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THE CLINTON-GORE LEGACY: ASSAULT WEAPONS BAN

I. DESCRIPTION

A part of the 1994 Omnibus Anti-crime Bill bans the sale or possession of 19 specific weapons, and "copycats" containing such features as pistol grips and large capacity feeding devices (holding more than ten rounds of ammunition). The language in the bill did not effect existing guns and exempted more than 650 specific guns used in sports and hunting.

II. HISTORY

Although he had been speaking of the need for stricter gun control legislation and community policing programs since the beginnings of his first campaign, President Clinton made his position official on August 11, 1993 when he signed a Presidential Memoranda to suspend the importation of assault pistols. Clinton then called on Congress to support his position with stronger legislation aimed at 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." (Source: White House Press Release, The Clinton Administration Plan to Expand Community Policing and Reduce Gun Violence, August 11, 1993)

The assault weapons ban came into being towards the end of 1993 when Sen. Diane Feinstein (D-CA) included it as an amendment to the 1994 Omnibus Anti-Crime bill. Originally, there had been a concerted effort by both Democrat and Republican members to keep gun issues out of the bill, as it was thought controversy over the topic would doom the bill. ~~Sen.~~ Feinstein, however, believed that addressing the issue was core to the topic of crime control.

~~Sen.~~ Feinstein brought the amendment to the Senate floor on November 9th, 1993. Her opponents, mainly Republican leaders, immediately attempted to block the amendment with a procedural move to table the underlying amendment Feinstein was attaching her proposal to. The roll call appeared headed toward a tie, when Sen. Ben Campbell (D-CO), a former opponent of the ban, cast the final vote against the tabling motion.

On November 17, 1993, the Senate approved the amendment with a vote of 56-43. Five Republicans -- Sen. Hank Brown (CO), Sen. Daniel Coats (ID), Sen. James Jeffords (VT), Sen. Richard Lugar (ID) and Sen. Bob Packwood (OR) -- sided with the Democratic proposal to pass the amendment.

The final vote on the issue came in May of 1994 when the House approved the gun ban 216-214 in a hotly contested battle. The President and several Cabinet members were called in to make personal phone calls to undecided lawmakers all the way up to the final minutes of voting. It

was a major victory for a law that had been struck down by the House three years earlier with a 70-vote margin.

On September 14, 1994, domestic gun manufacturers stopped production of semi-automatic assault weapons. The wholesale price of assault rifles has nearly tripled; retail prices in some instances are now over \$2,000. Assault pistol prices have nearly doubled and the prices of several popular ammunition clips have quadrupled. (Source: www.handguncontrol.org)

III. CURRENT STATUS

The language contained in the 1994 Crime Bill concerning assault weapons is written to sunset 10 years from signing, on _____

IV. ADMINISTRATION QUOTES

President Clinton

"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." – ~~President Bill Clinton~~ [Anti-Crime Initiative Announcement, August 11, 1993]

"A gunshot wound is three times more likely to lead to death today, in part because there are so many assault weapons, and the average victim of a gunshot wound now has over two bullets in him or her. It's getting hard to find a family that hasn't been touched by this epidemic of violence. Often, it means another empty chair in a classroom, an empty place at a dinner table, an empty space in the hearts of those who lost the loved ones." – ~~President Bill Clinton~~, Radio Address, October 9, 1993

"The ban on assault weapons and the restrictions on semi-automatics are important because they'll stop criminal gangs from being better armed than the police. And these restrictions would have prevented the gunman on the Long Island Railroad from having two 15-round clips of ammunition that enabled him to maim and kill so many people with such deadly speeds. Assault weapons and 15-round clips have nothing to do with hunting or sports. They just let criminals shoot people more quickly. A recent study in one of our major cities showed that the increasing death rate among young people hit with gunshots was due almost entirely to the fact that the weapons themselves were more likely to be semi-automatic and, therefore, more deadly." – ~~President Bill Clinton~~, Radio Address, December 11, 1993

*Police Groups
for*

V. KEY SPONSORS AND ADVOCATES

"No position taken by the FOP is more strongly rooted in conviction than that taken on semi-automatic assault weapons. While it is true that these weapons do not differ in terms of function and capability from other semi-automatic weapons, it is equally true that semi-automatic weapons are eight times more likely to be used in crime than conventional weapons. Therefore,

in the interest of public safety and officer safety, we strongly support the assault weapons ban contained in the [1994] Crime Bill." - Dewey Stokes, former National President, Fraternal Order of Police, February 6, 1995

"The Grand Lodge, Fraternal Order of Police remains committed in its support of the Brady Law as a means to keep firearms out of the hands of criminals. Similarly, we do not and will not support any legislation aimed at repealing or weakening the ban on assault weapons." - Fraternal Order of Police, Legislative Office, "Firearms Issues," <http://www.grandlodgefop.org/legislat.html>

Members of Congress

"Today's environment is one of real disrespect for law and civility. You have to ask yourself of what earthly good or use are these types of weapons? I do defend the target weapon, the hunting weapon, a shotgun to defend your home. But an Uzi, a Kalishnikov, designed only to fire a lot of bullets in a hurry to kill people -- I don't see the legitimacy. Somewhere, you draw the line." - Sen. Henry Hyde (R-IL), The New York Times, May 7, 1994

- Also try to get quotes from the Rep. sen.s who crossed the line + voted for the ban.
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→ see crime indicators in '2000' compes

VII. CRITICISM AND RESPONSE

→ Bullet

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The N.R.A. and other opponents of assault-weapon bans argue that the laws do not address the real problem of criminals using guns precisely because gangs ... do not acquire their weapons through legal channels. (Source: The New York Times, July 1, 1994)

VIII. OPPOSITION

- In November of 1993, Republican members of Congress attempted to block the assault weapons ban amendment to the Omnibus Crime Bill by proposing to table the legislation it was tied to. The vote failed by 1 vote and the amendment remained part of the over-encompassing bill.
- On March 22, 1996, the House of Representatives voted 239-173 to repeal the 1994 ban on semi-automatic assault weapons (HR 125). ~~The issue has not been brought up for debate in the Senate.~~

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Senate OKs Omnibus Anti-Crime Bill

House passes several smaller bills, but Democratic hopes for broad new law in '93 go unfulfilled

The Senate stole the anti-crime spotlight in the waning days of the 1993 session, passing a sweeping overhaul bill Nov. 19 with a five-year price tag of \$22.3 billion. The House took a different approach, passing a series of smaller bills, some of which matched provisions in the Senate bill. The year was something of a disappointment for President Clinton and Democratic lawmakers, who had hoped to see a broad new anti-crime law enacted.

