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Clinton Crime Plan [binder] [2]

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VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1993
Introduced September 23, 1993

The Violent Crime Control and Law Enforcement Act of 1993 introduced by Chairman Brooks is a needed response to the many facets of criminal activity in our society. The bill balances a strong Federal commitment to crime control with a recognition of the basic fact that State and local governments have historically played, and must continue to play, a fundamental role in the functioning of our criminal justice system. The following are among the key provisions of the bill:

* Federal Death Penalty -- The bill expands, to over 50, the number of Federal crimes punishable by death. Included under this title are death penalties such as: murder of a Federal law enforcement agent; death resulting from hijacking, terrorists, drive-by shootings; death resulting from hostage taking; killing the President; murder in the course of a rape crime; murder for hire; death resulting from child abuse; and many more.

* Handgun Control (Brady Bill) -- The bill would require an interim system to be put in place in the States requiring a 5-day waiting period before a potential buyer could purchase a handgun. During the 5-day period, a local law enforcement official would attempt to determine whether the applicant was ineligible to buy a handgun because of Federal or State law. The interim system eventually will be replaced by an "instant check" national computer system once the Attorney General certifies one.

* Community Policing: Cops on the Beat -- The bill makes Federal assistance and leadership available to State and local law enforcement authorities in their efforts to put more cops back on the beat, thereby increasing police presence on the streets.

* Safe Schools -- The bill provides grants to those local school districts most severely affected by the rising tide of crime and violence, in an effort to make schools safe environments for learning and to eliminate drug- and gang-related activity in schools.

* Child Abuse -- The bill provides a national system of background checks for people who work with children. It also imposes the death penalty for child abuse murders. The bill makes international parental kidnapping a Federal felony, and provides grants for training of State and local officials in dealing with this increasing problem.

* Habeas Corpus -- The bill streamlines, reforms, and limits current habeas corpus procedures in death penalty cases. Among the changes are the establishment of a strict statutory time period within which death row petitioners must file Federal petitions, and the virtual prohibition of all second and successive habeas corpus applications in capital cases.

* Coerced Confessions -- The bill reinstates the law in effect prior to a Supreme Court decision in 1991, which held that the admission of a coerced confession in a criminal trial can be merely harmless error. By returning the law to the black letter rule that has been followed for decades, the bill ensures that the government does not resort to State-supported coercion as a legitimate tool to develop evidence against defendants.

**GRANT PROGRAMS IN THE
VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1993**

Alphabetical Listing by Program

<u>PROGRAM</u>	<u>AUTHORIZATION</u>	<u>FISCAL YRS</u>	<u>SECTION NO.</u>
● Brady-Improved Crime Records	\$100 million	94 & each FY	503
	650 million	95 - 99 each	
● Certainty of Punishment for Young Offenders	200 million	94 - 96 each	605
● Child Protection-Improved Info	20 million	94 - 96	806
● Community Substance Abuse Prevention	15 million	94	1008
	20 million	95	
	25 million	96	
● Cops on the Beat	200 million	94	102
● Drug Enforcement Administration	100 million	94	
● DNA Proficiency Testing	4.5 million	94 - 98 each	1007
● DNA Analysis Improvement	10 million	94 - 98 each	1003
● Drug Emergency Areas	100 million	94 - 96 each	1501
● Drug Testing Arrestees	100 million	94 - 96	1010
● Habeas Corpus	Sum necessary	Each	307
● Interstate & Int'l Parental Child Abduction Programs	250 thousand	To carry out program	2302
● Juvenile Drug Trafficking and Gang Prevention	100 million	94 & 95 each	606
● Law Enforcement Family Support	5 million	94 - 98 each	1102
● Law Enforcement Scholarship	25 million	94 - 97 each	1122
● Missing Alzheimer's Program	1 million	94 - 96 each	1901
● Motor Vehicle Theft Protection Program	Sum necessary	To carry out program	1801
● Police Corps Program	5 million	94 - 98 each	1112
● Racial and Ethnic Bias Study	2 million	94 - 98 each	1011
● Rural Law Enforcement	50 million	94	1401
	Sum necessary	95 & 96	
● Rural Drug Enforcement Training	1 million	94 - 96 each	1404
● Safe Schools	100 million	94 - 96 each	2402
● Substance Abuse-State Prisoners	100 million	94 - 96 each	1201
● Substance Abuse-Federal Prisoners	Sum necessary	Each	1306

**GRANT PROGRAMS IN THE
VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1993**

Listing is by Section that the Program is found in the Bill

<u>PROGRAM</u>	<u>AUTHORIZATION</u>	<u>FISCAL YRS</u>	<u>SECTION NO.</u>
● Cops on the Beat	\$200 million	94	102
	650 million	95 - 99 each	
● Habeas Corpus	Sum necessary	Each	307
● Brady-Improved Crime Records	100 million	94 & each	503
● Certainty of Punishment for Young Offenders	200 million	94 - 96 each	605
● Juvenile Drug Trafficking and Gang Prevention	100 million	94 & 95 each	606
● Child Protection-Improved Info	20 million	94 - 96	806
● DNA Analysis Improvement	10 million	94 - 98 each	1003
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● Safe Schools	100 million	94 - 96 each	2402
● DEA-	100 million	94	



Department of Justice

FOR IMMEDIATE RELEASE
MONDAY, AUGUST 30, 1993

AG
(202) 514-2007
TDD (202) 514-1888

JUSTICE DEPARTMENT TO HELP COMMUNITIES
HIRE OFFICERS TO POLICE NEIGHBORHOODS

WASHINGTON, D.C.--Attorney General Janet Reno today announced details of a new Clinton Administration program to help communities fight crime more effectively. Through the new Police Hiring Supplement Program, the Department will award grants to law enforcement agencies to hire officers as part of their overall strategy to address crime through community policing.

"This program will help law enforcement agencies take a new approach to fighting crime by building partnerships with community groups and residents," the Attorney General said. "Together they will develop a strategy for preventing crime, promoting problem-solving and enhancing public safety in their neighborhoods."

