there.

"I personally think that kind of business ought to be in C-1 (commercial zoning)," Township Supervisor Ron Svara said. "I think there ought to be a level playing field" for storefront operators who have to abide by commercial zoning restrictions.

The storefront dealers, however, say they don't get much competition from home businesses.

"It never really bothered us all that much. Most people that did that (home sales) were usually just dealing with family" and friends, said Glenwood Gun Shop manager Ray Pennella.

Pennella has not seen any increase in sales since the changes in law that closed down the home businesses.

Still, the storefront dealers were an important part of getting the new law passed, Fitzgerald said, and actually lobbied for changes.

Store dealers say that has more to do with image than with profits.

"Any good dealer wants the laws enforced," said Jim McGurk, manager of Chicago Ridge Guns and Range. "There's enough gun laws, if they just enforce them."

Bureau of Alcohol, Tobacco & Firearms
Office of Public Information

ATF News Summary

Supplemental Wednesday, Dec. 3, 1997 Supplemental

Yahoo/Business Wire 12/1/97

Taunton Man Indicted for Dealing Firearms to Brockton Drug Dealers

BOSTON--(BUSINESS WIRE)--Dec. 1, 1997--A Taunton, Massachusetts, man was charged today on a six-count indictment charging him with unlawfully dealing 20 firearms during a six month period in 1996, and with making false statements in connection with the purchase of firearms.

United States Attorney Donald K. Stern and Jeffrey Roehm, Special Agent in Charge of the Bureau of Alcohol, Tobacco and Firearms, announced the indictment of SHAWN T. FARR, 24, of Taunton, Massachusetts, on one count of engaging in the business of dealing firearms without a federal license, and five counts of making false statements to a licensed dealer in connection with the purchase of firearms.

According to the Indictment, from April to November, 1996, FARR sold nineteen semi-automatic pistols and one revolver. The Indictment further alleges that in connection with the purchase of five of the guns, FARR made false oral and written statements to a licensed gun dealer, ``NDA Arms Sales." Specifically, the Indictment charges that FARR made false representations about the identity of the actual buyer of the firearms, concealing the fact that he was actually purchasing the firearms on behalf of drug dealers in Brockton.

U.S. Attorney Stern said: ``The prosecution of gun traffickers will continue to be a high priority of this office and ATF. This defendant unlawfully purchased 20 guns and in certain cases was actually buying the guns for drug dealers."

If convicted, FARR faces maximum penalties on each of the six counts of five years imprisonment and a $250,000 fine.

The case has been investigated by the Bureau of Alcohol, Tobacco, and Firearms. It is being prosecuted by Assistant U.S. Attorney Ben T. Clements of Stern's Public Corruption and Special Prosecutions Unit.

Contact:

U.S. Attorney's Office
Joy Fallon and Amy Rindskopf, 617/223-9445

White House Press Release

Memorandum For The Secretary Of The Treasury - Gun Dealer Licensing

The White House

Office of the Press Secretary

For Immediate Release August 11, 1993

August 11, 1993

Memorandum For The Secretary Of The Treasury

Subject: Gun Dealer Licensing

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

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

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

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

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

(a) improving the thoroughness and effectiveness of background checks in screening dealer license applicants;

(b) revising the application process to require the applicant to supply all information relevant to establishing qualification for a license, and to require more reliable forms of identification of the applicant, such as fingerprinting, to assist in identifying an applicant's criminal or other disqualifying history;

(c) making the "premises" requirement of the statute more meaningful by increasing field checks and the use of other procedures to verify compliance;

(d) increasing the scrutiny of **licensees'** multiple handgun sales reports and providing automated access to multiple sales report information by serial number for **firearms** trace purposes;

(e) requiring dealers to obtain more reliable identification from purchasers;

(f) reviewing sanctioning policies to determine the feasibility and desirability of adding the option of license suspension for certain violations;

(g) expanding the use of cooperative agreements with State and local law enforcement agencies to address licensing and trafficking problems;

(h) expanding Atf's capabilities to utilize effectively the **firearms** transaction records of out-of-business **licensees** for tracing purposes through the use of automation and other technology.

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

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

All Executive agencies shall, to the extent permitted by law, cooperate with and assist you in carrying out the objectives of this memorandum. You shall consult with the Attorney General, the Director of National Drug Control Policy, and other Executive agencies as necessary to coordinate and implement the objective of this memorandum. To the maximum extent possible, the Attorney General, through the Office of Justice

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Programs, Bureau of Justice Assistance, will expand support to State and local agencies working with Atf on joint projects relating to licensing and trafficking in **firearms**. Nothing in this memorandum shall be construed to require actions contrary to applicable provisions of the law. You are hereby authorized and directed to publish this memorandum in the **Federal** Register.

William J. Clinton

# # #

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