In an emotional victory for gun control advocates, however, Congress did clear separate legislation (HR 1025), known as the Brady bill, providing a five-day waiting period for handgun purchases. (*Brady bill*, p. 300)

In a game of anti-crime one-upmanship, the Senate deliberated for two weeks in mid-November over how to slow the sale of weapons, crack down on criminals, protect women, treat drug addicts, combat prejudice, impose the death penalty and put more police on the streets. The result

was a 95-4 vote in support of an omnibus anti-crime bill (HR 3355) that touched on all those issues and more.

Crafted by Senate Judiciary Committee Chairman Joseph R. Biden Jr., D-Del., the bill embraced competing goals from both sides of the political spectrum. For liberals, the legislation included gun control measures and rehabilitation programs; for conservatives, more jails and more jail time. The bill allocated money for new federal prisons, state boot camps, shelters and services for battered women, 100,000 new police officers, prison drug treatment centers and youth crime prevention projects.

The measure included harsh penalties on perpetrators of hate crimes, juveniles who committed serious federal crimes and criminals who used a weapon. Under the bill, the federal death penalty was to be extended to about 50 additional crimes, and prisoners could not receive Pell grants for education. The legislation also included an amendment by Dianne Feinstein, D-Calif., to ban the sale, manufacture and possession of 19 assault weapons.

The one major issue senators failed to address was how to speed death penalty appeals, known as habeas corpus petitions. Once a staple of any GOP crime initiative, the idea of limiting the number of appeals was abandoned for lack of a consensus. An attempt to pass it as a separate bill failed in the House, after months of slow progress and finger-pointing over who was stalling an omnibus anti-crime bill, Judiciary Committee Chairman Jack Brooks, D-Texas, passed a series of smaller bills. The bills included proposals

BOXSCORE

◆ **Omnibus Anti-Crime Bill (HR 3355, formerly S 1607, S 1488).** The \$22.3 billion Senate bill boosted spending for prison construction, expanded the death penalty, treated certain young criminals as adults and provided money for 100,000 additional police officers. It included an anti-crime "trust fund."

KEY ACTION

Nov. 4 — **Senate** adopted amendment to S 1607 authorizing \$22.3 billion worth of anti-crime initiatives and spelling out a way to pay for them, 94-4.

Nov. 19 — **Senate** passed small, House-passed bill, HR 3355, 95-4, after substituting text of S 1607.

to hire 50,000 additional police officers, expand prison drug treatment programs, help states fight juvenile gangs and drug trafficking, develop alternative sentencing for youthful offenders, bar youths from buying or possessing handguns, and target domestic violence. Ten of the bills won House approval; two were cleared before Congress adjourned.

BACKGROUND

After a year of fits and starts, Congress considered but did not clear an anti-crime bill in the 102nd Congress. As approved by House and Senate conferees, that bill (HR 3371) would have extended the federal death penalty to more than 50 crimes, required a waiting period for the purchase of handguns, restricted death row inmates' ability to challenge their sentences and imposed new gun-crime penalties. The bill authorized more than \$3 billion for prisons and law enforcement. The House narrowly ap-

proved the conference report at the end of 1991, but the compromise bill languished in the Senate, where Republicans blocked two attempts in 1992 to invoke cloture.

Neither Democrats nor Republicans wanted the sweeping anti-crime bill badly enough to hammer out a compromise in a presidential election year in which crime fell behind the economy and health-insurance reform as an issue that could mobilize voters. Democrats continued to reject tough GOP restrictions on the ability of death row inmates to ask for federal review of their sentences under habeas corpus provisions. And Republicans objected to the handgun control provisions. (1992 *Almanac*, p. 311)

The saga had a familiar ring: for 10 years, anti-crime proposals had generated a lot of heat but little action until the waning days of each biennial Congress, as Election Day approached. (1989 *Almanac*, p. 259; 1988 *Almanac*, p. 85; 1986 *Almanac*, p. 92; 1984 *Almanac*, p. 215; 1982 *Almanac*, p. 419)

Clinton, GOP Proposals

Opening his campaign to pass a crime bill in the fall of 1993, Clinton announced a broad anti-crime package at a Rose Garden ceremony Aug. 11. Together with key Democratic leaders, Clinton outlined plans to put more police officers on the streets, make it harder for inmates to appeal their death sentences and require a waiting period for handgun purchases. Clinton's plan was based on the conference report to the crime bill that failed in 1992, although

Clinton added \$3.4 billion over five years to put up to 50,000 more police officers on the streets. Administration officials said that this, along with other legislation, would make good on Clinton's campaign pledge to put 100,000 new officers on the beat.

The proposal marked an effort to fulfill Clinton's campaign pledge to do something about gridlock in general and crime in particular. "The American people have been kept waiting long enough," Clinton said. "They want more police on the street and fewer guns."

Clinton also acted immediately on two gun control measures, issuing executive orders barring the import of certain semiautomatic assault pistols — broadening an existing ban that applied only to assault-style rifles — and tightening enforcement of federal gun dealer licenses.

The White House plan was presented one week after Republican leaders in the House and Senate announced their own anti-crime package. Both sets of initiatives shared certain elements, such as increased federal aid for local law enforcement, but there were key differences.

The GOP measure did not include Clinton's gun control initiatives. It called for new prison construction and for mandatory minimum sentences for the use of a firearm during a crime, with three-time offenders facing life imprisonment. The Republicans wanted to place strict limits on post-conviction, or habeas corpus, petitions. And although both parties' bills extended the death penalty for a number of offenses, the GOP bills included major drug trafficking offenses.

Democratic Bills Introduced

Making good on their pledge to help Clinton get an anti-crime bill passed in the fall, the leaders of the House and Senate Judiciary committees — Brooks and Biden — introduced parallel crime bills Sept. 23. Like Clinton's plan, both bills were similar to the 1992 conference agreement. By sticking to the contours of that bill, which had been approved by House and Senate conferees, they hoped to win speedy congressional approval this time around.

Brooks called the House bill (HR 3131) "the strongest and most innovative crime bill in decades." Biden made similar claims for the Senate measure (S 1488). Major elements of the bills included:

- **Death penalty.** Both measures expanded the list of capital offenses to include such crimes as the murder of a federal judge or law enforcement officer and killings by terrorists and carjackers. The Senate bill allowed capital punishment for 47 federal offenses. The House bill allowed it for 64 crimes.

- **Death row appeals.** In the past, liberals and conservatives had divided over the issue of habeas corpus petitions, a legal pathway for prisoners to challenge the constitutionality of their death sentences after exhausting direct appeals.

