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Crime Bill [3]

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Crime

October 25, 1993

MEMORANDUM TO MARK GEARAN

FROM: LIZ BERNSTEIN

SUBJECT: Update on Crime Bill packet

A quick update on the Clinton Crime Plan papers that were distributed at the October 12th meeting:

We need to be careful about the funding levels cited in the talking points. We reference \$3.4 billion for more cops. This number will undoubtedly go up, reflecting a boost in the funding for prisons, boot camps and drug courts as well.

There will also be more of a public link made (hopefully) between this crime bill and what we are hoping to achieve with the new drug strategy. Drug courts and community policing, for example, should now be discussed as integral to our overall focus on the drug problem.

On the legislative front, the House decided today to introduce separate bills on crime tomorrow, one with the Brady language and the other on everything else. This is a departure from the strategy that keeping them together may help insure success for both. (The Senate will deal with them separately as well, which is not a change.)

Finally, there are more recent remarks by all of the primary players -- Reno, Biden, Brown -- in addition to a number of references made by the President. I have been keeping close track of all the public dialogue and it would be easy to add this to your packet if you would like.

DRAFT

THE CLINTON CRIME PLAN

As Distributed at the October 12, 1993 Crime Meeting

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THE CLINTON ADMINISTRATION CRIME PLAN MORE COPS, FEWER GUNS

THE RIGHT TO FEEL SAFE

- Along with economic and health security, Americans have a right to personal security -- to feel safe where they live, work, play, and go to school will be safe. But too many of our people are denied that right. Government's first duty is to keep its citizens safe.
- There is an epidemic of violence in this country that must be confronted. We cannot let reckless teenagers roam the streets with assault weapons better armed than our police officers. We cannot stand by as random gunfire claims victim after victim, including innocent children.
- We can start by doing the two things that we know can reduce and prevent crime: putting more police on the street and getting guns off the streets. It's time to pass the crime bill, the Brady Bill, and a tough ban on assault weapons. The American people have been waiting long enough for these common sense measures.

PUT MORE POLICE ON THE STREET

- During the 1980s, the number of violent crimes and murders skyrocketed -- as did the level of youth and gun violence. But the trend in policing has been to do more with less. In fact, thirty years ago, there were three police officers for every violent crime; today, there are more than three violent crimes for every police officer. It's time to reverse this trend and help our cities put more police on the street.
- In August, the President outlined his plan to put 100,000 more police and public safety personnel on the street. Title I of the crime bill authorizes \$3.4 billion over the next 6 years to put 50,000 more police on the street "in community-oriented policing." Several other programs will help keep the President's 100,000 cops campaign pledge -- the Police Corps, National Service, Safe Schools, Empowerment Zones, Troops-to-Cops, and HUD's Community Partnerships Against Crime.
- Putting more "cops on the beat" makes sense. Cities like Los Angeles, Detroit, New York, San Diego and Boston would like to increase their police presence and expand community policing. The President's policing plan will help them do just that.

REDUCE GUN VIOLENCE

- America's streets are flooded with guns. We have an estimated 200 million guns on the street, and more federally licensed gun dealers than gas stations.
- On August 11th, the President took the first step by signing two gun-related directives: one to close the loophole allowing the importation of assault pistols into the country; and one to "beef up" the compliance procedure for distributing federal firearms licenses by requiring background checks, fingerprinting, etc.
- But we need to do more. The Brady Bill, which provides for a five-day waiting period to allow local law enforcement to conduct a background check of prospective handgun buyers, must be passed as soon as possible. We've already banned the importation of assault weapons that have no sporting purpose. We should do the same for those same guns that are domestically produced.

ENSURE SWIFT AND CERTAIN PUNISHMENT

- We need a criminal justice system where those who commit crimes are caught, those who are guilty are convicted, and those who are convicted are punished. That's not the case today.
- Too often, our lack of prison space or resources forces us to choose between prison or no punishment at all. This should not be the case. We must use boot camps and other innovative means of punishment to promote certainty of punishment when an offender first encounters the criminal justice system, not after it's too late.
- In Arkansas, Governor Clinton pioneered the use of community boot camps, which provide young people the discipline, education, and training they need for a better chance to avoid a life of crime. We need to do the same at the federal level.
- The criminal justice system must be used to demand that addicted offenders get treatment. We already pay considerable overhead costs for incarcerating drug-addicted offenders and should demand that they be treated. Parole or probation should also be used to test, and if necessary, treat drug addicts in the criminal justice system.
- For the most heinous crimes, the death penalty is appropriate. But we must reform the current process of endless death penalty appeals. The Administration supports a compromise reached by Senator Biden, Attorney General Reno, and America's prosecutors that limits inmates to filing a single, federal habeas corpus appeal within a six-month time limited -- while also assuring that indigent capital defendants are represented by qualified counsel who meet specific, rigorous experience and qualification standards.

CRIME BILL QUESTIONS AND ANSWERS

MORE COPS ON THE STREET...

Q: How will the President keep to his campaign promise to put more police on the streets?

A: The President's plan offers cities and states a variety of options to meet their different public safety needs. Some cities want more uniformed officers on the beat, while others want more civilian personnel. Some cities want police to work in their violence-ridden schools, while some want police working to prevent crime in public housing. Some cities and states want new highly trained, college-educated cadets, while others want outgoing military personnel. The President's plan accomodates all of these needs.

The biggest part of the President's plan to put 100,000 more police on the streets is the Community Policing Initiative included as Title I of the Biden-Brooks crime bills. Under this initiative, which authorizes \$3.4 billion over the next 6 years, as many as 50,000 police officers could be hired for deployment in community-oriented policing.

The remaining 50,000 of the 100,000 pledge will be fulfilled through a series of other programs to deploy sworn and non-sworn officers. These include: the recently enacted National Service legislation; the Empowerment Zones and Enterprise Communities program, which passed as part of the President's budget; the emergency Safe Schools initiative proposed by the Department of Education; HUD's Community Partnership Against Crime (COMPAC), and the Police Hiring Supplement, which passed as part of FY93 supplemental appropriations bill, (the \$150 million downpayment on community policing).

Q: Won't hiring more police increase the burden on our courts, jails, prisons, etc.?

The President's 100,000 police plan is a departure from past policies. First, it emphasizes community policing. That means our police officers -- while not shying away from their sworn duty to apprehend offenders -- will be working with communities to prevent crime in the first place.

Community policing is more than simply putting police officers back "on the beat", or supporting police projects that restore community relations (i.e., bike patrols). Community policing is a philosophy -- not a program -- and it is meant to transform the way police services are delivered.

will be able to instantly determine, by phone, whether or not someone can buy a handgun.

Q: How do you know that a waiting period will work? Criminals don't purchase their weapons at retail gun stores -- do they?

A: While waiting periods and background checks won't stop every criminal from getting a gun, they most certainly will stop some. Both California and Illinois have established a waiting period system similar to Brady that is keeping handguns out of the hands of criminals. According to the Bureau of Justice Statistics, California's waiting period and background check stopped felons from buying guns on almost 2,500 occasions -- an average of about one every three hours. The Illinois Firearm Owner's Identification Program prevents about 3,000 prohibited purchases every year.

Q: But if States can enact -- and have enacted -- a waiting period and background check, why do we need the Brady Bill?

A: While States like Illinois, California and New Jersey have reliable waiting periods and background checks, their efforts are undermined by the lack of reasonable gun controls in many other states. Criminals regularly purchase guns in States with weaker laws only to transport them to those States with tough gun laws. We need national legislation -- the Brady Bill -- to stop this interstate running of guns.

Q: The President and Attorney General have been calling for an assault weapons ban -- why is it not in the crime bill?

A: The Violent Crime Control and Law Enforcement Act of 1993 is a modified version of last year's crime bill conference agreement, which did not contain an assault weapons ban. But the Administration will support amendments to the crime bill to ban assault weapons and -- if that fails -- separate legislation to ban assault weapons.

Q: Which version of an assault weapons ban does the President support?

A: The President will support the toughest assault weapons ban Congress can pass. The major difference between the various assault weapons proposals is that some would cover "copies" of banned assault weapons, while others would require subsequent congressional action to ban "copies". Either approach is better than current law and would garner the President's support.

The conventional, emergency response policing model demands that police officers be slaves to their radios and discourages police from finding long-term or innovative solutions to local crime problems. Instead, officers respond to the same calls over and over -- almost always after it's too late to have any impact.

Community policing is meant to empower police officers by giving them some autonomy and assigning them to specific neighborhoods, where they can build partnerships with community residents and -- instead of simply responding to radio calls -- work to identify, analyze and solve crime problems.

Focusing on solving and preventing crime problems should not put an undue burden on the rest of the criminal justice system.

Q: Will 50,000 cops make any difference?

Putting 50,000 new police on the streets through this crime bill will increase the nation's police force by nearly 10%. It will have an especially dramatic impact in small and medium-sized cities. The average police department in America today consists of less than 20 officers. In these departments, a handful of new officers engaged in community outreach and long-term problem solving can have an enormous impact on community residents' quality of life.

...FEWER GUNS

Q: What is the Brady Bill?

A: The Brady Bill, which was named after former Reagan Press Secretary James Brady who was shot during the assassination attempt in 1981, establishes a five-day waiting period for handgun purchases. This waiting period will enable local law enforcement officers to conduct background checks of potential purchasers to ensure that convicted felons, the mentally deranged, and others disqualified under the Gun Control Act of 1968 do not purchase guns. If at the end of the waiting period, the local law enforcement agency has not found any reason to withhold a handgun from someone, then the sale will proceed as normal.