Under the discretionary grant program, law enforcement agencies from around the nation will vie for \$150 million available to help implement long-term policing strategies that address local needs.

(MORE)

The Police Hiring Supplement monies will be available for a three-year period to help communities most in need pay the salaries and benefits of sworn law enforcement officers who are being hired or rehired.

"These grants will help law enforcement agencies hire up to 2,100 more police officers," Reno said. "This is the first step toward fulfilling the President's commitment to put additional police on the street. We are working to pass a crime bill to help communities hire 50,000 new officers and further expand community policing."

The \$150 million for this program is part of the supplemental budget appropriation requested by the President. The Department will administer the plan under the Bureau of Justice Assistance's (BJA) Edward Byrne Memorial State and Local Law Enforcement Assistance Program.

Fifty percent of the funds (\$75 million) will be awarded to law enforcement agencies serving populations of 150,000 or more. The other 50 percent will be awarded to jurisdictions serving populations of under 150,000.

Application kits are being sent to law enforcement agencies across the country, to city and county officials, as well as to state criminal justice planning agencies.

The Department will consider each application based on a community's public safety and economic needs. Applicants must provide a strategy describing how additional sworn officers would

(MORE)

lead to increased community policing. They also must outline their plan for continuing their initiatives and retaining positions created after the three-year grant period ends. In addition, they must give assurances that grants will not be used to supplant local or state dollars.

Applications will be considered in three rounds, with deadlines of October 14, November 1 and December 1. The first awards will be announced in November and December.

The Department has established a Response Center specifically to provide law enforcement agencies with information and assistance in preparing grant applications. The phone number is 202-307-1480.

#



Department of Justice

Grace Marstelli
Dep. at Justice

POLICE HIRING SUPPLEMENT PROGRAM

FACT SHEET

PROGRAM GOALS

- To increase the number of sworn law enforcement officers serving areas where they are needed most.
- To improve the long-term ability of law enforcement agencies to engage in community policing by deploying additional sworn law enforcement officers.
- To improve public safety through innovative crime prevention, including community policing.
- To hire additional law enforcement officers to increase sworn officer deployment and expand community policing designed to prevent crime, promote problem solving, and enhance public safety.
- To rehire law enforcement officers who have been laid off (as a result of state and local budget reductions) to increase sworn officer deployment and expand community policing.

FUNDING

- The \$150 million available for this program is part of the supplemental budget appropriation requested by President Clinton. \$75 million is available for jurisdictions at or above 150,000 population; \$75 million for those below 150,000.
- Grant funds are available only for the salaries and fringe benefits of hired or rehired sworn law enforcement officers over a three-year period. Funding for overtime costs is prohibited.
- The program will provide funding to hire up to 2,100 officers.

AWARD AMOUNTS

- \$1 million maximum for jurisdictions below 150,000 population.
- \$2 million maximum for jurisdictions between 150,000 and 749,999.
- \$3 million maximum for jurisdictions between 750,000 and 2 million.
- \$4 million maximum for jurisdictions above 2 million population.

FEDERAL SHARE

- Federal share per officer may not exceed the greater of: (1) 75 percent of the total salary and benefits over the life of the grant, up to a maximum of \$75,000; or (2) 50 percent of the total salary and benefits

over the life of the grant. Federal share per officer may be increased upon submission of evidence of extraordinary economic hardship.

ELIGIBILITY REQUIREMENTS

- Law enforcement agencies, or a consortia of law enforcement agencies, that serve local communities can apply. State law enforcement agencies may apply if they have law enforcement jurisdiction and provide local law enforcement services to communities within their state.

SELECTION CRITERIA

- **Public Safety Need.** Applicants must demonstrate their jurisdiction's need for additional sworn law enforcement officers, as well as the reasons local funding is not available to meet these needs. Public safety factors include Uniform Crime Report data, calls for service, personnel information, expenditures for police services, and the overall crime picture. Economic factors include the unemployment rate, natural disasters, and base and plant closings.
- **Community Policing Strategy.** Applicants must develop a three-year strategy that specifies how additional sworn law enforcement officers would lead to increased community policing focused on crime and related problems in the jurisdiction. Community involvement and effective interagency coordination should be emphasized.
- **Implementation Plan.** Applicants must include an implementation plan that specifies how program funds will be used to deploy additional sworn police for community policing activities.
- **Continuation and Retention Plan.** Applicants must describe how they intend to continue the project and retain the positions created with project funds following the conclusion of the grant period.
- **Additional Resource Commitments.** Applicants must describe sources and amounts of outside funds or resources that will be provided by other agencies or organizations in support of the project. A plan for drawing upon outside resources, or an explanation of why no other resources are available, must also be included.
- **Budget Proposal.** Applicants must include a budget and a budget narrative that identifies salary and fringe benefit costs.
- **Equitable Distribution.** Consideration may be given to equitable distribution of grants based on geographic or other factors.

APPLICATION/AWARD DATES

- Applications will be considered in three rounds, with deadlines of October 14, November 1, and December 1. Award announcements are expected in November and December.

CONTACT

- The Department has established a Response Center to provide law enforcement agencies with assistance in preparing grant applications for this program. The telephone number is 202-307-1480.

JOINT COMMUNIQUE

The Attorney General of the Republic, Dr. Jorge Carpizo, extended an invitation, which I accepted, to pay a working visit to Mexico City. I was received by President Carlos Salinas de Gortari, to whom I conveyed a greeting and message from President William Clinton.

Attorney General Carpizo and I discussed the repercussions the adoption of the North America Free Trade Agreement will have on the pursuit of justice and law enforcement in general, concurring that without a doubt its approval will translate into closer and more intense cooperation.

We believe that the strengthening of mutual respect and shared responsibility which will come about with the Treaty, will increase the ability of the United States and Mexico to fight drug trafficking and other crimes, such as organized crime, money laundering, arms trafficking, intellectual property piracy and environmental crimes.