Many prosecutors contended that inmates abused the process, filing numerous and often frivolous habeas corpus petitions simply to thwart officials from carrying out the death sentence. Liberals had their own concerns — in large part stemming from Supreme Court rulings that had restricted the opportunities for such appeals. Without safeguards, they argued, there was an increased risk of wrongly executing a prisoner.

Biden negotiated new language for the 1993 bill that answered some concerns of both groups and had the backing of many district attorneys and state attorneys general who, along with many Republicans, had opposed the version in the 1992 bill as too weak. The proposal, incorporated in slightly different forms in the two bills, limited inmates to a single federal habeas petition, to be filed within six months of exhausting regular appeals. But it also required that death row inmates be provided with qualified defense lawyers.

- **Gun control.** Brooks' bill contained the so-called Brady bill, which required a five-day waiting period before the purchase of a handgun and authorized \$100 million a year, beginning in fiscal 1994, to help states set up an "instant-check" system that would eventually replace the waiting period. The Senate bill contained no Brady language; Biden said he wanted to consider that issue as a separate measure (S 414). Former White House spokesman James S. Brady was permanently disabled in an assassination attempt in 1981 against former President Ronald Reagan.

Neither measure contained a ban on assault weapons.

- **More police.** Both bills authorized \$3.45 billion over six years, beginning in fiscal 1994, to help states hire 50,000 more police officers.

- **Prisons and boot camps.** Neither bill contained additional money to construct regular federal prisons. But the Senate measure included \$300 million to establish 10 military-style boot camps for non-violent criminals and 10 regional prisons for serious drug offenders who were serving the last two years of their sentences. Those transferred to the prisons would receive drug treatment.

- **Safe schools.** Both bills authorized \$100 million a year for three years to develop local education and training programs to prevent crime, violence and drug abuse at schools.

- **Drug treatment and**

HOUSE CRIME BILLS

The House, which did not take up an omnibus anti-crime bill, approved a series of smaller bills:

- **Federal drug treatment** — (HR 3350 — H Rept 103-320). House passed Nov. 3, 373-54.

- **Youth gangs** — (HR 3353 — H Rept 103-322). House passed Nov. 3, 413-12.

- **State drug treatment** — (HR 3354 — H Rept 103-323). House passed Nov. 3, 394-32.

- **Cops on the beat** — (HR 3355 — H Rept 103-324). House passed Nov. 3 by voice vote.

- **Prison alternatives** — (HR 3351 — H Rept 103-321). House passed Nov. 19, 336-82.

- **Youth handgun ban** — (HR 3098 — H Rept 103-389). House passed Nov. 20, 422-0.

- **Crimes against women** — (HR 1133 — H Rept 103-395). House passed Nov. 20, 421-0.

- **Crimes against minors** — (HR 324 — H Rept 103-392). House passed Nov. 20 by voice vote.

- **Kidnapping by parents** — (HR 3378 — H Rept 103-390). House and Senate passed by voice vote Nov. 20. President signed Dec. 2 (PL 103-173).

- **Child-care providers** — (HR 1237 — H Rept 103-393). House and Senate passed by voice vote Nov. 20. President signed Dec. 20 (PL 103-209).

enforcement. Both bills authorized funds to phase in drug treatment at federal prisons. The Senate bill required prisons to treat all eligible inmates by fiscal 1995, the House bill by fiscal 1997.

The bills included grants to states to set up substance abuse programs in prisons and authorized \$100 million in fiscal 1994 to allow the Drug Enforcement Administration to hire more agents and staff for narcotics interdiction in rural areas.

Reflecting administration concerns, Brooks and Biden abandoned mandatory minimum sentences from the 1992 bill as well provisions imposing the death penalty on drug kingpins not directly implicated in murder. Some Democrats wanted to retain those provisions, as did Republicans.

SENATE ACTION

Culminating a two-and-a-half-week, tougher-than-thou bidding war, senators approved HR 3355 by an overwhelming 95-4 vote Nov. 19. During that time, the anti-crime bill was transformed from a \$9.6 billion bill to a \$22.3 billion measure. Biden had brought the bill straight to the Senate floor without committee action. Senators voted on HR 3355, one of a series of smaller crime bills passed by the House in November, after substituting the text of their own bill, S. 1607. (*Vote 384, p. 49-S*).

Passage came after senators dropped proposals to speed executions by limiting habeas corpus petitions. Senators also agreed to consider the Brady bill separately. Minority Leader Bob Dole, R-Kan., had considered attaching the Brady bill to the crime bill, a move that would have weakened support for the big bill among anti-gun control Republicans.

The bill melded competing approaches to crime from both ends of the political spectrum: gun control and rehabilitation provisions from the left, stringent punishments and new prisons from the right.

Old Fights Revisited

The initial floor debate on S. 1607 — a modified version of Biden's original anti-crime bill (S. 1488) — got under way Nov. 3, sounding very much like a traditional partisan showdown over crime and law enforcement. Republicans called for more prisons and tougher sentences to stop what they called a "revolving door" of criminal justice. Many Democrats stressed the need for new approaches to reduce crime, including drug treatment for inmates and alternative prisons. Biden's revised bill added \$2 billion for boot camps and regional prisons.

Orrin G. Hatch of Utah, the ranking Republican on the Judiciary Committee, urged Biden to try a different approach, assembling a bipartisan bill. Hatch offered an amendment, later withdrawn, that would have added \$6 billion to the Democratic measure for prisons, half for federal regional prisons and half for state prison construction: "It does not matter very much how many police officers . . . we hire if we do not have the adequate space in which to imprison criminals convicted of crimes meriting incarceration," Hatch said.

But Biden and other Democrats questioned the wisdom of funneling so many scarce dollars to new prisons.

The Breakthrough

Off the floor, however, Biden, Hatch and others were engaged in intense negotiations that produced a breakthrough Nov. 4 — a bipartisan plan that combined the

Democratic and Republican spending priorities and more than doubled the bill's price tag.

Appropriations Committee Chairman Robert C. Byrd, D-W.Va., supplied a crucial element of the deal by devising a funding mechanism that made it possible to pay for the expensive compromise. Byrd proposed that lawmakers cash in on plans announced by the Clinton administration to cut 252,000 employees from the federal payroll.

Under the bill, \$22.3 billion of the expected five-year savings from the cutback was to be deposited into a novel and somewhat controversial anti-crime "trust fund." The idea was to fence off the money, making it impossible for appropriators to use the windfall for other discretionary domestic programs. That money allowed lawmakers to pay for the entire Biden bill, a substantial portion of the Republican prison initiative, and more. (*Federal payroll cuts, p. 204*)

Senators voted 94-4 on Nov. 4 for the bipartisan amendment, sponsored by Byrd with the backing of Majority Leader George J. Mitchell, D-Maine, and Minority Leader Dole. (*Vote 352, p. 45-S*)

"I can say this is by far and away the most significant federal effort to deal with violent crime in America that has ever been undertaken in the U.S. Senate," said Biden.