The Brady Bill also provides for this five-day waiting period to "sunset" when it can be replaced by a national "instant check" system. To help make such an instant background check possible, the Brady Bill authorizes \$100 million to help States upgrade their criminal justice records. When the check system has achieved an 80% currency of case dispositions in the last five years, the five-day waiting period will be phased out, and gun dealers

The White House
Office of the Press Secretary

For Immediate Release

August 11, 1993

**THE CLINTON ADMINISTRATION PLAN
TO EXPAND COMMUNITY POLICING AND REDUCE GUN VIOLENCE**

It is time for America to make a serious commitment to community policing, to having people back on the beat, working the same neighborhoods, making relationships with people in ways that prevent crime . . . How will the federal government provide 100,000 more police officers? First of all, by getting the crime bill passed.

Bill Clinton
Detroit, Michigan
October 17, 1992

The first duty of government is to keep its citizens safe. The Clinton Administration is offering a number of initiatives to prevent crime and reduce gun violence:

- Expand community policing in cities and towns across America by putting up to 100,000 more officers on the streets.
- Keep handguns out of the hands of criminals by passing the Brady Bill, which will require a five-day waiting period before purchasing a handgun, and taking other measures on assault weapons that will begin to end the arms race in our streets.
- Provide community boot camps, which give young people discipline, training, and a better chance to avoid a life of crime, and provide criminal addicts with drug treatment.
- Pass a crime bill that increases penalties for gun offenses, reforms habeas corpus procedures to raise counsel standards and limit appeals, and imposes federal death penalties for killing a federal law enforcement officer and other heinous crimes.

PUTTING 100,000 MORE OFFICERS ON THE STREET

A first step we can take to reduce crime in America is to put more police on the streets, walking the beat and working with neighbors as partners against crime. The Clinton Administration's anti-crime initiative will expand community policing throughout the nation. This innovative way of thinking about policing has already helped reduce crime in several communities across the country. From New York to St. Louis to Los Angeles, police departments are using this approach to put more police on the streets.

The Clinton Administration has launched a government-wide effort to put 100,000 more officers and public safety personnel on the street:

Supplemental Appropriations: Congress passed and the President signed into law on July 2 an FY93 supplemental appropriations bill that included \$150 million in community policing grants to hire and rehire police officers. This competitive grants program will become available to states and localities in early September, and will put more than 2,100 new police on the streets over the next three years.

Policing and Public Safety: The cornerstone of the President's community policing plan to put police on the street is the Policing and Public Safety program that will be part of this year's crime bill. An expansion of the Cop-on-the-Beat legislation introduced by Rep. Charles Schumer (D-NY), the Justice Department program will challenge communities to implement community policing by providing grants, training, and technical assistance for police officers. The program is authorized at \$3.4 billion over the next five years, which will help communities put up to 50,000 new officers on the street. The Administration will make full funding for this program a priority.

Police Corps: This four-year, \$100 million program will give college scholarships and police training to as many as 4-5,000 students who are willing to make a four-year commitment to serve their communities as police officers. As Governor of Arkansas, President Clinton instituted the nation's first state Police Corps program.

Safe Schools Initiative: Schools should be a safe haven for children, free of weapons, drugs, and crime. Education Secretary Richard Riley has introduced emergency Safe Schools legislation, based on a proposal by Rep. Schumer and others, that will enable local education authorities to hire security personnel and pay for police officers who include schools as part of their community policing "beat". The Administration's budget request includes \$475 million for Safe Schools over the next five years, which would fund up to 4,000 sworn and non-sworn officers.

Community Partnerships Against Crime: Some of the nation's worst pockets of crime are concentrated in neighborhoods with public housing. To help make public housing safer, Housing and Urban Development Secretary Cisneros is transforming his department's Drug Elimination Grant Program into a more effective program called Community

Partnerships Against Crime (COMPAC). The Administration's budget request includes more than \$700 million over the next five years to put as many as 5,000 sworn and non-sworn officers to work in law enforcement, security, and community policing in public housing.

National Service: Up to one-quarter of the slots in the national service plan Congress is expected to put on the President's desk in September will be available for young people who choose to pay their country and their communities back through public safety and law enforcement. The program could put up to 25,000 young people to work as non-sworn personnel for local police departments, crime prevention groups and other public safety efforts. The President hopes to put the first National Service participants to work by the summer of 1994.

Empowerment Zones and Enterprise Communities: The economic plan which the President signed into law August 10 will create jobs in depressed urban and rural areas around the country by targeting growth incentives and investments into nine Empowerment Zones and 100 Enterprise Communities. The Administration's budget request includes up to \$500 million for up to 6-7,000 officers to do community policing in these areas, because businesses can't create jobs where the streets are not safe. While the Empowerment Zone proposal passed as part of budget reconciliation, the Appropriations Committees have not approved the Administration's budget request.

Troops-to-Cops: As we downscale the military in the aftermath of the Cold War, we need to put our best trained, most talented men and women to work keeping America safe here at home. To help police departments tap into the pool of talented military personnel, Secretary of Labor Robert Reich will make as much as \$10 million from the Defense Diversification Program available to retrain up to 1,500 veterans who are leaving the military for jobs with state and local police departments.

Paying for Public Safety: Funding for these policing programs is included in the Administration's budget baseline for FY 1994-98. If additional funds are required for these and other Administration initiatives, the Administration will continue to pursue additional budget cuts, including ones the Administration sought but has not yet achieved in Congress this year. It is expected that Congressional leadership and the National Performance Review will identify additional savings. Community policing programs assume some state/local match.

REDUCING GUN VIOLENCE

The Clinton Administration is committed to passing the Brady Bill, and reducing the wave of gun violence that is plaguing America.

Brady Bill: This legislation -- named for former Reagan press secretary James Brady, and championed by his wife Sarah -- will impose a five-day waiting period for

handgun purchases, and require background checks so that we can help keep handguns out of the hands of criminals. The Brady Bill passed both houses of Congress last session with bipartisan support.

Assault Weapons: Recent attacks on children at a swimming pool in Washington, D.C., and on a law firm in San Francisco have underscored the need for Congress to consider legislation addressing the sale and availability of semiautomatic assault weapons -- the guns of choice for drug- and gang-related crime.

Presidential Action: Today, the President will sign Presidential Memoranda to suspend the importation of assault pistols, which are not covered under the existing assault weapons import ban, and to toughen enforcement of compliance procedures in issuing federal firearms licenses to gun dealers.

COMMUNITY BOOT CAMPS FOR YOUNG OFFENDERS AND DRUG TREATMENT FOR CRIMINAL ADDICTS

In Arkansas, Governor Clinton pioneered the use of community boot camps, which provide young people the discipline, education, and training they need for a better chance to avoid a life of crime. The Administration will work with Congress to convert closed military bases and other appropriate facilities into a system of boot camps. Director of the Office of National Drug Control Policy Lee Brown and Attorney General Janet Reno will work to ensure that we use the criminal justice system to provide criminal addicts with drug treatment.

FEDERAL DEATH PENALTY

The Administration will ask Congress to pass crime legislation that provides the death penalty for nearly 50 offenses -- including killing a federal law enforcement officer and killing state officers in the course of cooperative investigations with federal agencies.

HABEAS CORPUS REFORM

Senator Biden has introduced breakthrough habeas reform legislation, with strong support from district attorneys, state attorneys general, and the Administration. The legislation will, for the first time, limit inmates to filing a single, federal habeas corpus appeal within a six-month time limit. At the same time, the legislation will also assure that all indigent capital defendants will be represented by counsel who meet specific, rigorous experience and qualification standards.

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

August 11, 1993

REMARKS BY THE PRESIDENT
IN ANTI-CRIME INITIATIVE ANNOUNCEMENT

The Rose Garden

9:43 A.M. EDT

THE PRESIDENT: Thank you very much. Mr. Vice President and Attorney General, distinguished members of the Congress and law enforcement community and concerned American citizens. I'm glad to have all of you here in the Rose Garden today for this important announcement. I want to say a special word of appreciation to Senator Biden and to Chairman Brooks who have worked for a long time to try to get a good crime bill through the United States Congress. I hope today is the beginning of that.

I'm proud to be here with representatives of the nation's police and prosecutors and states attorneys general with whom we have worked closely to fashion this bill. And it gives me particular pleasure to be here with some of the brave men and women who risk their lives every day to protect the people of this country and to preserve the law.

The first duty of any government is to try to keep its citizens safe, but clearly too many Americans are not safe today. We no longer have the freedom from fear for all our citizens that is essential to security and to prosperity. The past four years have seen 90,000 murders in this country. Last month in this city, our nation's capital, in one week 24 murders were committed. When our children must pass through metal detectors to go to school, or worry that they'll be the victim of random drive-by shootings when they're playing in the swimming pool in the summertime, when parents are imprisoned in their own apartments behind locked doors, when we can't walk the streets of our cities without fear, we have lost an essential element of our civilization.

Many of you have heard me tell many times over the last year and a half or so of the immigrant worker in the New York hotel who said if I became President he just wanted me to make his son free. And when I asked him what he meant, he meant that his son couldn't walk to school two blocks without his walking with him, he son couldn't play in the park across the street from their apartment house without his father being there. He said his son was not free.

It's time we put aside the divisions of party and philosophy and put our best efforts to work on a crime plan that will help all the American people and go beyond the cynicism of mere speeches to clear action.