In order to achieve this, after discussing the characteristics and trends of the drug phenomena, we reiterated our decision to

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

To <u>David Markov</u>		From <u>Julie Anbender</u>	
Dept/Agency		Phone #	
Fax #		Fax # <u>202 111 1111</u>	

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maintain, with due respect for the sovereignty of the two countries, the necessary spirit of cooperation, bilateral as well as regional and worldwide, to join forces in specific areas in the fight against the abuse, production and illegal traffic of narcotics.

Within the framework of the new policies being formulated by the government of the United States regarding this matter and in accordance with the new structures being established by the Mexican State for this purpose, we discussed future measures to initiate actions which will give priority to the dismantling of criminal organizations similar to the methods used in Sinaloa and Chiapas last week, where approximately 9 tons of cocaine were seized. We will also work together to forfeit the assets and financial resources of the traffickers, as has occurred during the past several months with the forfeiture of more than 120 properties from the Arellano-Felix organization.

I conveyed to Attorney General Carpizo my special recognition of the progress made in this field as represented by the recent creation of the National Anti-Drug Institute, which I visited.

We exchanged ideas about how, bearing in mind the precepts of International Law and the Domestic Law of each country,

we can promote and prompt among our colleagues of the western hemisphere the possibility of establishing systems of criminal justice which will clearly and efficiently contribute to combatting impunity and corruption. We reiterate our pledge to protect the human rights of all the citizens of our countries. Concerning the negotiations related to the Extradition Treaty currently being held between Mexico and the United States in order to explicitly establish the prohibition of transborder abductions, we noted with satisfaction the constructive atmosphere and the significant progress made with regard to this matter.

Attorney General Carpizo informed me of the decision of the Mexican government to create a unit which will guarantee and speed up the action taken by the courts in proceedings dealing with crimes committed abroad by Mexican nationals located in Mexico. I assured Dr. Carpizo that the Department of Justice is in the process of identifying, on a Federal as well as state and local level, the cases which may be referred to this new unit; In addition to appointing a Judicial Attache to the Embassy of the United States in Mexico in order to promote legal cooperation.

4.

President Salinas asked us to explore the legality and feasibility of a new pilot program for the return to Mexico, in appropriate cases, of Mexican citizens currently incarcerated in prisons in the United States who are able to participate in programs for rehabilitation and reintegration into their Mexican community. We look forward to working together on this project in the next few weeks.

Finally, even though we did not address specific immigration topics, since, in Mexico this falls within the purview of other government agencies, we expressed our willingness to intensify communication between Federal, state and local authorities in their pursuit of justice so as to prevent and solve border problems. To this end, we agreed to instruct our officials along the border to stimulate cooperation and to act accordingly.

Mexico, D.F.

October 11, 1993

President William Jefferson Clinton
Radio Address to the Nation
Oval Office
October 9, 1993

Good morning. It's been said that only in growth, reform and change can true security be found.

In the past eight months, we've set those wheels in motion... and we have begun the process of restoring security for our people.

First, we addressed economic security with a budget that seriously cuts the Federal deficit. That has led to record lows in long-term interest rates, and that has led to good news in increased bank lending, in housing starts and in business investment. We have created more than one-million private sector jobs... more jobs in eight months than all of those created in the previous four years.

It's just a beginning. Many of our people are still struggling and we won't quit fighting for them. As long as the economy isn't working for enough working families, we will be working to fix it.

We took on medical security because true security for our families and for the economy is incomplete without it. Our plan for health care reform will reduce waste and cost and most importantly, will give our citizens health care that's always there... that can't be taken away.

And the blanket of security for Americans has another side to it: personal security. Our people have the right to feel safe where they live, work, play and go to school. But too many of our people are being denied that right.

I have talked with parents, who were afraid to send their children to schools where other kids carry guns.

I have talked with children who were so afraid of becoming caught up with gangs, they didn't ever want to leave their homes.

I have talked with police officers, who felt anger and frustration at trying, sometimes against overwhelming odds, to stem an epidemic of violence.

I have talked with victims. Yesterday I visited a trauma center in New Jersey and saw what people with guns can do to each other. I met a woman who couldn't speak anymore because her husband shot her in the throat. I met a man who took a bullet in his chest during a robbery attempt.

It's an outrage that these kinds of attacks have become commonplace, that they shatter lives and destroy families...

that, too often, the victims are children. Violent crime crowds our emergency rooms and drains our medical resources... but more than that, it is siphoning our humanity.

My visit with these victims yesterday made me more determined than ever to win passage of our Crime Bill. This bill will help restore a system where those who commit crimes are caught... those who are found guilty are convicted... and those who are convicted are punished.

We sent the Crime Bill to the Congress two months ago with an urgent priority. This month, lawmakers will consider it... and I want them to pass it before the end of the year.

What makes our Crime Bill effective is this: More cops, fewer guns.

Our bill would help prevent crime by beefing up our police forces... and by expanding community policing.

It makes more heinous crimes punishable by death... but it also gives a young person who took a wrong turn a chance to reclaim his life by learning discipline in a boot camp.

Here in Washington recently, a beautiful 4-year-old girl was caught in a line of fire and she died from the bullet wound. Her name was Launice Smith. All she was doing was watching other children at play. How did that become the wrong place at the wrong time?

The fact is, with the easy access to firearms in our country, a lot of places can be the wrong place at the wrong time.

This measure includes the Brady Bill... which requires a five-day wait before a gun can be purchased. That would allow a background check to stop guns from getting into the hands of convicted criminals. A waiting period would also help prevent crimes of passion and suicides.

Every major law enforcement group in our country supports this bill, indeed they have been clamoring for it.

On school grounds, on streets, in parking lots, in homes, in our biggest cities and in our smallest towns... the silliest of arguments -- arguments that might have ended in a fistfight in bygone days -- now they're too easily ended with the sound of a gun.