Byrd's amendment allotted:

- An additional \$3.7 billion for community policing programs. Overall, the bill now included \$8.9 billion for community policing, enough to provide for a total of 100,000 new officers.

- An additional \$3 billion for regional federal prisons, with some of that conditioned on states adopting tougher sentencing laws.

- \$1 billion to help states build boot camps and other minimum-security facilities — on top of the \$2 billion in Biden's bill for that purpose.

- \$1.8 billion to fight violence against women. That proposal, championed by Biden and others as S. 11, sought to strengthen federal laws against battery and other abuse, and provide money for women's shelters and other safety measures.

The deal seemed to satisfy many senators. But there were misgivings. Some senators were unhappy with the trust fund mechanism, saying it would place a tighter squeeze on remaining programs under the overall budget caps. Pete V. Domenici, R-N.M., worried about siphoning the planned savings away from deficit reduction as well as the practice of establishing a special trust fund for a particular type of government program.

Some liberal senators questioned the need to spend so much on prison construction, forcing cutbacks in other programs to stay within overall budget caps. "We ought to be tackling the problem of poverty," said Paul Simon, D-Ill. "Then we would be tackling the problem of crime."

Byrd himself questioned departing from the regular appropriations process. But he said that his plan was the least offensive of several under consideration and that he would rather see the money set aside for crime prevention than some other cause.

After the amendment was approved, Hatch said senators might be close to forging a crime bill that both parties could support. But he warned that many Republicans could withdraw their support if Democrats attached gun control proposals, such as an assault weapons ban, to the bill.

Although Biden had left those issues for separate legislation, some Democrats appeared determined to address gun issues in the omnibus bill.

Other Early Votes

In early floor action on the crime bill, senators also approved:

- An amendment by Feinstein to authorize tougher penalties for hate crimes. The language — similar to a bill (HR 1152) that passed the House on Sept. 21 — was approved 95-4 on Nov. 4. (*Vote 351, p. 45-S; hate crimes, p. 311*)
- An amendment by Charles E. Grassley, R-Iowa, repudiating the Justice Department's interpretation of federal child pornography laws in the Supreme Court case *Knox v. U.S.* The *Knox* case involved a man prosecuted for violating child pornography laws in connection with a film showing young girls in their underwear. The Supreme Court on Nov. 1 sent the case back to the lower courts in light of the department's contention that the films fell under the law's provisions only if the girls' genitals were visible and the minors acted lasciviously. But lawmakers said that interpretation would thwart federal prosecution of child pornography. The Senate approved the amendment 100-0 on Nov. 4. (*Vote 350, p. 45-S*)

Targeting Juvenile Crime

With little debate, senators added a list of provisions dealing with juvenile crime and punishment to the bill. The Senate approved:

- An amendment by Carol Moseley-Braun, D-Ill., covering juveniles charged with murder, attempted murder, robbery with a firearm and similar crimes. Those convicted in adult courts would build up criminal records. Moseley-Braun argued that without such records, young people were not held accountable. The Senate adopted the amendment 64-23 on Nov. 5; Biden was among 17 Democrats who voted against it. (*Vote 356, p. 46-S*)
- An amendment by Dole to make criminal gang activities a federal offense with mandatory minimum sentences. In response to criticism that expanding the list of federal crimes also increased the burden on federal courts, the amendment authorized \$100 million over five years to hire more federal prosecutors. It also authorized \$100 million to create a grant program to work with juveniles and gang members. It was adopted 60-38 on Nov. 9. (*Vote 360, p. 46-S*)
- An amendment by Joseph I. Lieberman, D-Conn., to make carjacking a federal offense whether or not a gun was used and to authorize the death penalty if the carjacking resulted in death. While the amendment did not specifically cite juveniles, carjacking had been associated with youths in some areas. It was adopted 65-34 on Nov. 9. (*Vote 361, p. 47-S*)

- An amendment by Herb Kohl, D-Wis., chairman of the Judiciary Subcommittee on Juvenile Justice, making juvenile possession of a handgun or ammunition a federal offense, except in certain circumstances. The amendment also made selling, delivering or giving handguns or ammunition to a juvenile a federal offense. It exempted young people who with parental permission were using guns for ranching, farming, hunting or target practice, as well as juveniles who defended themselves with a handgun against an intruder in their home. Kohl said 19 states had similar laws making it a crime for youths to carry guns. Juveniles could face a year in jail under Kohl's amendment, which was adopted 100-0 on Nov. 9. (*Vote 363, p. 47-S*)

James R. Bell, an attorney with the Youth Law Center, which advocated juvenile legal rights, lobbied against the Moseley-Braun and Kohl amendments. "I'm going to try to do everything in my power to stop this," he said. "They have not thought through what this will mean." Bell ques-

tioned the constitutionality of Kohl's amendment, arguing that the Senate was creating a new category of federal offense based on age, denying a right that was otherwise guaranteed. "If you can federalize this, you can federalize anything," he said.

Kohl said that while Moseley-Braun's amendment would affect only a small percentage of young people because it was limited to federal crimes, the vote was nevertheless important. "There is a strong symbolism in the vote that says that kids are responsible for their action," he said. "It's more symbolic than it is real."

• Paul Simon, D-Ill., failed to persuade senators to adopt an amendment prohibiting the death penalty for those under 18. Senators Nov. 8 agreed by a vote of 52-41 to a motion by Hatch to kill the Simon amendment. (*Vote 358, p. 46-S*)

Assault Weapons

Gun issues dominated much of the remaining debate on the anti-crime bill. While lawmakers were ambivalent about how to deal with gun violence, they seemed to feel certain they could not ignore it.

Biden's decision not to include a ban on assault guns in the crime bill was aimed at keeping controversial gun issues separate. Also, gun control advocates were split between a bill by Dennis DeConcini, D-Ariz., to ban nine assault weapons, and a more restrictive version offered by Howard M. Metzenbaum, D-Ohio.

But assault weapons had remained an urgent priority for some gun control advocates and lawmakers — notably, Feinstein. By the time the crime bill reached the floor, she had reached a compromise with DeConcini and Metzenbaum. They proposed to ban the manufacture, sale or possession of 19 specific weapons as well as yet-to-be built "copicats" that had such features as a pistol grip to facilitate rapid firing from the hip. The ban, which was to sunset in 10 years, also covered large-capacity feeding devices — generally those capable of holding more than 10 rounds of ammunition. The proposal did not affect existing guns; it also specifically exempted more than 650 manual and semi-automatic guns used for sports and hunting.