Today I'm proud to be here with the chairs of the House and the Senate Judiciary Committees to announce this plan. The plan

is not -- it's tough, it is fair. It will put police on the street and criminals in jail. It expands the federal death penalty to let criminals know that if they are guilty, they will be punished. It lets law abiding citizens know that we are working to give them the safety they deserve. It is the beginning -- just the beginning, but a major beginning of a long-term strategy to make America a more law abiding, peaceful place, and to make Americans more secure, and to give our young people, wherever they live, a better chance to grow up, to learn, to function, to work, and to have a decent life.

This bill first addresses the most pressing need in the fight against crime. There simply are not enough police officers on the beat. The plan is designed to make the major downpayment on the pledge that I made in the campaign to put 100,000 police officers on the street. Thirty years ago there were three police officers for every violent crime. Today the ratio is reversed -- three crimes for every police officer.

Like so many of the best ideas, community policing was spawned in the laboratories of experimentation on the streets of our cities and towns. Then Commissioner Lee Brown of New York, now my drug director, sent some 3,000 additional police officers onto the streets of New York City, launching community policing in every precinct. Then, shortly thereafter for the first time in 36 years, crime rates went down in every major category. It's worked from Boston to St. Louis, to Los Angeles.

The crime bill that will be introduced next month will include \$3.4 billion to fund up to 50,000 new police officers to walk the beat. It will also create a police corps to give young people money for college, train them in community policing, and ask them to return to their communities to serve as police officers in return for their education. This will add to the numerous community policing initiatives we have already undertaken.

For example, earlier this year I signed a jobs bill that will make \$150 million available right away to hire or rehire police officers. And I'm happy to report that the Labor Department will allocate \$10 million to retrain newly discharged troops from the United States Armed Forces to become police officers. After defending our freedom abroad, they'll be given a chance to do so at home.

Second, we must end the insanity of being able to buy or sell a handgun more easily than obtaining a driver's license. The Brady bill, which requires a waiting period before the purchase of a handgun, is simply common sense. I have said so before Congress and before the American people. It is long past time to pass it. If the Congress will pass it, I will sign it. I believe now that Congress will pass it. There is no conceivable excuse to delay this action one more day. (Applause.)

The effort to keep handguns out of the hands of criminals cannot and should not wait for the passage of this legislation. Today I will sign two presidential directives that fight gun violence. I am ordering that the rules governing gun dealers be reviewed to make sure that only legitimate gun dealers are in the business of selling guns. And I am ordering the Treasury Department to take the necessary action to suspend the importation of foreign-made assault pistols, which have become the weapons of choice for many gangs and drug dealers. Too many weapons of war are making their way onto our streets and turning our streets into war zones.

Let me also say that this effort against crime will not be complete if we do not eliminate assault weapons from our street. No other nation would tolerate roving gangs stalking the streets better armed than the police officers of a country. Why do we do it? We shouldn't and we ought to stop it. (Applause.)

Finally, if we are to take back the streets of America from the gangs and the drug dealers, we must do what has not been done before. We must actually enact a crime bill. This legislation will be introduced by Chairman Biden and Brooks, and it will build upon a lot of good ideas from around the country, including one I worked hard on when I was governor, community boot camps for young offenders. Boot camps which give young people the discipline, the training, the treatment they need for a second chance to build a good life.

When it comes to hardened, violent criminals, society has the right to impose the most severe penalties but I believe we should give young people a chance to make it. As I said during the campaign and as I said during my tenure as a governor, I support capital punishment. This legislation will reform procedures by limiting death-row inmates to a single habeas corpus appeal within a six-month time limit but also guaranteeing them a higher standard of legal representation than many have had in the past. Both elements are important if this is to be genuine reform. And it will provide the death penalty for some federal offenses including killing a federal law enforcement officer. (Applause.)

As I said, this is just the beginning of our efforts to restore the rule of law on our streets. To do this we must work with thousands of law enforcement officials around the country who risk their lives every day. We must work with the mayors, with the governors, we must work with the people who deal with children before they become criminals. We must have a broadbased assault on the terrible things that are rending the fabric of life for millions of Americans.

We in Washington must work together, too. For too long crime has been used as a way to divide Americans with rhetoric. It is time, and I thank the Republican members of Congress who are here today, it is time to use crime as a way to unite Americans through action.

I call on the Democrats and the Republicans together to work with us and with the law enforcement community to craft the best possible crime legislation. Last week we began to break the gridlock with a new budget and an economic plan. Now we can do so again in ways that unite us as Americans. And I pledge to you my best and strongest efforts to pass this bill at the earliest possible time. There are good things in it. It will make our people safer. It will shore up our police officers, it will move America in the right direction.

May I now introduce the person who has done a great deal to do all those things just in the last few months, our distinguished Attorney General Janet Reno. (Applause.)

* * * * *

Q -- with the Pope tomorrow, what you anticipate from it?

THE PRESIDENT: -- I'm really very, very excited, I'm looking forward to the visit and I'm honored that he's come to the United States.

Q Mr. President, there are all sorts of attempts to water down the Brady bill. Are you one of those purists that Chairman Brooks talked about or would you consider amendments to water it down?

THE PRESIDENT: That bill shouldn't be amended. It's a modest bill, and I think it ought to be passed like it is. We would like to see the Senate go on and do it.

I feel very strongly about it. I think -- I also associate myself with the other remarks of the Attorney General. I think it's the beginning. It's not the end of the process by any means.

Q What would you like to see on handguns?

THE PRESIDENT: Well, I think extending the ban on imported handguns is important, which I will do today. Then Congress is debating this whole issue of assault weapons generally, broad definition -- and we'll see what we can come out with. But you know there's a bill in the House, there's a bill in the Senate and I'd like the crime bill to pass and then I'd like for that to be debated.

Q Would you do the Brady bill separate?

Q Yes, would you do the Brady bill separately or as part of the crime --

THE PRESIDENT: It's fine with me, whatever -- done. I would prefer to get it as quickly as possible but I think the important thing is that it be passed in a strong and clear and unambiguous form.

END

10:50 A.M. EDT

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.

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

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

The Washington Post

Clinton's Anti-Crime Package:

More Police, Curb on Pistol Imports

DATE: 8-12-93
PAGE: A 16

By Ruth Marcus and Michael Isikoff
Washington Post Staff Writers

President Clinton yesterday moved to ban the importation of foreign-made assault pistols and make it more difficult to obtain federal gun licenses as part of a broad anti-crime package that White House officials say will now move toward the top of the administration's agenda.

"The first duty of any government is to try to keep its citizens safe, but clearly too many Americans are not safe today," Clinton said in a Rose Garden ceremony with uniformed police officers standing behind him. "It is time we put aside the divisions of party and philosophy and put our best efforts to work on a crime plan that will help all the American people and go beyond cynicism of mere speeches to clear action."

The overall plan announced by Clinton yesterday and expected to be officially introduced when Congress returns from its summer recess next month contains a grab bag of proposals designed to have bipartisan appeal: It includes funds to put more police officers on the streets, a five-day waiting period for handgun purchases, nearly 50 new federal death penalty statutes and strict limits on appeals filed by death row inmates—a step that could accelerate the number of executions carried out by the states.

Many of the legislative proposals were contained in a crime bill that stalled in Congress last year.

While the prospects for the bill seemed uncertain, Clinton took two steps yesterday by executive order that gun control groups say could have quick impact. One would tighten licensing requirements for federal firearms dealers. The second would halt the importation of semiautomatic assault pistols, such as Israeli-made Uzis, and other high-powered weapons that have become popular among criminals.

Currently, virtually anybody can obtain a federal firearms license and thereby obtain unlimited quantities

of high-powered weapons simply by filling out an application and paying a \$10 annual fee. Bureau of Alcohol, Tobacco and Firearms officials say that about 280,000 individuals now hold such licenses, only about 30 percent of whom actually conduct any commercial business.

"It's a major loophole by which individuals get around waiting-period requirements" and other state and local gun control laws, said Jack Killorn, ATF spokesman. "We've had drug dealers [obtain licenses], we've had people set up shops in hotel rooms and public housing projects . . . criminals of all stripes."

Clinton's order would permit the agency for the first time to fingerprint applicants, conduct more extensive background checks, and take other steps to ensure that unqualified applicants do not receive licenses, officials said yesterday. "We plan to move relatively quickly within the space of several months," said Killorn.

The ban on the importation of semiautomatic assault pistols expands a ban on foreign-made assault rifles that was imposed by President George Bush in 1989. It would halt about 3,500 weapons that flow into the United States a year. Some of them, such as the Israeli-made Uzi and the Heckler & Koch pistol, are patterned after military-style submachine guns and have become the "weapon of choice" in recent years for many street gangs, federal officials say.

Officials acknowledge, however, that the ban on pistols, like the ban on assault rifles, will have a relatively minor impact unless it is accompanied by legislation that would prohibit the manufacture of similar domestically made weapons that actually account for the bulk of the market. Clinton vowed to push for such a measure as part of his package, but the National Rifle Association yesterday immediately attacked the import ban and the proposed legisla-

"This bears out the real intent: to disarm American citizens incrementally for reasons having nothing to do with violent crime," said James Jay Baker, chief lobbyist for the NRA.

Although some Republicans attended the White House announcement yesterday, party leaders signaled their unwillingness to cede the politically attractive issue to the Democrats with a proposal of their own to build more prisons, impose

more mandatory prison sentences and omit any gun control.

Clinton described his \$3.4 billion program to help communities put as many as 50,000 new police officers on the street over the next five years as "the major down payment" on his campaign pledge to add funding for 100,000 new officers.

Congressional action on crime fizzled last year in a dispute over limiting appeals in death penalty cases, as Republicans charged that the legislation did not go far enough to end what they described as endless rounds of appeals. This year, the Clinton administration made little effort to recast the measure, granting authority to Senate Judiciary Committee Chairman Joseph R.