In their lifetimes, 8 of 10 Americans... 80 percent of Americans... will become victims of violent crime. The ones who don't survive become the empty chair in a classroom... the empty place at the dinner table... the empty space in the hearts of those who loved them.

We've begun the steps to fix our economy, our health care system and our government. Now, with the Crime Bill, we can begin to cure an epidemic of violence and restore our personal security.

Tell your representatives on Capitol Hill that you want the Crime Bill, and that you want it now because it's important and it's long overdue.

Thanks for listening.

THE WHITE HOUSE

WASHINGTON

October 7, 1993

MEMORANDUM FOR DISTRIBUTION

FROM: Carol H. Rasco
SUBJECT: Meeting Notice - Crime Bill

The President has asked that I coordinate a series of regular meetings over the next few weeks of key Administration officials to focus our efforts on crime and gun violence issues.

With the crime and Brady bills pending in Congress, and a surge of nationwide interest in the epidemic of violence, the President wants the Administration to step up its response in these areas. It's critical that we speak with one voice and maximize our resources we can then marshal to focus on crime.

Please be sure that you or your representative attend the first crime coordinating meeting TUESDAY, OCTOBER 12 at 4:00 PM in the ROOSEVELT ROOM. If you should have any questions, please do not hesitate to call me (x2216) or Bruce Reed (x6515).

DISTRIBUTION

White House

Mack McLarty
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Alexis Herman
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Maggie Williams
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Bruce Reed
Jose Cerda
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Jody Greenstone
Lorraine Miller
Tracy Thornton
Keith Mason
Steve Hilton
Liz Bernstein

Justice

Attorney General Reno
Phil Heymann
Webb Hubbell
Sheila Anthony
Carl Stern
Eleanor Acheson

Others

Leon Panetta, OMB
Peter Edelman, HHS
Lee Brown, ONDCP
Madeline Kunin, Education

NATIONAL COUNCIL ON CRIME AND DELINQUENCY

St. Louis Post-Dispatch, September 11, 1993

Try New Ways to Reduce Violence

At the White House, a spokesman used the Florida shooting to call attention to President Bill Clinton's crime bill, as if it would have made a difference.

None of (the President's) flawed proposals shows up in the National Council on Crime and Delinquency's new report on addressing crime. It emphasizes prevention and rehabilitation.

A society outraged by daily reports of violence in cities may be less willing to see social spending as the answer. But there is no way to prove the council wrong; no president has been bold enough to suggest even a pilot project to test alternatives like those the council proposes.

On the other hand, there is plenty of evidence to show that throwing more money into the criminal justice system has not made Americans feel safer. The council's suggestions deserve serious consideration as Congress decides the fate of President Clinton's get-tougher crime bill.

POLICE CORPS

The Houston Chronicle, September 7, 1993

Police Corps Would Be Wasteful and Redundant

Congress will soon consider the Clinton administration's Crime Control Act, including an initial \$ 3.4 billion Police Corps proposal. The idea is ill-conceived, unnecessary and wasteful.

The proposal calls for 100,000 "new officers," a 20 percent increase.

To date, there has been no research to determine a need, and no information as to how they might be utilized.

We do not need a Police Corps; we need a firm resolve. We need social and behavioral theorists to stand aside and quit insisting that career criminals be treated like society's unfortunates. We need full-scale prisons, adequate in size to house these criminal parasites until they decide (as they will) to live in lawful accord in our society.

POLICE CORPS

Houston Chronicle, August 28, 1993

Bright Ideas Are Needed to Deter Crime

William F. Buckley, Jr.

The mechanics of crime prevention is what we need to address.

At that level, there is no proposal more challenging or more satisfying than Adam Walinsky's straightforward Police Corps.

It remains the brightest idea for beefing up police deterrence quickly, intelligently and economically.

One element of the Clinton bill calls for sending young criminals off not to penitentiaries, where they learn primarily how to refine their art, but to junior versions of Camp Lejeune, where tough corporals and sergeants impose military-style discipline.

The trouble, of course, is that before the young criminals reach such establishments, they have committed their crimes and been found guilty of doing so. The search is for a lesser penalty, pre-emptive in nature.

BOOT CAMPS/POLICE CORPS

Philadelphia Inquirer, August 26, 1993

Editorial would back President Clinton's anti-crime plan if it includes greater attention and resources to two components of the plan: high-discipline 'boot camps' for first offenders and so-called 'Police Corps,' which would let students who qualify pay for their college educations by serving as police officers

DNA TESTING

Washington Post, September 3, 1993

Standards for DNA Testing

Public interest has focused on the uses of DNA testing in bringing criminals to justice. But as this and other cases demonstrate, it is an equally valuable tool in establishing innocence.

Sen. Paul Simon and Rep. Don Edwards are the leading congressional actors in a regulatory effort on DNA. They have offered identical bills to create an advisory board to recommend standards for testing methods and for labs and analysts.

The Simon-Edwards proposal has been passed by one house or another in earlier Congresses and was part of last year's crime bill, which survived a conference but was not enacted. In March, the House passed the bill again, and Sen. Simon is working toward its inclusion in President Clinton's expected crime package. But omnibus bills, especially those that contain highly controversial measures such as habeas corpus reform, the death penalty and gun control, tend to get bogged down.

ATTORNEY GENERAL

The Buffalo News, August 29, 1993

A Role Model Named Reno: Rochester Appearance Reinforces Her Image

At a time when many politicians think the way to solve crime is to lock up criminals and throw away the key, Reno recognizes that America can't afford the fiscal or social implications of such a policy. She wants to steer non-violent offenders into such programs as drug treatment and education. "If that's soft on crime, so be it," she said.

If she can muster the political support for such controversial policies, Reno could revolutionize law enforcement in this country. In the meantime, though, she's doing her part -- admirably -- to restore people's faith in government.