Feinstein brought the amendment to the floor Nov. 9 amid dire predictions that it would open up the crime bill to a deluge of gun-related amendments, including some from Republicans, that could swamp the bill.

She and others made the case for the ban with gory accounts of gun-related deaths. And they stressed support for the ban among such law enforcement groups as the National Association of Police Organizations and the Fraternal Order of Police. John C. Danforth, R-Mo., was one new supporter. He deplored the existing level of gun violence as "insanity."

Rather than trying to out-argue Feinstein and her allies, opponents tried to block her with a procedural move. They attempted to table, or kill, an underlying amendment to which Feinstein planned to attach her proposal. A tense roll call appeared headed toward a tie until Ben Nighthorse Campbell, D-Colo., who had voted against an assault weapons ban in the House in 1991, cast the final vote against the tabling motion. That preserved Feinstein's chance to offer her assault weapons amendment. (*Vote 365, p. 47-S*)

Immediately after the vote, it appeared as though the issue might imperil the overall crime bill. Senators milled on the floor, uncertain how to proceed. Biden called on Republicans to grant Feinstein her victory; allow a vote on the assault weapons ban itself and move on. "She's got the votes," he said. But many Republicans soon left the floor.

Anti-Crime Bill Chronology

The bulk of crime legislation that came before Congress in 1993 had been under consideration in some form since 1988 or earlier. Democratic and Republican bills had shared similar provisions, but conservatives generally favored tougher penalties for criminals while liberals supported tougher gun control. The following is an overview:

1988: Congress cleared an anti-crime package (PL 100-690) that included the death penalty for drug-related felonies. The bill initially contained a seven-day waiting period for handgun purchases — a proposal known as the Brady bill, a reference to President Ronald Reagan's press secretary, James S. Brady, who was wounded in a 1981 assassination attempt on the president. The waiting period provision died on the House floor before the bill reached the Senate. Gun lobbyists succeeded in replacing the Brady language with an identity-check system, requiring the Justice Department to develop a plan for gun dealers to identify criminals. (1988 *Almanac*, p. 85)

1989: Democrats and Republicans introduced crime legislation, but no omnibus bill reached either floor. The plans called for more law enforcement funding, stricter penalties for criminals and the death penalty for more federal crimes. Both parties also called for reform of habeas corpus appeals, petitions filed by death row inmates challenging their sentences as unconstitutional. Democrats in both chambers introduced the Brady bill as separate legislation. A Senate Judiciary subcommittee held hearings in 1989,

but the bill went no further. (1989 *Almanac*, p. 259)

1990: Congress cleared a watered-down anti-crime bill (PL 101-647) after abandoning more sweeping legislation. The bill included increased penalties for child abuse and more funding for local law enforcement agencies and for alternatives to prison, such as house arrest. The House Judiciary Committee approved a Brady bill with a seven-day waiting period, but it never reached the floor. (1990 *Almanac*, p. 486)

1991: A Democratic bill became the main anti-crime vehicle, with the House approving its conference report in November. The Senate waited until 1992 to consider — and block — the conference report. The bill would have authorized the death penalty for additional federal crimes, restricted habeas corpus appeals and granted more money for prisons and law enforcement. It also included a Brady provision with a five-day waiting period. Although the omnibus bill stalled short of enactment, the year marked a milestone for the Brady bill: For the first time, both chambers passed bills including a five-day waiting period. (1991 *Almanac*, p. 262)

1992: Senate Republicans blocked approval of the conference report on the 1991 anti-crime bill in March and again in October. They argued that the bill failed to adequately reform the habeas corpus process and safeguard defendants' rights. They also stopped floor consideration of a separate Brady bill calling for a five-day waiting period. (1992 *Almanac*, p. 311)

and action ground to a halt as Senate leaders began backroom negotiations on how to proceed. Those talks continued throughout the next day, scuttling hopes of completing work on the bill before the Veterans Day recess.

A week later, after a series of other obstacles had been cleared away, the Senate on Nov. 17 approved Feinstein's amendment, 56-43. Five Republicans switched sides to support the ban: Hank Brown, Colo.; Daniel R. Coats, Ind.; James M. Jeffords, Vt.; Richard G. Lugar, Ind.; and Bob Packwood, Ore. (Vote 375, p. 48-S)

Gun control opponents considered filibustering the entire bill over the amendment but gave up, apparently in hope of gutting or narrowing it in conference with the House, which had rejected an assault gun ban in 1991.

Biden, a supporter of the ban, said it faced "an uphill fight." DeConcini said he would not be surprised if it died in conference, given the still-considerable influence of the National Rifle Association in the House.

Guns, Mandatory Sentencing

Senators also took another tack against gun violence, approving tougher mandatory sentences for federal crimes involving firearms.

Phil Gramm, R-Texas, a gun control opponent, offered an amendment Nov. 9 to impose stiff minimum penalties using a gun during a violent crime or drug felony: 10 years for gun possession, 20 years for discharging it during a crime and life imprisonment or death for murders involv-

ing firearms. Hatch praised the amendment as a superior approach to gun control. "We want to get tough on crime, not get tough on honest, decent, law-abiding citizens who happen to want to own their own guns," he said.

Alfonse M. D'Amato, R-N.Y., attached an amendment to Gramm's proposal specifying that the federal gun penalties — including the death penalty — could apply to state offenses involving a gun that had crossed state lines. State prosecutors could decide whether to seek federal jurisdiction for such cases. Biden warned that the D'Amato proposal would flood the federal courts with tens of thousands of handgun crimes. But senators approved it nonetheless, 58-42. Gramm's underlying amendment was adopted by voice vote. (Vote 362, p. 47-S)

Senators approved several additional gun restrictions by voice vote Nov. 10 barring gun sales to people convicted of domestic abuse or under a restraining order, and tightening rules for firearms dealers.

On Nov. 8, the Senate approved an amendment by Trent Lott, R-Miss., to require life imprisonment for criminals convicted of a third felony with a maximum penalty of more than five years. The amendment was adopted 91-1, with Packwood voting no. (Vote 357, p. 46-S)

Breaking the Logjam

Besides the assault weapons issue, other amendments still threatened to hold up the bill midway through the debate. Edward M. Kennedy, D-Mass., was determined to

offer his proposal to make it a federal crime to bar access to abortion clinics. Arlen Specter, R-Pa., meanwhile, resisted proposals to abandon the contentious issue of limiting habeas corpus petitions. A former prosecutor, Specter said he had drawn up a series of changes to speed up the time frame for considering such appeals.