Biden Jr. (D-Del.) to negotiate a compromise on the federal appeals issue with state prosecutors and attorneys general.

Under the new measure, death row inmates would generally be limited to one round of having their cases heard in the federal courts through habeas corpus petitions and would have to file such claims within six months of having their claims rejected in the state court system. Under last year's bill, the deadline was one year.

Under the proposal, there would be new standards designed to make certain that lawyers representing death row inmates in such proceedings have the necessary experience to handle capital cases and receive

adequate compensation. Administration and congressional aides said there would be new federal funding for such lawyers but could not provide cost estimates.

Speaking at the White House yesterday, Plymouth County (Mass.) District Attorney William O'Malley, representing the National District Attorneys Association, called the provisions "the very best" possible.

On another controversial issue—gun control—the administration decided not to choose sides between Biden, who wants gun legislation considered separately from an overall crime bill, and his counterpart in the House, Rep. Jack Brooks (D-Tex.), who wants crime and guns done together.

Clinton yesterday called for passage of the "Brady bill" imposing a five-day waiting period on handgun purchases as well as the ban on domestic and imported assault weapons. Clinton termed the Brady bill, named for former presidential press secretary Jim Brady, who was injured in the 1981 assassination attempt on President Ronald Reagan, "simply common sense" and said "it is long past time to pass it."

But asked whether it should be part of the overall crime package or not, Clinton said simply that "the important thing is that it be passed in a strong and clear and unambiguous form."

The administration is not introducing a crime bill of its own but is

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In deference to Attorney General Janet Reno's criticism of mandatory minimum sentences, Biden has dropped from his bill last year's plan to add about a dozen new mandatory minimum sentences, mostly for drug-related offenses. But Republicans in their plan vowed to push for more mandatory sentences and include \$3 billion in funding for new prison construction to house more offenders.

Los Angeles Times

DATE: 8/12/93
PAGE: A1

Clinton Calls for More Police, Fewer Execution Appeals

■ Law: Anti-crime plan also would target illegitimate gun dealers. Much of package was negotiated in advance, but GOP senators may object to arms purchase delay.

By DAVID LAUTER, TIMES STAFF WRITER

WASHINGTON—President Clinton proposed a package of anti-crime measures Wednesday aimed at increasing the number of police officers on the streets, cracking down on illegitimate gun dealers and significantly changing the way death penalty cases are handled in U.S. courts.

"The first duty of any government is to try to keep its citizens safe," Clinton said as he announced his plans in the White House Rose Garden, where he was flanked by the now-typical phalanx of uniformed police officers that presidents round up when they announce anti-crime initiatives.

The proposals, negotiated in advance with congressional leaders, state attorneys general and prosecutors, are aimed at breaking a logjam that prevented the passage of anti-crime legislation by Congress last year. But the package could still be blocked over the so-called Brady bill, which calls for a waiting period for gun purchases. That bill—named for former Ronald Reagan Press Secretary James S. Brady, who was injured in a presidential assassination attempt—has been approved by both houses of Congress in the past but faces a threatened filibuster from Senate Republicans, who have vowed to fight it this time.

A crime bill passed both houses of Congress last year only to die in the closing days of the session amid partisan rancor.

As a sign of bipartisanship, White House officials invited two Republican senators—William S. Cohen of Maine and Larry Pressler of South Dakota—to attend Clinton's announcement. Senate Minority Leader Bob Dole (R-Kan.), who has criticized many Clinton proposals, issued a relatively supportive statement about the crime initiative, asserting that Clinton had decided to "follow the Republican lead" in making his proposals.

In part to speed the process along, Clinton will not craft his own legislation but will support bills already introduced in Congress by House and Senate Democratic leaders.

The bills are largely similar to last year's legislation but contain three new elements.

• First, the new proposals would limit the federal appeals that a Death Row inmate can file.

That issue was a key provision that caused last year's bill to stall. At the time, state attorneys general objected that the legislation, as written, actually would lengthen the appeals process. Administration and congressional officials have reached a compromise that could significantly speed passage of the bill.

Under the compromise, defendants would be required to file federal habeas corpus petitions—the final step in the review process—within 60 days of their last appeal. Petitions could be filed later only if a defendant could show that he has new evidence that was unavailable before. The goal is to reduce the delays in executions caused by habeas corpus petitions.

Although many state officials

across the country are going along with the compromise, California Atty. Gen. Dan Lungren said he continues to oppose the proposed changes, arguing that they would not aid prosecutors sufficiently.

Defense lawyers, however, have argued that any restriction on appeals would lead to the execution of innocent people who were mistakenly convicted. A "it conceded-

ed in part by U.S. Deputy Atty. Gen. Philip B. Heymann.

Because of the guarantee that a person could still appeal if new evidence is found, "I think that the risk of wrongly executing someone will not be greatly increased," Heymann said. "I can't say it wouldn't be increased at all."

In return for restricting appeals, the government would require states to guarantee that Death Row defendants are represented by attorneys at every stage of the process. California has such a requirement but many states do not.

The lawyers would have to meet minimum competency standards and would have to be paid a "reasonable" fee.

Now, in many states with large numbers of capital cases, defendants often are represented by poorly trained and underpaid—or volunteer—lawyers. As a result, large numbers of cases are thrown out on appeal, often because of trial procedures later found to be flawed.

• In a second new element, \$3.4 billion would be spent in grants to states and localities over the next five years to increase the number of police on the streets. White House officials said that, if Congress approves the funds, the money would help pay for 50,000 new officers.

During his campaign, Clinton talked about placing 100,000 more officers on the streets. White House officials said that, in addition to the crime bill, several other initiatives would move the nation toward that goal. Clinton's national service bill, for example, would allow young people to work for police departments in jobs that would free more officers to patrol the streets.

• A final new element involves gun dealers. Now, almost anyone who pays a \$30 registration fee can

obtain a three-year gun dealer's license without undergoing even a cursory background check to determine if the applicant has a criminal record. In the majority of cases, the "dealers" do not even sell guns, government statistics show. Merely obtaining a license, however, allows a person to buy guns for himself without having to comply with many state gun laws.

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Clinton directed the Bureau of Alcohol, Tobacco and Firearms to change those regulations to crack down on illegitimate dealers. Much of that tightening, officials

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Clinton also directed the bureau to change current regulations to bar the import of assault pistols. Officials conceded that nearly all assault pistols are made domestically so that an import ban would have little impact. But they argued that the new rules would close a "loophole" that could be exploited in the future.

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Source: Associated Press

The Washington Post

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Source: Associated Press



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.

#

93-249



Department of 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.

JOSEPH R. BIDEN, JR., DELAWARE, CHAIRMAN

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United States Senate

COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510-6275

For Immediate Release
September 23, 1993

For More Information
Bill Adams
(202) 224-5225

BIDEN INTRODUCES COMPREHENSIVE CRIME BILL IN SENATE

Washington, D.C. -- Senator Joseph R. Biden, Jr., (D-DE), Chairman of the Senate Judiciary Committee, today introduced the Violent Crime and Law Enforcement Act of 1993.

Noting that the bill enjoys the strong bipartisan support of leading police organizations and prosecutors, as well as the President and the Attorney General of the United States, Biden urged his colleagues to break the crime deadlock and "pass a bill the American people so desperately need and so greatly deserve."

Biden also said, "There are four things we know about crime: They form the cornerstones of the bill I introduce today.

"First, more police on our streets means less crime. Plain and simple, a police officer standing on the street corner reduces the opportunities for violence. The Federal government must help get more police on our streets, and the bill I introduce today will meet the President's '100,000 cops' pledge, when added to the 50,000 new police officers provided for in other legislation.

"Second, punishment for all criminals must be swift and certain, and effective ... This crime bill expands proven programs that deter offenders from the criminal path --

- o "providing and mandating drug treatment -- a proven method for cutting recidivism rates;
- o "offering alternatives to expensive new prison construction like boot camp prisons for first-time and non-violent offenders;
- o "focusing on young offenders -- who commit an increasing percentage of our serious and violent crimes -- to put them in prison or to put them in treatment.

"Third, when I arrived in the Senate in 1973, the most violent offenders in America were 18 years three months old; now, the most violent offenders in America are 15 years and four months. The reason the criminal is getting younger is that we have not, in the past, addressed the juvenile justice system. By contrast, this bill focuses on youth. It gives schools the opportunity to hire teachers for after-school anti-drug and anti-crime counseling, and provides for police patrol officers, and for safety measures, such as video surveillance devices. It also contains strong measures against gang violence and against using children to distribute drugs."

"Fourth, we have got to do much more to keep guns out of the hands of convicted criminals That is why a critical component of the Democrats' plan is to pass the Brady bill and an assault weapons ban.

Biden said, "Sarah Brady has asked that the Senate consider the bill separately, on its own, rather than as part of a larger anti-crime bill. I will comply with this request and will continue to work with Sarah Brady and the sponsors of the bill to gain passage of this legislation.

"In addition, I will work to support the efforts of Senators DeConcini and Metzenbaum to pass a comprehensive assault weapons ban that will prohibit the sale of specifically identified military-style assault guns."

Key elements of the Biden bill include:

- o A five-year community policing "cop on the beat" initiative to put 50,000 police officers on the street, which, together with provisions in other legislation, meet the President's pledge of 100,000 new police officers;
- o Assistance where it is needed, at the state and local levels, to provide drug treatment programs for prisons to assure that prisoners, when released, are drug free, and to create boot camps for young, nonviolent offenders;
- o The death penalty for nearly 50 federal offenses, including murder of a law enforcement officer, drive-by shootings, and terrorist killings;
- o New criminal offenses and enhanced penalties for violent crimes, such as car-jacking, gun crimes, and drug trafficking; and
- o \$100 million to local schools to provide police patrol officers, for teachers for after school anti-drug and anti-crime counseling, to provide safety measures, such as video surveillance devices, and education and

training for the prevention of crime, violence, and
drug and alcohol abuse.