GENERAL

Dallas Morning News, August 18, 1993

Crime Package; Clinton is Taking the Right Approach

Buffalo News, August 14, 1993

Clinton's Crime-Fight Plan Has Some of What's Needed: More Cops, Fewer Guns Mark a Good Start

Chicago Sun-Times, August 15, 1993

Anti-Crime Bill has Several Good Points

President Clinton's anti-crime program builds on past presidential proposals in several constructive ways -- by taking firmer anti-gun action, by offering \$100 million in college scholarships for police training, and by providing for the creation of security zones or "safe havens" around schools.

Lamentably, his crime bill provides for the death penalty for nearly 50 new crimes.

GENERAL

The Buffalo News, August 14, 1993

Clinton's Crime - Fight Plan Has Some Of What's Needed More Cops, Fewer Guns Mark A Good Start

The one-two punch of increased gun control and more cops on the street will help President Clinton keep two vital campaign promises while also helping the nation combat rising crime.

Unfortunately, Congress last week did not do as much it could to eradicate the causes of crime. Many of the urban initiatives that would have provided jobs and hope were scaled back in the deficit-reduction package Clinton signed only a day before unveiling his anti-crime proposals.

Still, for what it does -- make crimes harder to commit and get away with -- the new \$ 5 billion, five-year package unveiled Wednesday is a good start toward

making neighborhoods safer.

Clinton's proposal for \$ 3.4 billion over five years to put an extra 50,000 police on the streets, many doing so-called "community policing," cannot help but head off crime as well as aid in solving those that do occur.

A smaller, \$ 100 million "police corps" initiative to train college students in police work, and a \$ 700 million, five-year effort to get more police into public housing projects, are far less substantial. But every little bit helps.

The package is a grab bag that also includes several other measures, ranging from expanded use of the death penalty to more use of boot camps to straighten out youthful offenders.

Some will require more detail and, perhaps, public debate. But the main elements of the plan -- more police and stricter gun control -- are something most Americans should easily support and be willing to pay for.

WAITING PERIOD

The Orlando Sentinel, September 2, 1993

Gun Legislation And Public Safety

Regarding the Clinton anti- crime bill, that portion of the package pertaining to the five-day waiting period is useless unless Florida's concealed-weapons law is rigidly enforced. The five-day waiting period does nothing about the many illegal firearms currently possessed by criminals and other undesirables.

HABEAS

Washington Post, August 31, 1993

First Step Toward a Crime Bill

This new proposal (on habeas corpus) may win some conservative votes, but the liberals' position has been severely eroded, and they are not likely to go along.

Habeas supporters have already conceded a great deal to the opposition... But in exchange, they insist on two guarantees: broadly available access to federal court, which the Supreme Court has begun to close off, and competent, well-funded and independently appointed defense counsel in capital cases. On both counts, the Biden bill falls short.

It is unfortunate that any restrictions on the Great Writ are looming. But if concessions are to be made on the frequency and the timing of petitions -- both of which we oppose -- the bargain should at least include the full roster of amendments already won last year.

HABEAS

Washington Post, August 28, 1993

Death Row Drama; The press falls down when it fails to report about innocent people who have almost been executed.

Nat Hentoff

(H)abeas corpus is becoming an endangered constitutional species. How many readers know or care about the increasing inability of state prisoners to get federal judicial review of their convictions or sentences?

The press has done very little to expose some of the most telling propaganda by those advocates of the death penalty who keep stressing the need for "finality".

Less often reported are such comments as those of Judge William Norris of the 9th Circuit: "A human life is at stake. I fail to understand the rush to judgment."

It might be of some use if the ABA were to hold informal sessions -- not seminars -- with reporters and editors in various cities and towns. The idea would be to discuss ways in which we can help make due process a phrase that might make readers pause once in a while.

HABEAS

New York Times, August 14, 1993

Not So Fast on Habeas Corpus

(Biden and Reno's) habeas corpus proposals have now been unveiled. They are wordy, complicated, novel, and still controversial.

MANDATORY MINIMUMS, BRADY BILL

Washington Post, September 27, 1993

The New Crime Bill

We applaud Rep. Don Edwards who believes all mandatory minimum sentences should be repealed. In the absence of that reform, it is at least a small victory that the new bill does not add new ones.

We hope the strategic decision (to leave Brady out of the bill) is the right one, for all the death penalties, extra police, new study commissions and tinkering with habeas that are in the bill are of marginal importance in the war on crime, compared with curbing the availability of weapons.

BRADY

Star Tribune, August 15, 1993

This Year, Pass the Brady Bill

Last week the President unashamedly named the Brady bill as the centerpiece of his new anticrime package. His words heed the wishes of millions.

Congress should now join in the journey and pass the bill

BRADY

USA Today, August 17, 1993

Let's Get Moving on Federal Gun Control

The separation (of Brady from the bill) makes sense, and not just for reasons of political tactics. The measure -- and the debate behind it -- reaches well behind crime.

The bigger context is gun violence.

HABEAS

Newsday, August 16, 1993

It's Criminal

Clinton has thrown his support to a vast expansion of the federal death penalty, and to limits on appeals by death row inmates, in an effort to break a conservative stranglehold that has prevented enactment of more constructive anti-crime measures.

That's lamentable...because there are other anti-crime ideas...that merit passage. Better he fight for the good stuff (Brady, community policing, safe schools, drug treatment programs) than buy off the opposition by supporting the bad.

100,000 COPS

Rocky Mountain News, August 20, 1993

Taking on the Bad Guys

No doubt the presence of more officers can deter crime, depending on their deployment. But this element of the Clinton package is still the most problematic, for it is being offered at a time of huge federal deficits.

Indeed, it is hard to understand why the hiring of more police should be a federal responsibility at all.

10/5/93

TO: BRUCE REED, JOSE CERDA

FROM: LIZ BERNSTEIN

SUBJECT: Possible D.C. crime event at the new "Drug Court" initiative opening

Purpose

We have been under increased pressure, both internally and externally, to respond to the recent upsurge of violent crimes in the District. While some have pitched ideas ranging from a visit to a recently victimized elementary school to a one-on-one visit to the mother of the latest victim (a 4-year-old girl), I think the opening of the new "drug court" here fits best into our overall strategy for several reasons:

It has the appeal of being tough on crime while also personalizing --and showing compassion for-- the treatment of drug-related crime to prevent recidivism;

There is a clear relationship between substance abuse and the enormous health care costs associated with its problems;

This is the first project of its kind to be funded by our administration.