Talks continued throughout the day Nov. 10. Finally, close to midnight, Majority Leader Mitchell emerged with a complex agreement to move ahead. Under that accord, senators agreed to take up the clinic access bill (S 636) and Specter's proposal to overhaul habeas corpus petitions (S 1657) as separate bills. Biden agreed to drop his own habeas corpus proposal from the overall crime bill. With those issues resolved, senators would go back to the crime bill, with votes scheduled on Feinstein's assault weapons ban and a fixed number of additional amendments.

On Nov. 16, the Senate passed the clinic access bill, 69-30. The next day, senators voted 65-34 to table, or kill, Specter's habeas corpus bill, putting off for another year a nettlesome issue that had long evaded compromise. (*Votes 373, 374, p. 48-S*)

A Flood of Amendments

In addition to approving Feinstein's assault-ban amendment, senators used the final days of debate to tack a host of additional amendments on to the crime bill.

- **State and local criminal justice systems.** On Nov. 16, senators gave voice vote approval to an amendment by Howell Heflin, D-Ala., to set aside up to \$100 million a year through fiscal 1998 for state and local governments to expand their criminal justice systems with more prosecutors, public defenders and judges to handle additional defendants arrested by the new police officers.

- **Death penalty.** The following day, the Senate approved, 74-25, an amendment by D'Amato to extend the death penalty to so-called drug kingpins — the leaders of criminal enterprises that dealt in large amounts of illegal drugs. The bill already extended the federal death penalty to include about 50 new crimes, most of them involving murder. (*Vote 377, p. 49-S*)

And in a blow to death penalty opponents, the Senate rejected, 25-74, an amendment by Carl Levin, D-Mich., to replace capital punishment penalties in the bill with life in prison without parole. (*Vote 379, p. 49-S*)

From Nov. 16-18, the Senate also:

- Approved an amendment by Jesse Helms, R-N.C., to limit the power of federal courts to impose population caps in prison overcrowding cases, bar class-action lawsuits in such cases and retroactively apply the new limits to existing court-ordered caps. The Senate rejected a move to kill the proposal, 31-68, and passed it by voice vote. (*Vote 376, p. 48-S*)

- Approved by voice vote an amendment by Bob Graham, D-Fla., to allow the federal government to take custody of criminal aliens or to pay states for housing them.

- Approved by voice vote an amendment by Kay Bailey Hutchison, R-Texas, to bar prisoners from getting federal Pell grants for higher education. Hutchison said that Congress in 1992 barred death row and life-imprisonment inmates from getting Pell grants, but she wanted to extend the provision to other prisoners.

- Approved by voice vote an amendment by Barbara Boxer, D-Calif., to bar states from releasing personal information from motor vehicle records. Aimed at stalkers who used such public records to track their victims, the proposal was opposed by media groups that said it would dry up an important source of information. Hatch, the

crime bill's main Republican sponsor, said he would seek to alter the proposal to address those concerns in conference.

- Rejected, 26-73, an amendment by Robert C. Smith, R-N.H., to halve certain federal grants to states that did not stiffen their sentencing laws. (*Vote 378, p. 49-S*)

After 1 a.m. on Nov. 19, senators approved about 50 amendments by voice vote, including steps to deport criminal aliens more quickly and to provide hundreds of millions of dollars in grants for programs such as after-school activities to keep juveniles out of crime.

Further Action Delayed

Biden predicted that the Senate measure would end perennial partisan fights over crime by embracing ideas from both sides. Others were not so sure. Gramm, a conservative, called the bill "the toughest crime bill ever passed in American history." But, he added, "the gun control provision in this bill is basically a cop-out."

The big crime bill's ultimate fate, however, was delayed until 1994, when congressional negotiators would try to reconcile the Senate's bill with a much more limited set of House proposals, including one that would put 50,000 more police officers on the street.

Biden promised to fight in the conference to eliminate what he called "the wacko amendments" — the most stringent proposals adopted on the floor, including those to federalize state gang and gun crimes, try youths accused of serious violent crimes as adults and imprison for life without parole anyone convicted of three violent crimes. He also criticized proposals to condition federally funded prison space for state prisoners on stiffer state sentencing laws, to loosen evidence rules in sex crime cases and to limit federal court power in prison crowding cases.

Republicans warned that they would attempt to sink the bill, as they had in 1992, if it came back from conference without touchstone conservative law-and-order proposals: the provision pressuring states to stiffen their sentencing laws, strict federal minimum mandatory sentences and life in prison for "three-time losers."

Attorney General Janet Reno indicated that the administration supported the Senate bill. "This package is going to have a tremendous impact on crime," she said. Asked about some of the tougher measures added on the floor, including death penalty provisions, she said tersely and without elaboration, "The administration supports those very definitely." Reno opposed the death penalty; Clinton favored it.

HOUSE ACTION

Unable to persuade liberals on his committee to swallow the omnibus anti-crime bill, which they found too harsh, House Judiciary Committee Chairman Brooks broke out the more popular and digestible pieces in a series of separate bills. His strategy ended hopes that Congress would enact a sweeping crime bill in the first session.

The biggest piece — the Brady bill — was enacted at the end of the session. Ten other smaller bills won House approval in 1993.

Brooks deferred action on other hot-button issues, such as extending the federal death penalty to more crimes and overhauling habeas corpus procedures. He said both liberal and conservative lawmakers had sought more time to debate those issues. "But I am not willing to see important, innovative crime prevention programs like cops on the beat be deferred at a time when the American public is clamoring for us to provide more protection against violent acts," Brooks said.

Democratic members of the Judiciary Committee had long been more liberal on average than the House Democratic Caucus as a whole, and that tilt had been reinforced in the 103rd Congress. Two of the five new Democrats on the committee — Robert C. Scott of Virginia and Melvin Watt of North Carolina — were members of the Congressional Black Caucus. Another, Xavier Becerra of California, was on the Hispanic caucus.

Backed by senior committee Democrats Don Edwards of California and John Conyers Jr. of Michigan, the liberals had introduced their own bill (HR 3315) that focused more on crime prevention and criminal rehabilitation and included certain legal protections for prisoners on death row as well as numerous gun control initiatives.

Brooks' strategy generally suited the liberals, who supported the smaller bills and were happy to put off action on more controversial issues until the next session. Craig Washington, D-Texas, sponsor of HR 3315, said the approach would allow for a substantive debate on crime-fighting strategies in 1994, rather than a quick "sound-bite" war in the fall of 1993.

Judiciary Committee Republicans, who were backing their own omnibus anti-crime bill (HR 2872), complained that Brooks was thwarting their attempts to debate critical initiatives such as money for new prisons and tougher sentencing laws.