Copies of Senator Biden's floor statement and a summary of
the bill are included.

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SENATOR JOSEPH R. BIDEN, JR.
STATEMENT ON INTRODUCTION OF THE
"VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1993"
SEPTEMBER 23, 1993

I RISE TODAY TO INTRODUCE THE "VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1993" -- A COMPREHENSIVE, TOUGH, AND EFFECTIVE CRIME FIGHTING MEASURE THAT DESERVES THE SUPPORT OF THE ENTIRE SENATE AND THE CONGRESS. IT IS A BILL THAT HAS THE SUPPORT OF THE PRESIDENT, THE ATTORNEY GENERAL, LAW ENFORCEMENT AND PROSECUTORS.

I HOPE THE INTRODUCTION OF THIS BILL WILL MARK THE END OF THE EASY RHETORIC ABOUT WHO SOUNDS "TOUGHER" ON CRIME -- AND BEGIN THE HARD PROCESS OF ENACTING SOLUTIONS THAT EFFECTIVELY FIGHT OUR NATION'S CRITICAL CRIME PROBLEM.

FOR TOO LONG, A MAJORITY OF THIS BODY HAS PREFERRED POLITICS TO PRAGMATICS. LAST CONGRESS, WE HAD THE OPPORTUNITY TO PASS NEEDED CRIME LEGISLATION THAT CONTAINED PROGRAM AFTER PROGRAM SUPPORTED BY DEMOCRATS AND REPUBLICANS ALIKE.

INSTEAD, WE REMAINED MIRED IN DISAGREEMENT OVER A FEW PROVISIONS THAT SPARKED POLITICAL HEAT OUT OF ALL PROPORTION TO THEIR RELATIVE IMPORTANCE TO EFFECTIVELY FIGHTING CRIME.

IN DOING SO, WE LOST THE CHANCE TO ENACT INTO LAW A BILL THAT INCLUDED SUBSTANTIAL AID TO STATE AND LOCAL LAW ENFORCEMENT, THE DEATH PENALTY, HABEAS CORPUS REFORM, THE BRADY BILL, AND OTHER ANTI-CRIME MEASURES -- A BILL THAT ENJOYED THE SUPPORT OF NEARLY EVERY MAJOR LAW ENFORCEMENT GROUP IN THE NATION.

TODAY I INTRODUCE A BILL THAT HAS THE STRONG SUPPORT OF THE PEOPLE I MENTIONED ABOVE. NOTWITHSTANDING THIS SUPPORT, I HAVE NO ILLUSIONS THAT THE PATH TO ENACTING A CRIME BILL WILL BE EASY. THE HABITS OF THE PAST HALF-DOZEN YEARS WILL BE HARD TO BREAK.

I HOPE THAT EACH AND EVERY ONE OF MY COLLEAGUES WILL RESPOND BY PUTTING THE POLITICAL GAMESMANSHIP BEHIND US -- AND JOIN THE PRESIDENT, THE ATTORNEY GENERAL, AND ME TO PASS A BILL THE AMERICAN PEOPLE SO DESPERATELY NEED AND SO GREATLY DESERVE.

AT BOTTOM, PASSING THIS BILL IS ABOUT KEEPING FAITH WITH THE AMERICAN PEOPLE:

-- IT IS ABOUT GIVING PRIORITY TO STEPS WE KNOW CAN MAKE A DIFFERENCE IN FIGHTING CRIME -- AND MAKING COMPROMISES ON THOSE ISSUES THAT REMAIN CONTROVERSIAL; AND

-- IT IS ABOUT PUTTING BEHIND US ARGUMENTS OVER THE RELATIVE MERITS OF THE "CONSERVATIVE" APPROACH TO CRIME VERSUS THE "LIBERAL" ANSWER, AND FOCUSING ON WHAT REALLY WORKS TO DETER CRIME AND IMPROVE THE SAFETY OF OUR COMMUNITIES --

EVEN IF THAT MEANS DRAWING FROM BOTH THE LIBERAL AND THE CONSERVATIVE ANSWERS.

THERE ARE THREE THINGS WE KNOW ABOUT CRIME: THEY FORM THE CORNERSTONES OF THE BILL I INTRODUCE TODAY.

FIRST, MORE POLICE ON OUR STREETS MEANS LESS CRIME. PLAIN AND SIMPLE, A POLICE OFFICER STANDING ON THE STREET CORNER REDUCES THE OPPORTUNITIES FOR VIOLENCE.

THE FEDERAL GOVERNMENT MUST HELP GET MORE POLICE ON OUR STREETS, AND THE BILL I INTRODUCE TODAY WILL PUT 50,000 NEW POLICE OFFICERS ON THE BEAT -- THE LARGEST SINGLE PIECE OF THE PRESIDENT'S "100,000 COPS" PLEDGE.

SECOND, PUNISHMENT FOR ALL CRIMINALS MUST BE SWIFT AND CERTAIN, AND EFFECTIVE.

IT IS NOT ENOUGH TO LOCK CRIMINALS UP AND THROW AWAY THE KEY -- WE WILL BANKRUPT OURSELVES TRYING AT THE RATE WE'VE BEEN GOING.

THIS CRIME BILL EXPANDS PROVEN PROGRAMS THAT DETER OFFENDERS FROM THE CRIMINAL PATH --

- * PROVIDING AND MANDATING DRUG TREATMENT -- A PROVEN METHOD FOR CUTTING RECIDIVISM RATES;
- * OFFERING ALTERNATIVES LIKE BOOT CAMP PRISONS AND "DRUG COURTS" AS IN DADE COUNTY FOR FIRST-TIME AND NON-VIOLENT OFFENDERS;
- * FOCUSING ON INTERVENING QUICKLY AND INTENSIVELY WITH YOUNG OFFENDERS -- WHO COMMIT AN INCREASING PERCENTAGE OF OUR SERIOUS AND VIOLENT CRIMES -- TO TURN THEM TOWARDS PRODUCTIVE, LAWFUL LIVES.

THIRD, WE HAVE GOT TO DO MUCH MORE TO KEEP GUNS OUT OF THE HANDS OF CONVICTED CRIMINALS.

TODAY, THIS NATION ALLOWS CONVICTED CRIMINALS TO WALK INTO GUN STORES WITH A FEW DOLLARS IN THEIR POCKETS AND WALK OUT TEN MINUTES LATER WITH A DEADLY WEAPON IN THEIR HANDS.

THAT IS WHY A CRITICAL COMPONENT OF THE DEMOCRAT'S PLAN IS TO PASS THE BRADY BILL AND AN ASSAULT WEAPONS BAN.

AT THE REQUEST OF SARAH BRADY AND SENATOR METZENBAUM, THE BILL I INTRODUCE TODAY DOES NOT CONTAIN THE BRADY BILL.

SENATOR METZENBAUM INTRODUCED THE BRADY BILL, S. 414, ON FEBRUARY 24, 1993. SARAH BRADY HAS ASKED THAT THE SENATE CONSIDER THE BILL FREE-STANDING, RATHER THAN AS PART OF A LARGER ANTI-CRIME BILL.

I WILL COMPLY WITH THIS REQUEST AND WILL CONTINUE TO WORK WITH SARAH BRADY AND THE SPONSORS OF THE BILL TO GAIN PASSAGE OF

MERITS SUPPORT.

IN PARTICULAR, WITH THE SUPPORT OF THE NATION'S PROSECUTORS AS CONVINCING PROOF OF THE MERITS OF THIS REFORM PROVISION, I HOPE THAT MY REPUBLICAN COLLEAGUES WILL NOW JOIN WITH ME TO SUPPORT THIS CRIME BILL.

IT IS OUR CHANCE TO MAKE A REAL IMPACT IN THE NATION'S ABILITY TO FIGHT THE VIOLENCE AND THE CRIME THAT VICTIMIZES MILLIONS OF INNOCENT AMERICANS EVERY YEAR.

LET US END THE GRIDLOCK AND DEAL WITH THE CRIME ISSUE. LET'S NOT WASTE OUR TIME FIGHTING EACH OTHER, WHEN WE SHOULD BE SPENDING IT -- ON BEHALF OF THE AMERICAN PUBLIC -- PASSING A BILL THAT WILL TRULY HELP US WIN THE WAR AGAINST CRIME AND DRUGS.

BIDEN CRIME BILL – MAJOR PROVISIONS

COMMUNITY POLICING

Authorizes five-year, \$3.4 billion community policing "cop on the beat" program to put 50,000 police officers on the street – a key component of the President's "100,000 police" initiative. Authorizes \$200 million for college scholarships to students who commit to 4 years service as police officers. Provides additional educational scholarships for in-service officers.

STATE & LOCAL LAW ENFORCEMENT

Authorizes \$1.8 billion for state and local law enforcement for FY 1995 – to support police, rural anti-crime efforts, juvenile justice, corrections, and drug treatment in the criminal justice system.

PRISONS AND BOOT CAMPS

Authorizes \$300 million for military-style boot camps for nonviolent offenders and regional drug-treatment prisons for violent drug criminals. Mandates that state and local law enforcement agencies be notified of the release of drug and violent criminals to federal supervision. Enhances penalties for drug trafficking in federal prisons.

"DRUG COURT" PROGRAMS FOR OFFENDERS

Authorizes three-year, \$1.2 billion program for "Drug Courts" – that require drug testing, drug treatment and alternative punishments for young drug offenders.