Background

This program has evolved out of a cooperative agreement with HHS (Center for Substance Abuse Treatment), the Pretrial Services Agency, and the D.C. Superior Court. It is similar to a program already implemented in Miami.

The primary idea behind this initiative is to radically change the way the criminal justice process and the drug treatment process interact with one another. In this "drug court", the leverage of the judicial system will be used to encourage and enforce participation in drug treatment. The emphasis will be on cost effective treatment programming specifically designed for the drug abusing criminal offenders coming through the D.C. Superior Court.

Components of the plan include:

Treatment based on viewing drug addiction in criminal defendants as not only a medical problem but as a complicated medical/psychological/social set of problems associated with criminal behavior;

Immediate intervention, with testing done at the time of the arrest;

An enhanced role for the judge, with oversight over the participation in the treatment plan;

Frequent drug testing, with a computer linkup to the courtrooms of not only the results but all treatment progress and participation records;

Emphasis on the quality and continuity of the treatment process;

The project is projected to last about five years, with each defendant's involvement in the program lasting about six months.

Participants

The President, Lee Brown, (Reno?), Jay Carver (Pretrial Services Director), Chief Judge Fred Ugast, and Mayor Kelly. Another possibility would be the head judges of the Miami or Oakland drug courts.

When

The opening can be any day from October 18 to 29.

7/93

Jim Milber
467-9895

Target list
(timing)

Black caucus

probs

mandatory minimums
death pen / habeas

} also liberal Dems

pluses

Brady

Republicans

Florio
Radio

Youth violence

comb boot camp / civilian corps / job corps

Interagency council - violence issues
Edelman / Kunin / Cook (DP) / Anthony

IGA

state AG's etc.

90

Drug strategy

getting POTUS involved

corps / guns / DRUGS — need to talk about
drugs

essential issue — \$ for treatment

Senate
Consideration next 2 weeks

Roos Room
Crime Mtg
10-12-93

House
probs w/ habeas

Sen bill will probably include assault language
— this will cause problems in House

Assault weapons bills

Metzenbaum — definitions of weapons

DeConcini — less defined

→ { 15-20 votes short in current form }

Kohl juvenile ban —

(should at least be able to get best one if not Kohl)

— Glickman has similar language —

in spending cut package:

\$3-4 billion for crime bill

(includes all current authorizations)

radio address -

moral point about responsibility
this is more than about the bill
(quiet rage)

can't have community w/out personal security

Dionne -

random violence -

every major law enforcement group is
behind the president on this bill

→ wife strong from Robeson County

youth violence

8/9

9:30 - 10:15 → presentation on Wednesday

BC

Biden / Brooks

Reno

(Sarah Brady?)

need to reach some members

"outline the details"

"cops on beat" proposal — needs to be laid out

Habeas

Death penalty

} these elements are finalized

Police / Mayors

3-page press version — send to Congress

(Biden has 30-page summary)

Guns

(debate over place of Brady)

need to say

we support Biden position on habeas

Our "plan" vs. their "plan"

Executive orders / 100,000 cops / sketchy crime bill details

Executive orders:

- change in import restrictions / definitions of assault pistols
- federal firearms licensing

Facts —

1972 - SC struck down death penalty

23 inmates put to death in 1990 had spent an average of 8 yrs waiting

Midt, Ill (July)

boot camp in Greene County - White Hall, IL
- convicted of non-violent felony,

NYT
7/29/93

why are you smiling? we're saving lives, sir!
(town was desperate)
- when levee broke

I'd rather fight Mother Nature than
a bullet

(not just a city problem)

L.A. in 1992 - more than 8,000 people were treated
for gunshot wounds in county hospitals
and 1,919 were murdered w/ firearms

A violent crime or theft occurs in schools
an average of every six seconds - about
3 million a year

from 1980 - 1989 - more than 11,000 persons
died in the US as a result of homicides
by high-school aged youths

1993 70% want stricter laws covering
sale of firearms
48% of Americans have a gun in
their house

1964 → 1991 - Total # of murders &
manslaughters has nearly
tripled

7,990 in 1964

21,505 in 1991

9/30/93

Hse/Sen votes → poss. last week in October

Brady hearings today — Brooks

Strategy —

PL
Steve
Alexis

Public outreach
press
events

(getting crime references in speeches)

IGA — briefings for Mayors, Govs
\$ for cities

Target List

State AG's
Members

surrogates

Cisneros
Reno
Brown

* Violence, moral issues

Black Caucus — outreach, strategy
[Congress — Racial Justice Act]

Issues
QB

what is permissible —

what is a victory —

[one point person per department]

Memo - Need strategy
what is victory on crime?

way to highlight focus on crime thng:

- 1) legislation
- 2) pres attention

way to accomplish victory

Brooks / Biden mtg

Administrative - wide attention

{ letters
police chiefs
radio shows from police station
tie-ins to health care

Distrib \$150m to small communities
(maybe video)

Firearms licensing

regular weekly mtg - chaired by Gergen

TO : Mark, Dee Dee

FROM : VRV (305) 666-8117 - Miami tel no.