F. James Sensenbrenner Jr., R-Wis., called Brooks' strategy the result of "excessive partisanship," reflecting an unwillingness to negotiate with Republicans on a broad bill. He warned that Brooks might circumvent concerns of both the left and right on the death penalty and other issues by negotiating a broad crime bill directly with the Senate when House and Senate conferees sought to meld the broader Senate bill with the separate House pieces. Brooks sidestepped a question about whether he would consider such a move, saying he would await Senate action on a crime bill before making any decision about his strategy for conference.

Small Bills — First Round

Having assuaged his left flank, Brooks was able to move quickly to mark up the smaller bills.

On Oct. 28, the full Judiciary Committee voted 34-1 in favor of five new bills; Sensenbrenner cast the sole no vote. A sixth measure won voice vote approval. Republicans tried to attach some of their death penalty provisions and, at one point, the entire GOP crime bill. But Brooks ruled the amendments out of order as non-germane.

Five of the bills came to the House floor Nov. 3 amid finger-pointing over just who had blocked consideration of the broader anti-crime package. While most lawmakers agreed that the bills before them would do some good, they argued fiercely over how much. Charles E. Schumer, D-N.Y., said the programs represented the heart of anti-crime legislation. He said the community policing grants would do far more to reduce crime than proposals to reduce death row appeals, which would affect criminals already in jail. But Newt Gingrich, R-Ga., called them "pygmy bills" without the force of GOP proposals.

The House approved four of the bills Nov. 3 under suspension of the rules; a fifth bill passed Nov. 19.

• **Community policing.** The most expensive and arguably the most important of the measures approved by the committee Oct. 28 was HR 3355 (H Rept 103-324), a new grant program to boost community policing. The House approved the bill by voice vote Nov. 3.

The bill authorized \$3.5 billion over six years to help states and localities hire about 50,000 additional police

officers. The aim, which had bipartisan support, was to send more police into neighborhoods — on foot, horse, bicycle or other means — where they would be more visible and could develop closer ties to the community.

During the committee markup, some Republicans questioned the impact of the proposed authorization without a corresponding cost-cutting mechanism to ensure that the grant program was funded in the appropriations process. House Republicans, in their crime bill, proposed paying for anti-crime programs with across-the-board cuts in federal administrative expenses.

But Schumer responded angrily to the criticisms, saying that Clinton had fought to target some of the newly announced budget savings for anti-crime programs. And in a letter to Brooks, White House budget director Leon E. Panetta said the administration already had begun budgeting for the community policing program.

• **Drug treatment for prisoners.** The committee approved a bill (HR 3354 — H Rept 103-323) authorizing \$300 million over three years to help states provide drug treatment to inmates. A second measure (HR 3350 — H Rept 103-320) required drug treatment in federal prisons. The House passed the bills Nov. 3 by votes of 394-32 and 373-54 respectively. (Votes 543, 540, p. 132-H)

• **Juvenile gangs and drug trafficking.** A fourth bill approved by the committee (HR 3353 — H Rept 103-322) authorized \$200 million over two years to help states fight juvenile gangs and drug trafficking. The House passed the bill, 413-12, Nov. 3. (Vote 542, p. 132-H)

• **School crime prevention.** A bill (HR 3375) to authorize grants to support local school initiatives for preventing crime and violence won committee approval only.

• **Alternative sentencing.** The committee approved the sixth bill (HR 3351 — H Rept 103-321) by voice vote. It provided for state grants of up to \$200 million a year for three years to develop alternative sentencing for youthful offenders age 22 or younger. One alternative to prison would be boot camp. Youths would not be eligible if convicted of sexual assault, a crime involving a firearm, or any crime punishable by one year or more in prison.

The House first took up the bill Nov. 3, voting 235-192, less than the two-thirds majority needed to pass it under expedited procedures. Republicans objected to grants for alternative punishments when, they said, the government was not doing more to support traditional incarceration. The House subsequently passed the bill, 336-82, on Nov. 19. (Vote 541, p. 132-H; vote 590, p. 144-H)

Small Bills — Second Round

The Judiciary Committee marked up five more anti-crime bills Nov. 17. All but HR 1237 had been approved the previous day by the Judiciary Subcommittee on Crime. The House approved all five on Nov. 20.

• **Crimes against women.** The committee voted 34-1 to approved a measure (HR 1133 — H Rept 103-395) to establish new laws aimed at reducing domestic violence against women. The Violence Against Women Act, sponsored by Patricia Schroeder, D-Colo., contained provisions prodding states to toughen laws against domestic violence, providing grants for law enforcement efforts to prosecute and prevent crimes such as rape, and making interstate stalking and domestic violence federal crimes.

The committee approved, by voice vote, an amendment to provide education programs for judges dealing with sexual assault and domestic violence. After lengthy procedural debate, George E. Sangmeister, D-Ill., withdrew an amend-

ment that would have allowed the victim in a sexual assault case to make a statement at the sentencing hearing. The panel also discussed an amendment by Edwards that would have eliminated language requiring a mandatory minimum sentence of three months for crimes against women. Edwards eventually withdrew the amendment but said he might try to offer it on the floor.

The House passed the bill, 421-0. (Vote 593, p. 144-H)

• **Youth handgun ban.** The committee approved, by voice vote, a bill (HR 3098 — H Rept 103-389) prohibiting the sale of handguns or ammunition to minors. The bill, sponsored by Dan Glickman, D-Kan., made it a federal crime to sell or transfer a handgun to a person under 18, or for the minor to possess the gun. The bill included some exceptions, such as allowing minors to use guns under limited circumstances with proper parental supervision.

The measure, which was similar to language in the big Senate crime bill, had won support from gun control and gun rights advocates alike. It passed the House by a vote of 422-0. (Vote 592, p. 144-H)

• **Crimes against minors.** A third bill (HR 324 — H Rept 103-392), approved by voice vote, required people convicted of a crime such as sexual assault against a minor to notify police of their addresses for 10 years following their release from prison or their parole. The bill, sponsored by Jim Ramstad, R-Minn., included penalties for states that did not create such registries within three years.

The House approved the measure by voice vote.

• **Kidnapping by parents.** The Judiciary Committee

approved a bill (HR 3378 — H Rept 103-390) that made it a federal crime for parents to kidnap their children and take them out of the United States. The bill, sponsored by George W. Gekas, R-Pa., allowed the federal government to have the parents extradited to the United States for prosecution. The House and Senate each passed the bill by voice vote Nov. 20, and Clinton signed it Dec. 2 (PL 103-173).