DEATH PENALTY

Provides the largest-ever expansion of the federal death penalty to cover 47 offenses, including murder of a law enforcement officer, drive-by-shootings, and carjackers who murder.

HABEAS CORPUS REFORM

Limits inmates to a single federal habeas corpus appeal, subject to a first-ever 6 month time limit. Provides indigent capital defendants with qualified counsel.

TERRORISM

Provides the death penalty for terrorists and increases penalties for terrorist bombings. Provides the Attorney General with special authority to develop terrorist informants. Creates new penalties for providing material support to terrorists, and provides implementing legislation for aviation and maritime terrorism treaties.

SAFE SCHOOLS

Authorizes \$100 million for grants to schools to fund anti-crime and safety measures and to develop education and training programs for the prevention of crime, violence and drug and alcohol abuse.

GANGS

Strengthens federal penalties for employing children to distribute drugs. Imposes additional penalties for crimes committed by gang members or on behalf of criminal street gangs. Authorizes \$100 million for youth gang enforcement and prevention grants. Authorizes programs to prosecute violent juveniles as adults.

INCREASED PENALTIES

Provides over 60 penalty increases and new offenses, covering violent crimes, drug trafficking and gun crimes. Enhances penalties for, among other crimes, the use of semiautomatics, gun possession by convicted criminals and drug dealing in "drug-free" zones.

VICTIMS OF CRIME

Permits victims to speak at the sentencing of their assailants. Mandates that criminals pay restitution to their victims. Prohibits diversion of victims' funds to other federal programs.

SEXUAL VIOLENCE AND CHILD ABUSE

Develops a national criminal background check system for child care providers – the "Oprah bill" – and imposes the death penalty for rapists and the fatal sexual exploitation of a child. Requires convicted child sex offenders to register their addresses with state law enforcement agencies.

BIDEN CRIME BILL -- MAJOR PROVISIONS

COMMUNITY POLICING

- * Authorizes five-year, \$3.4 billion community policing "cop on the beat" program to put 50,000 police officers on the street -- a key component of the President's "100,000 police" initiative.**
- * Authorizes \$200 million for college scholarships to students who commit to 4 years service as police officers.**
- * Provides additional educational scholarships for in-service officers.**

STATE & LOCAL LAW ENFORCEMENT

- * Authorizes total of \$1.8 billion for state and local law enforcement for fiscal year 1995 -- to support police, rural anti-crime efforts, juvenile justice, corrections, and drug treatment in the criminal justice system.**

PRISONS AND BOOT CAMPS

- * Authorizes \$300 million for military-style boot camps for nonviolent offenders and regional drug-treatment prisons for violent drug criminals.**
- * Mandates that state and local law enforcement agencies be notified of the release of drug and violent criminals to federal supervision.**
- * Enhances penalties for drug trafficking in federal prisons.**
- * Mandates drug testing of federal offenders on post-conviction release.**
- * Establishes schedule for treatment of federal drug-abusing prisoners.**

"DRUG COURT" PROGRAMS FOR OFFENDERS

- * Authorizes three-year, \$1.2 billion program for "Drug Courts" – that require drug testing, drug treatment and alternative punishments for young drug offenders.**

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- * Develops a national criminal background check system for child care providers -- the "Oprah" bill.**
- * Provides the death penalty for rapists who murder and for the fatal sexual exploitation of a child.**
- * Requires convicted child sex offenders to register their addresses with state law enforcement agencies.**

RURAL CRIME AND DRUGS

- * Provides \$50 million for rural anti-crime efforts.**
- * Establishes federal-state-local Rural Law Enforcement Task Forces in every federal judicial district with significant rural lands.**
- * Enhances penalties for drug dealing near truck stops and safety rest areas.**

Statement of Congressman Jack Brooks
on the Introduction of the Crime Bill
Thursday, September 23, 1993

MR. SPEAKER, TODAY I AM INTRODUCING THE VIOLENT CRIME
CONTROL AND LAW ENFORCEMENT ACT OF 1993.

RIGHT BEFORE THE AUGUST RECESS, I STOOD IN THE ROSE GARDEN
WITH PRESIDENT CLINTON TO ANNOUNCE THE OUTLINES OF
COMPREHENSIVE LEGISLATION TO FIGHT THE SCOURGE OF CRIME.
THAT BILL IS NOW A REALITY OF MORE THAN 400 PAGES OF TOUGH,
RESULT-ORIENTED LEGISLATION. WITHOUT A DOUBT, IT IS THE STRONGEST
AND MOST COMPREHENSIVE CRIME BILL IN DECADES.

IT DOES NOT TAKE A HARVARD SOCIOLOGIST TO UNDERSTAND THE
DEVASTATING EFFECTS OF CRIME IN OUR SOCIETY, IN OUR STREETS, IN OUR
LIVES. AS COMMUNITIES HAVE LOST THEIR COHESION, AS FAMILY VALUES
HAVE BEEN REPLACED BY THE SUBCULTURE OF GANGS, VIOLENCE HAS
SPREAD UNCONTROLLABLY. WHERE ONCE THERE WERE CERTAIN
DEFINABLE GROUPS OF ORGANIZED CRIME IN LARGE CITIES, WE NOW LIVE
IN A STATE OF CONSTANT AND DIFFUSED CRIMINAL ACTIVITY,
PERPETUATED BY INDIVIDUALS OR SMALL GROUPS, IN EVERY COMMUNITY,
URBAN OR RURAL.

THE LEGISLATION INTRODUCED TODAY WILL FINALLY BREAK THIS
DEADLY CYCLE -- FOR IT IS DEADLY NOT TO HAVE MORE COPS ON THE BEAT;
IT IS DEADLY NOT TO DETER HEINOUS CRIMES WITH APPROPRIATELY SEVERE
PUNISHMENTS; AND IT IS DEADLY TO RELEASE PRISONERS BACK ON TO THE
STREETS WHO ARE STILL DRUG DEPENDENT.

DURING THE PAST SEVERAL YEARS, I HAVE TRIED TO PASS INTO LAW A COMPREHENSIVE CRIME FIGHTING BILL. UNFORTUNATELY, MY EFFORTS -- AND SENATOR BIDEN'S EFFORTS IN THE OTHER BODY -- HAVE BEEN THWARTED BY A HANDFUL OF POLITICIANS MORE INTERESTED IN POSTURING THAN TAKING ACTION. THIS YEAR, IT IS INCONCEIVABLE TO ME THAT ANYONE WOULD BE WILLING TO OPT FOR "GRIDLOCK" RATHER THAN "LOCK-UP" IN FIGHTING CRIME. OUR STREETS ARE FLOWING WITH BLOOD, AND THE AMERICAN PUBLIC IS TIRED OF POLITICIANS VYING WITH EACH OTHER ABOUT JUST WHO IS TOUGHER ON CRIME.

REALISTICALLY, 97 PERCENT OF ALL VIOLENT CRIME OCCURS AT THE STATE LEVEL. THE NEW FEDERAL CRIMES SPECIFIED IN THIS LEGISLATION THUS REPRESENT A SMALL PERCENT OF TOTAL VIOLENT ACTIVITY IN AMERICA. HOWEVER, THE BILL I INTRODUCE TODAY WILL NOT ONLY HELP FIGHT CRIME AT THE FEDERAL LEVEL, BUT WILL, MOST IMPORTANTLY, HELP OUR STATES AND CITIES FIGHT CRIME THROUGH A VARIETY OF PROGRAMS.

THE LEGISLATION WILL GIVE LOCAL LAW ENFORCEMENT THE TOOLS NECESSARY TO STOP CRIME, INCLUDING THOUSANDS OF NEW COPS ON THE BEAT. THE BILL WILL STEER YOUTHFUL FIRST-TIME OFFENDERS AWAY FROM A LIFE OF CRIME, AND MANDATE DRUG TREATMENT OF PRISONERS BEFORE THEY ARE RELEASED BACK ON THE STREETS. DEATH PENALTY APPEALS WILL BE STREAMLINED, ALLOWING JUSTICE TO PREVAIL IN A FAIR YET FIRM MANNER. THE BILL WILL ENSURE THAT TERRORISTS WILL FIND NO SAFE HAVEN HERE.

MR. SPEAKER, AS I BELIEVE IT WILL BE HELPFUL TO OUR COLLEAGUES IN REVIEWING THIS OMNIBUS PROPOSAL, I WOULD LIKE TO INSERT IN THE RECORD AT THIS POINT A LISTING OF THE TITLES AND SUBTITLES OF THE BILL AND A BRIEF SUMMARY OF THE BILL'S PROVISIONS, WHICH INCLUDES A LISTING OF THE NUMEROUS DEATH PENALTIES TO BE FOUND IN THE BILL.

I ALSO WANT TO POINT OUT THAT CERTAIN PROVISIONS CONTAINED IN THE CONFERENCE REPORT ON THE CRIME BILL FROM THE LAST CONGRESS -- WHICH SERVED AS A BASIS FOR THIS EFFORT -- ARE NOT INCLUDED IN THE PACKAGE INTRODUCED TODAY.