RE : Weekend Shows Schedule

DATE : 10/22/93

SATURDAY, OCTOBER 23RD:

Evans & Novak (CNN) (taped Friday morning)
Confirmed : Bill Daley and Representative from American
Steelworkers Union
Re : NAFTA

CNN Newsmaker Saturday

Confirmed : Dr. Lee Brown and Congressman Benjamin
Gilman (R-NY)
Re : Drug Policy
Other Segment : Ms. Kaplan, Local Drug Counselor

SUNDAY, OCTOBER 24TH:

FACE THE NATION (CBS)

Confirmed : Attorney General Janet Reno
Re : Crime Bill
Other Segment : Senators Joseph Biden and Phil Gramm
Re : Crime Bill

MEET THE PRESS (NBC)

Confirmed : Attorney General Janet Reno (entire show)
Re : Crime Bill
Reporters : David Broder (Washington Post) and Pete Williams
(NBC Justice Dept. Correspondent)

THIS WEEK WITH DAVID BRINKLEY (ABC)

Requests : PENDING
Other Segments : Senator Bob Dole, former Secretary Dick Cheney
on Foreign Policy
(Pending - response from David Gergen)
Bore

LATE EDITION (CNN)

Request : PENDING
Overview/Foreign Policy
(Pending - response from George)

MCLAUGHLIN ONE-ON-ONE

Guest : Cong. Richard Gephardt
Re : Overview/NAFTA

Drug Policy
T. Point

to
Caroline
at

Justice
514-797111

Aspin request

① DOD contact: **NO**
Susan Wallace

② Crime / cities
(if they do crime,
guests will be
local officials,
don't need George)
Contact: Jack
Smith
898-7620

SAT.
TODAY

Thurs - crime
event NYC

Paul Browne

Dep Commissioner of Police - NYC
(212) 374-6728

SD-GOI
Obey report
Stu
Richardson's
office

Ed Junth
reauthorization

9:30 am
Jose's office

3:30 - POTUS mtg re: crime

→ precinct -

North end of Manhattan
Washington Heights

Dominican community / black / white

Wash Heights:
dropped sack
on cop - killed him
almost killed fireman

Hospitals

Beat?

Police Athletic League
privately funded

Harvey Weinstein -

Camp Smith

Manhasset/FBI conference

Hudson River

community boards → 95% positive feedback
on street level

(312) 787 - 9663 fax

Melody
Heaps

Sen. Hughes

Bert
Brandenberg
514-4089

* conference on drugs + crime
in Texas
- Feb 26th -

Garlagher
606-4880

law enforcement →

critiques among treatment group
field needed to have been briefed

1:30 CNN

Recent clips

CA -

detailed summary
of what Senate passed

FEC - what are we for -

Morgenthau - president of P.A.L.

police union → aggressively campaigning
against the mayor

letter to
Kelley

DC crime stats
council draft language

→ ~~isn't~~ ~~you~~ ~~can~~
understanding of problem

COMMUNICATIONS ROUTING SLIP

FROM: Mark Gearan
Communications Director

DATE: _____

TO:

- ☐ Bob Boorstin
- ☐ Keith Boykin
- ☐ David Dreyer
- ☐ Jeff Eller
- ☐ Rahm Emanuel
- ☐ David Gergen
- ☐ Arthur Jones

- ☐ Dee Dee Myers
- ☐ Marla Romash
- ☐ George Stephanopoulos
- ☐ Don Steinberg
- ☐ Lorraine Voles
- ☐ Michael Waldman
- ☐ Ann Walker
- ☐ Other: 612

FOR YOUR:

- ☒ Action
- ☐ See Me
- ☐ Information

COMMENTS:

pls call

Telephone Log for GEARAN, MARK
New Calls

Page #: 1

0/21/93 2:32 PM ☐ Answered	STERLING, ERIC CRIMINAL JUSTICE POLICY F Ph #:(202) 835-9075 Home: Other Car: Fax:	RE: The drug Czar.... 253 B. Taken By: CHAD
10/21/93 3:05 PM ☒ Answered	MITCHELL, ANDREA NBC Ph #:(202) 885-4363 Home: Other Car: Fax:	Still needs to speak to you.... Taken By: CHAD
10/21/93 3:09 PM ☒ Answered	BRAVER, RITA Ph #:(202) 457-4461 Home: Other Car: Fax:	Would like to know what the travel for Thursday and Friday includes..... Taken By: CHAD

Drug Court - Speakers, participants

Jay Carver 727-2911 (w)
~~(301) 444~~ (703) 243-3760 (h)

Lisa Scheckel (301) 443-6501
Acting Director
Center for Substance Abuse

Judge Fred Ugast

EXECUTIVE OFFICE OF THE PRESIDENT

18-Oct-1993 05:48pm

SUBJECT: President's Radio Interview 1993-10-18

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

October 18, 1993

**INTERVIEW OF THE PRESIDENT
WITH RADIO REPORTERS**

The Roosevelt Room

3:40 P.M. EDT

THE PRESIDENT: First of all, I want to thank all of you for coming today and for offering all of us this opportunity to have a conversation with the radio listeners around the country and beyond.

I thought I would open just by saying that I have sent a letter this afternoon to Senator Mitchell in the Senate about some potential amendments to the defense appropriation bill and one actual amendment dealing with Bosnia, Haiti and the whole command and control apparatus of our military as it relates to cooperation with other countries in peacekeeping and other endeavors. That amendment has actually been introduced.

The letter essentially says that I oppose the amendment that affects the way our military people do their business, working with NATO and other military allies. I think it unduly gets into the details of the command and control operations of the military, which I think is an error, and that I would oppose any amendments with regard to Haiti and Bosnia that were of questionable constitutionality and unduly restricted the ability of the President to make foreign policy, and outlines some of my concerns.

In Haiti, my concerns are that there should be no restrictions that would undermine the ability of the President to protect the Americans on Haiti, that would aggravate the likelihood of another mass exodus of Haitians, or that would send a green light to the people who think they've got the best of both worlds -- they got the sanctions lifted and then they broke their word on the Governors Island Agreement.

With regard to Bosnia, the amendment simply points out that the United States has very strong NATO allies and that there were strict conditions that I have put on any kind of cooperation on Bosnia with NATO to enforce a peace agreement, and that I think most members of Congress agree with those conditions, but I don't think we should have an amendment which would tie the President's hands and make us unable to fulfill our NATO commitments, thus raising all kinds of questions about the long-term relationship of the United States to Europe.