IN DEVELOPING THIS CRIME PACKAGE, I HAVE BEEN IN CONSULTATION WITH OTHER COMMITTEES OF THE HOUSE OF REPRESENTATIVES, AND CERTAIN PROVISIONS OF LAST CONGRESS' CRIME PACKAGE ARE NOT INCLUDED IN TODAY'S PROPOSAL BECAUSE THEY FALL WITHIN THE PURVIEW OF OTHER COMMITTEES' RULE X JURISDICTION. FOR CONVENIENCE OF MY COLLEAGUES AND OTHERS, THOSE PROVISIONS AND COMMITTEES WITH JURISDICTION FOLLOW: TERRITORIAL SEA MATTERS (MERCHANT MARINE COMMITTEE); MIDNIGHT BASKETBALL (BANKING COMMITTEE); RURAL DRUG PREVENTION (ENERGY AND COMMERCE COMMITTEE); FAILURE TO OBEY ORDER TO LAND (MERCHANT MARINE COMMITTEE; PUBLIC WORKS); ENHANCED PENALTIES FOR CERTAIN OFFENSES (ARMED SERVICES, INTELLIGENCE, FOREIGN AFFAIRS COMMITTEES); CLOSE LOOPHOLE ON CERTAIN IMPORTS (WAYS AND MEANS COMMITTEE); NOTIFICATION OF LARGE SUMS OF CASH AND CONTRABAND IN AIRPORT SCREENINGS (PUBLIC WORKS); DRUG ABUSE RESISTANCE EDUCATION PROGRAMS (EDUCATION & LABOR); AND, UNDERCOVER OPERATIONS -- CHURNING (WAYS AND MEANS).

ALSO, CERTAIN PROVISIONS HAVE ALREADY BEEN ENACTED INTO LAW. THEY INCLUDE: CIVIL REMEDY FOR TERRORISM (PL 102-572); CERTAIN CRIME VICTIMS' FUNDING PROVISIONS (PL 102-572); CERTAIN STATE AND LOCAL LAW ENFORCEMENT FUNDING PROVISIONS (42 USC 3793(5) AND PL 102-140, SEC. 108); MANDATORY LITERACY PROGRAM (PL 102-73); SPORTS PROTECTION (PL 102-559); TRAUMA CENTERS (PL 102-321); USE OF CERTAIN EDUCATIONAL RECORDS (PL 102-325); CONFORMING AUTHORITY FOR MAGISTRATES (PL 102-572); MARITIME LAW ENFORCEMENT (PL 102-583); ECONOMIC TERRORISM TASK (P.L. 102-558); SAVINGS AND LOAN TASK FORCE (P.L. 101-647).

MR. SPEAKER, IN CONCLUSION, WHEN CITIZENS LIVE IN FEAR OF PHYSICAL HARM, OF DRUGS CORRUPTING THEIR NEIGHBORHOODS, OF A CRIMINAL JUSTICE SYSTEM THAT DOES NOT RESPECT VICTIMS OR DISPENSE ITS JUSTICE WITH CERTAINTY, THE AMERICAN PEOPLE DESERVE DECISIVE ACTION, NOW. I URGE MY COLLEAGUES TO PUT ASIDE SLOGANS AND JOIN WITH ME IN MOVING SWIFTLY FORWARD WITH THIS URGENTLY NEEDED LEGISLATION.

#

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 Dan Edwards, California
 John Conyers, Jr., Michigan
 Romano L. Mazzoli, Kentucky
 William J. Hughes, New Jersey
 Mike Synar, Oklahoma
 Patricia Schroeder, Colorado
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 Charles T. Canady, Florida
 Bob Inglis, South Carolina
 Bob Goodlatte, Virginia

One Hundred Third Congress
 Congress of the United States
 U.S. House of Representatives
 Committee on the Judiciary

Washington, D.C. 20515

FOR IMMEDIATE RELEASE
 September 23, 1993

NEWS RELEASE

BROOKS INTRODUCES TOUGH ANTI-CRIME PACKAGE

The toughest anti-crime legislation in decades was introduced today by Congressman Jack Brooks (D-Texas), Chairman of the House Committee on the Judiciary. Among the major initiatives in H.R. 3131, the "Violent Crime Control and Law Enforcement Act of 1993," are provisions to authorize the death penalty for a host of new Federal crimes, put thousands of new cops on the neighborhood beat, and eliminate frivolous appeals by death-row inmates. Joining Brooks as co-sponsors of the bill were Rep. Charles Schumer (D-New York) and Rep. William Hughes (D-New Jersey), both Subcommittee Chairman on the Judiciary Committee.

"Just before the August Congressional recess, I stood in the Rose Garden with President Clinton to announce the outlines of a comprehensive response to the scourge of crime," said Brooks. "That proposal is now a reality of more than 400 pages of tough, result-oriented legislation. Without a doubt, it is the strongest and most innovative crime bill in decades."

"All too often, the public – and Members of Congress as well – think of a 'good crime bill' as simply a series of tough penalties for those convicted of wreaking havoc in our streets, schools, and neighborhoods," continued Brooks. "While this emphasis on punishment at the 'back end' of the criminal justice system is absolutely needed, a truly comprehensive approach must also focus on preventing crime from happening in the first place. This bill strikes the proper balance by combining dozens of new Federal death penalty crimes and a streamlined habeas corpus process with provisions designed to rid our schools of drugs and gangs, prevent child abusers from working with our children, steer youthful first-time offenders away from a life of crime, and mandate drug treatment of prisoners before they are released back on our streets. This balanced package of strict sanctions and creative preventative measures will help break the deadly cycle of violence now gripping our Nation."

During the 102d Congress, a House-Senate conference committee reached agreement on a crime bill similar to that introduced by Brooks today. The conference report was approved by the House in late 1991, but then fell victim to a nearly year-long Republican filibuster in the Senate.

Brooks concluded: "Over the past several years, many of us in Congress have worked hard to pass the legislation necessary to staunch the flow of blood in America's streets. Unfortunately, our efforts have been thwarted by a handful of politicians more interested in posturing than in taking action. This year, however, I am hopeful these obstructionists are ready to opt for 'lock-up' rather than 'gridlock' when it comes to fighting crime. The cost of doing nothing is simply too high."

A summary of key provisions in H.R. 3131 is attached.

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.

**FEDERAL DEATH PENALTIES
IN THE BROOKS CRIME PROPOSAL**

The Federal death penalty is provided for the following offenses:

Aircraft piracy where death results
Bank robbery where death results
Carjacking where death results
Child sexual exploitation where death results
Conspiracy to violate civil rights where death results
Damage of Federal property by explosives where death results
Damage of Federal property by fire where death results
Damage of property affecting commerce by fire where death results
Damage of property affecting commerce by explosives where death results
Destruction of aircraft where death results
Destruction of aircraft facilities where death results
Destruction of motor vehicle facilities where death results
Destruction of motor vehicles where death results
Drive-by shootings where death results
General espionage
Genocide
Hostage-taking where death results
Interference with federally-protected activities where death results
Interstate explosives offense where death results
Kidnapping where death results
Mailing dangerous articles where death results
Murder in aid of racketeering
Murder of Cabinet officers
Murder of certain foreign officials
Murder of court officers
Murder of diplomats
Murder by escaped Federal prisoner
Murder of Federal law enforcement officials
Murder of Federal judges
Murder with firearm in course of Federal drug crime
Murder with firearm in course of Federal violent crime
Murder with firearm during Federal drug trafficking crime
Murder during firearms attack in or on Federal facility
Murder of high-level government officials
Murder for hire
Murder of juror
Murder by life-term Federal prisoner
Murder of local official assisting Federal law enforcement officer
Murder of members of families of Federal officials with intent to
 impede or retaliate
Murder of Members of Congress
Murder of President
Murder in special maritime and territorial jurisdiction
Murder of staffs of high-level government officials
Murder of State official assisting Federal law enforcement officer
Murder of Supreme Court Justices
Murder of U.S. national in foreign country
Murder of Vice-President
Obstruction of free exercise of religious rights where death results
Rape where death results
Retaliatory murder of informant
Retaliatory murder of witness
Retaliatory murder of victim
Sexual abuse crimes where death results
Terrorist murder of U.S. national abroad
Torture resulting in death
Treason
Use of weapon of mass destruction where death results
Violence at international airports where death results
Violence against maritime navigation where death results
Violence against maritime platforms where death results
Wartime espionage
Willful deprivation of Federal rights where death results
Witness-tampering murders
Wrecking trains where death results

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

Title I	--	Public Safety and Policing
Title II	--	Death Penalty
Title III	--	Habeas Corpus Reform
Title IV	--	Coerced Confessions
Title V	--	Firearms
Subtitle A	--	Brady Handgun Violence Prevention Act
Subtitle B	--	Gun Crime Penalties
Title VI	--	Youth Violence
Subtitle A	--	General
Subtitle B	--	Criminal Street Gangs
Subtitle C	--	Certainty of Punishment for Young Offenders
Subtitle D	--	Juvenile Drug Trafficking and Gang Prevention Grants
Title VII	--	Terrorism
Subtitle A	--	Maritime Navigation and Fixed Platforms
Subtitle B	--	General Provisions
Title VIII	--	Sexual Violence and Child Abuse
Subtitle A	--	Sexual Abuse
Subtitle B	--	Child Protection
Subtitle C	--	Crimes Against Children Registration
Title IX	--	Crime Victims
Title X	--	State and Local Law Enforcement
Subtitle A	--	Safer Streets and Neighborhoods
Subtitle B	--	DNA Identification
Subtitle C	--	Department of Justice Community Substance Abuse Prevention
Subtitle D	--	Drug Testing of Arrested Individuals
Subtitle E	--	Racial and Ethnic Bias Study Grants
Title XI	--	Provisions Relating to Police Officers
Subtitle A	--	Law Enforcement Family Support
Subtitle B	--	Police Pattern or Practice
Subtitle C	--	Police Corps and Law Enforcement Officers Scholarship Programs
Subtitle D	--	Study Rights of Police Officers
Title XII	--	Grant Program for State Prisons