So that's what the letter says. There is only one amendment so far that has

in the Congress and elsewhere, who, notwithstanding the vote of the Haitian people, basically have never felt very strongly about returning Aristide anyway and have questioned his fitness to be President. You can do that with the winner of any election.

But all I can tell you is that I would just like to observe just a couple of things. Number one is unlike his adversaries, President Aristide has done everything he said he would do under the Governors Island Agreement, including giving them amnesty. And secondly, recognizing his lack of experience in politics and business, he reached out to a man like Malval, who's plainly one of the ablest people in the country and clearly a very stable and reassuring figure, asking him to run the government. So I feel that we should support the democratic movement in Haiti. And I think that the steps we're taking now are the appropriate ones.

Q Mr. President, have you decided on a nominee for the position of Assistant Attorney General for Civil Rights?

THE PRESIDENT: I don't want to give you an evasive answer, but let me tell you what happened. We had, weeks ago, a nominee who declined the position for personal reasons. And the Justice Department was asked -- the Attorney General, specifically, was asked to make another recommendation. I believe that she has a recommendation for me which I have not yet formally received. But I am not positive of that, but I believe so.

Q Mr. President, I'd like to ask you about a subject that you've brought up in a number of your remarks lately. You've been discussing the issue of gun control, firearms violence, the extremely high cost of health care related to firearm injuries. Senator Chafee of Rhode Island has once again introduced legislation which is pending in the Judiciary Committee now which would ban the sale, manufacture, possession, importation or exportation of all handguns with exceptions for law enforcement, military and licensed target clubs. You've talked about your support for the Brady bill and for a ban on assault weapons. How would you feel about Senator Chafee's bill, which I understand Dr. Sullivan, former HHS Secretary, is testifying on tomorrow?

THE PRESIDENT: Well, I have to read it, but I think it might go a little far if it bans all handguns, just because I think that there is a lot of evidence that Americans have used handguns responsibly for sporting purposes, that they're not all used as weapons for committing crimes or killing people. I do believe, however, -- and let me say first -- secondly, as a practical matter, I have not yet been able to get Congress to vote on the crime bill, including the Brady bill and the vote to ban a comprehensive list of assault weapons.

I also know that I heard that **Senator Kohl** has an amendment, which I would encourage, which would make national the ban on ownership or possession of handguns by minors unless with their parents or another supervising adult in an appropriate setting, which might be the way to go on the issue that Senator Chafee is concerned about. Nonetheless, I would -- I hold him in the highest regard. He's one of the -- I think, an extremely responsible person and I'll be -- I welcome the hearings on his legislation. But I would have a little problem with a total ban on handguns. I would have a problem with that based on what my understanding of the situation is.

And I think we ought to focus -- again, we ought to focus on the Brady bill, the

assault weapons ban and banning possession by minors right now. One of the things that -- since I have been working on this in the last several months, one of the multitude of statistics that's made the biggest impression on me is the one that we were told a couple of weeks ago that now someone shot in a criminal encounter is three times more likely to die from a gunshot wound because they're likely to have nearly three bullets in them, as opposed to only 15 years ago. That is a huge statistical change. And, of course, as I pointed out, these wounds and the homicides put an enormous financial burden on this country -- on the medical system, on the criminal justice system.

But mostly, it's an incredible human problem. We've got 90,000 people in the last four years murdered in America, most of them by gunshots. That's more in any single year than were ever lost in a single year than the war in Vietnam. I think the time has come to do something about this. And I'm hopeful that both Houses of Congress will act on the crime bill and on the assault weapons bill before the end of the year. We don't have -- I hate to keep coming back to this, but, right now, I don't know that we have the votes to pass the assault weapons ban in the Congress. And I hope we can get the votes to do that, and to pass the limitation on minors and possession or ownership of handguns. I think if we push those now in the Brady bill, then the Congress could really make a dent on the exposure of Americans to lethal violence.

Q Mr. President, could I go back to your comments about the use of American military force and your discussions with Congress? Would you oppose, would you veto legislation which contained an amendment requiring you to ask and get the consent of Congress before you use troops in Haiti or Bosnia? And how far do you think the congressional role in the war powers area goes?

THE PRESIDENT: Well, let me say, my letter says that I want to resist and that I urge the Senate not to vote for things which unduly infringe on the President's power, and certainly not things that are of questionable constitutionality. Before I express an opinion about a veto, I need to see a specific piece of legislation. And there are still discussions going on about the questions of Haiti and Bosnia. So I would want to see -- this is -- the whole issue of the war powers resolution and the role of Congress and the role of the president obviously has been the subject of virtually nonstop debate in America for the last several years for all kinds of obvious reasons. Sometimes, Congress has acted or attempted to act, restrict the President's authority under Presidents Reagan and Bush, and sometimes they have.

All I can tell you is that I think I have a big responsibility to try to appropriately consult with members of Congress in both parties and a wide -- whenever we are in the process of making a decision which might lead to the use of force, I believe that. But I think that, clearly, the Constitution leaves the President, for good and sufficient reasons, the ultimate decision-making authority. And I think to cut off that authority in advance of it being made without all the circumstances and facts there before us is an error, and could really lead to weakening our relationships with a lot of our allies and encouraging the very kind of conduct we want to discourage in the world.

I understand what's going on here, and it's all perfectly predictable, given any reading of American history and perfectly understandable, given the aversion that Americans have always had, seeing any of our young people die when the existence of our country was not immediately at stake. And the President should

THE WHITE HOUSE

WASHINGTON

August 11, 1993

MEMORANDUM FOR THE SECRETARY OF THE DEPARTMENT OF THE TREASURY

SUBJECT: GUN DEALER LICENSING

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

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

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

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

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

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

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

THE WHITE HOUSE

WASHINGTON

August 11, 1993

MEMORANDUM FOR THE SECRETARY OF THE DEPARTMENT OF THE TREASURY

SUBJECT: IMPORTATION OF ASSAULT PISTOLS

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

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

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

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

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

WILLIAM J. CLINTON

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

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

WILLIAM J. CLINTON