(continued other side)

Title XIII -- Federal Prisons

Subtitle A -- General
Subtitle B -- Drug Testing
Subtitle C -- Enhanced Penalties for Drugs in Federal Prisons
Subtitle D -- Drug Treatment in Federal Prisons
Subtitle E -- Studies

Title XIV -- Rural Crime

Subtitle A -- Fighting Drug Trafficking in Rural Areas
Subtitle B -- Drug Free Truck Stops and Safety Rest Areas

Title XV -- Drug Control

Subtitle A -- Drug Emergency Areas
Subtitle B -- Precursor Chemicals
Subtitle C -- General Provisions

Title XVI -- Drunk Driving Provisions

Title XVII -- Commissions

Subtitle A -- Commission on Crime and Violence
Subtitle B -- National Commission to Study the Causes of the Demand
for Drugs in the United States
Subtitle C -- National Commission to Support Law Enforcement

Title XVIII -- Motor Vehicle Theft Prevention

Title XIX -- Protections for the Elderly

Title XX -- Consumer Protection

Title XXI -- Sentencing Provisions

Title XXII -- Computer Crime

Title XXIII -- International Parental Kidnapping

Title XXIV -- Safe Schools

Title XXV -- Financial Institutions Fraud Prosecutions

Title XXVI -- White Collar Crime Amendments

Title XXVII -- Gambling

Title XXVIII-- Bail Posting Reporting

Title XXIX -- General Increased Penalty Provisions

Title XXX -- Miscellaneous

Title XXXI -- Technical Corrections

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:

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**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>
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	650 million	95 - 99 each	
● Habeas Corpus	Sum necessary	Each	307
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● Drug Testing Arrestees	100 million	94 - 96	1010
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● Police Corps Program	5 million	94 - 98 each	1112
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● Substance Abuse-Fed. Prisoners	Sum necessary	Each	1306
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	Sum necessary	95 & 96	
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● Interstate & Int'l Parental Child Abduction Programs	250 thousand	To carry out program	2302
● Safe Schools	100 million	94 - 96 each	2402
● DEA-	100 million	94	

Date: 09/24/93 Time: 18:03

Clinton Calls Gun and Crime Controls Necessary for Health Reform

ST. PETERSBURG BEACH, Fla. (AP) President Clinton portrayed handgun controls and anti-crime measures as necessary in revamping the nation's health system on Friday because hospitals are overburdened with ``people cut up and shot.''

``Homicide is the second leading cause of death among Americans aged 15 to 25, and more of our teen-age boys die from gunshots now than any other cause,''' Clinton said at a waterfront rehabilitation center for teen-agers.

He also expressed sadness over the recent killing of foreign tourists who were visiting Florida. ``It grieved so many of us,''' he said.

But he said crime against individuals is not just a problem involving Florida and tourists but has reached epidemic proportions in the country.

Clinton was trying to tie his health care plan to some of his other major proposals as he and other administration officials conducted a national sales blitz for the plan to provide universal health coverage by the end of 1996.

Clinton has acknowledged that it might be necessary to phase in some benefits more slowly if he cannot get the savings he anticipates.

On his return to Washington, he said he would favor an annual review to determine if some benefits should be added more gradually or ``to present them as options that can be paid for separately at the decision of the consumer until the savings enable us to phase them in completely.''

Clinton struggled with a minor health problem of his own as he squinted through swollen eyes, a condition aides blamed on allergies, bright light at the beach setting and perhaps lack of sleep.

The night before, Clinton had discussed his health care program at a broadcast town-hall meeting in nearby Tampa. He continued to field questions about the plan from the audience well past the ABC network cameras shut off about 12:30 p.m. EDT.

``Last night, we had that wonderful town hall meeting,''' Clinton told his Friday morning audience. ``People asked dozens and dozens of questions. I don't know how long we stayed there till way too late. A lot of people in America, if they watched that whole show last night, are sleepy at work today, I'll tell you that. But what you saw there is people yearning for security.''

Clinton compared health security to crime security.

``The principles I announced in health care reform are very much related to the principles of this anti-crime effort our administration is undertaking,''' he said at the Pinellas Marine Institute, an academic and vocational program for troubled teens.

Youths sent to the institute learn careers in boat building and repair.

``One of the reasons American health care is so expensive is that our hospitals and our emergency rooms are full of people who are cut up and shot,''' Clinton said.

Clinton promoted his anti-crime legislation that includes gun controls and \$3.4 billion to put 50,000 more police officers on the streets.

It contains the gun-control bill named for James Brady, the former White House press secretary who was wounded in the 1981 assassination attempt on President Reagan. It requires a five-day waiting period and a background check on handgun purchasers.

When he proposed the crime plans in August, Clinton also signed executive orders that suspended imports of foreign-made assault-style handguns.

"You have to change the fact that America is the only country in the civilized world where a teen-ager can walk the streets at random and be better armed than most police forces," Clinton said to applause.

He also said there were bills in Congress not part of his package that would ban assault weapons "entirely from being in the possession of our young people, and I hope and pray one of them can reach my desk this year" to be signed into law.

He said framers of the constitutional "right to bear arms" amendment did not contemplate guns in the hands of teen-agers, "and we better stop it if we want to recover our country."

To capitalize on reaction to Clinton's health care speech, the Democratic National Committee is spending more than \$100,000 next week on television ads promoting the plan. The 30-second spots show a picture of the health security card and a voice says the card "guarantees that no American will ever lose their health care again."

The ad goes on to say "the special interests want to block reform. We need your help," and offers a toll-free number for those who want to donate money or volunteer to help promote Clinton's plan.

The ad will air nationally on Cable News Network for a week beginning Monday. The DNC also purchased newspaper ads for the plan this weekend in Kansas City, Denver and Tulsa, Okla.

On the rash of foreign tourists recently attacked in Florida, Clinton said that, shocking as the headlines might be, "it is far from a problem of Florida alone, and certainly not a problem for our foreign visitors alone."

"When Michael Jordan's father was killed recently, a nation grieved, but no one knew the names of the other 22 people who died in that county this year. This is a national problem."

APNP-09-24-93 1804EDT

Date: 10/09/93 Time: 08:49

Clinton Links Health Reform to Anti-Crime Legislation

NEW BRUNSWICK, N.J. (AP) President Clinton is delivering a one-two punch as he travels the country to promote his domestic agenda, urging swift action on both health-care reform and anti-crime legislation.

The two are inextricably linked, Clinton argues, because the nation's ``culture of violence'' is taking a tremendous toll on the health of its citizens.

``Let us have the courage to admit that some of these problems we will never fix until we change our ways as a nation, and let's start with violence, begin with guns,'' Clinton declared in a speech Friday at the Robert Wood Johnson Medical School Hospital.

He called for congressional passage of anti-crime legislation that includes a requirement for a five-day waiting period for handgun purchases, innovative programs to rehabilitate juvenile offenders and money to put more police officers on the streets. He also urged passage of national legislation to ban assault weapons.

``It would be a great Christmas present for the American people to stand up for safety,'' he said.

Clinton spoke after touring the hospital's trauma center, where he visited with three recent victims of the urban violence.

Talking with Clinton from his wheelchair, 22-year-old Robert Jones of Plainfield, N.J., told the president he was shot in the groin in a June 1992 robbery.

He has no insurance, is permanently disabled and has run up hospital bills of more than \$120,000.

Jones told Clinton about how ``you have to go and grovel for it'' to get Medicaid coverage.

Shaking his head, Clinton said: ``That's terrible. That's terrible.''

``If we pass this bill we're working on, you won't have to worry,'' the president said.

While Clinton was in New Jersey pushing his health-care plan, Hillary Rodham Clinton was pushing the same package in Rhode Island. The two car-pooled to Andrews Air Force Base, where they kissed goodbye and boarded separate planes.

The health plan drafted under Mrs. Clinton's direction would require all employers to pay at least 80 percent of their workers' average health-care premiums, with employees paying the rest. All Americans would be guaranteed coverage by the end of 1997.

Clinton's trip to New Jersey mixed policy and politics. The president was accompanied by Democratic New Jersey Gov. James Florio, who is battling Republican Christine Todd Whitman for re-election.

Clinton went out of his way to extoll Florio's crime-fighting efforts, and at a rally as he departed, the president called out, ``Jim Florio did it and give me a chance and we'll do it. I hope you re-elect the governor.''

Clinton said the American people must help shoulder the responsibility for reducing the violence that afflicts them.

``We have simply got to be willing to change our behavior or admit that we are going to tolerate living in a country where homicide is the second leading cause of death among Americans between the ages of 15 and 25 and the leading cause of death among teen-age boys today,'' he said.

Clinton also welcomed what he said was a move by some television networks to try to limit violence and ``the degradation of people'' in prime-time programming.

signs saying ``U.S. Out of Somalia'' and ``No Vietnam in Africa'' as Clinton's motorcade arrived at the hospital.

The trip, although designated as non political, was also an attempt to boost the re-election candidacy of Democratic Gov. Jim Florio.

Florio, who is in a lively battle with Republican Christine Todd Whitman, accompanied Clinton on the tour and echoed the president's call for stronger gun-control laws.

``We will never bring health care costs under control as long as emergency rooms are filled with shooting victims,'' Florio said.

He praised Clinton for ``not being afraid to stand up to the gun lobby.''

Clinton reiterated a theme he has been stressing for the past two weeks in selling his health-care initiative around the country: linking the package to other major administration initiatives like gun control under the umbrella of ``a higher level of security.''

``The need for health care ... and the need for personal security these things are closely related,'' he said.

APNP-10-08-93 1801EDT