• **Child-care providers.** The committee also approved a bill sponsored by Schroeder (HR 1237 — H Rept 103-393) to establish a national system for carrying out criminal background checks on people applying for jobs as child-care providers. The House passed the bill by voice vote Nov. 20. The Senate cleared the bill by voice vote the same day, and Clinton signed it Dec. 20 (PL 103-209).

• **'Black talon' bullets.** The Judiciary Crime Subcommittee approved another bill (HR 3398), sponsored by Thomas M. Barrett, D-Wis., that did not get approval from the full committee. The bill sought to restrict the use of particularly dangerous new bullets, known as black talons that opened on impact to reveal spikes that tore flesh. The subcommittee approved the bill, 8-5, on Nov. 16. Opponents said some hunters used similar bullets to ensure that animals were killed when shot and not just wounded, but bill backers said the bullets were used primarily for crimes.

Brooks predicted that his panel would take up additional crime proposals in 1994, including some regarding the death penalty, though not necessarily the full range of matters addressed in the Senate bill. "We'll have enough in common," Brooks said.

President Signs 'Brady' Gun Control Law

After seven years of debate and a harrowing final week of political maneuvering, the Senate on Nov. 24 cleared the so-called Brady bill (HR 1025) requiring a five-day waiting period for the purchase of a handgun. It was the first major gun control legislation to pass Congress since 1968, when lawmakers approved restrictions in response to urban violence and the assassinations of Robert F. Kennedy and the Rev. Dr. Martin Luther King Jr.

The Senate acted only after pulling back from an escalating standoff between gun control advocates and opponents that had imperiled Congress' plans to adjourn by Thanksgiving. President Clinton signed the Brady bill into law Nov. 30 (PL 103-159).

The bill instituted a waiting period of five business days for all handgun purchases, providing a cooling-off period for impetuous gun buyers as well as time to check the purchaser's background. The bill also raised licensing fees for gun dealers and required that police be notified of any multiple gun purchases. House-Senate conference negotiators agreed to phase out the waiting period within five years and replace it with a national "instant-check" system that would scan computerized criminal records to prevent the selling of weapons to felons.

The bill was named for former White House press secretary James S. Brady, who was permanently disabled in the 1981 assassination attempt on President Ronald Reagan. The legislation became a crusade for Brady and his wife, Sarah.

Many on both sides described the bill as a modest measure that at best would make only a small dent in crime. But the well-publicized legislation took on gigantic

political dimensions, as evidenced by an exhausting week of brinkmanship in the final days of the session. The vote was the first major setback for the National Rifle Association (NRA), which had thwarted past gun control efforts and had endorsed the instant-check system.

Two factors helped advocates win passage in 1993: Lawmakers separated the Brady bill from the more complicated and controversial omnibus crime bill making its way through Congress, and public sentiment in support of gun control reached a crescendo that politicians were afraid to ignore.

Yet, even Brady acknowledged that the watered-down version of the initial legislation was only a first step in ridding the country's streets of violence. And to prevent a GOP filibuster in the Senate, Democratic leaders agreed to consider changes in the law when Congress returned in 1994.

BACKGROUND

With a sympathetic Democrat in the White House, gun control proponents began 1993 optimistic that they finally would see the Brady bill become law. They were right, though just barely. It had been an arduous, seven-year fight.

In 1988, Congress cleared an anti-drug package, but a handgun waiting period provision — named that year after Brady — died on the House floor. In 1989, Democrats in both chambers introduced the Brady bill as separate legislation, but it got no further than Senate Judiciary subcommittee hearings. In 1990, the House Judiciary Committee approved a

SENATE VOTES

1, 362, 363, 364,

367,

	361	362	363	364	365	366	367	368
ALABAMA								
Heflin	N	N	Y	Y	Y	N	Y	Y
Shelby	Y	Y	Y	Y	Y	Y	N	Y
ALASKA								
Murkowski	Y	Y	Y	Y	Y	N	Y	Y
Stevens	Y	Y	Y	Y	Y	N	Y	Y
ARIZONA								
DeConcini	Y	N	Y	Y	N	N	Y	Y
McCain	Y	Y	Y	Y	Y	N	N	N
ARKANSAS								
Bumpers	Y	N	Y	Y	N	N	Y	Y
Pryor	Y	N	Y	Y	N	N	Y	Y
CALIFORNIA								
Boxer	Y	N	Y	Y	N	N	Y	Y
Feinstein	Y	Y	Y	Y	N	N	Y	Y
COLORADO								
Campbell	Y	Y	Y	Y	N	N	Y	Y
Brown	Y	Y	Y	Y	Y	N	N	N
CONNECTICUT								
Dodd	Y	Y	Y	Y	N	N	Y	Y
Lieberman	Y	Y	Y	Y	N	N	Y	Y
DELAWARE								
Biden	Y	N	Y	Y	N	N	Y	Y
Roth	Y	Y	Y	Y	N	N	N	N
FLORIDA								
Graham	Y	Y	Y	Y	N	N	Y	Y
Moak	Y	Y	Y	Y	Y	N	Y	Y
GEORGIA								
Nunn	Y	Y	Y	Y	N	N	Y	Y
Covaddell	Y	Y	Y	Y	Y	N	Y	Y
HAWAII								
Akaka	N	N	Y	N	N	N	Y	Y
Inouye	N	N	Y	N	N	N	Y	Y
IDAHO								
Craig	Y	Y	Y	Y	Y	N	Y	Y
Kempthorne	Y	Y	Y	Y	Y	N	Y	Y
ILLINOIS								
Moseley-Braun	N	N	Y	N	N	N	Y	Y
Simon	N	N	Y	N	N	N	Y	Y
INDIANA								
Coch	N	N	Y	Y	Y	N	Y	Y
Lugar	Y	Y	Y	Y	Y	N	Y	Y

	361	362	363	364	365	366	367	368
IOWA								
Harkin	N	N	Y	Y	N	N	Y	Y
Grassley	Y	Y	Y	Y	Y	N	Y	Y
KANSAS								
Dole	Y	Y	Y	Y	Y	N	Y	Y
Kassebaum	Y	Y	Y	Y	Y	N	Y	Y
KENTUCKY								
Ford	Y	Y	Y	Y	Y	N	Y	Y
McConnell	Y	Y	Y	Y	Y	N	Y	Y
LOUISIANA								
Breaux	Y	Y	Y	Y	Y	N	Y	Y
Johnston	Y	Y	Y	Y	Y	N	Y	Y
MAINE								
Mitchell	N	N	Y	Y	N	N	Y	Y
Cohen	N	N	Y	Y	Y	N	Y	Y
MARYLAND								
Mikulski	Y	Y	Y	Y	N	N	Y	Y
Sarbanes	Y	Y	Y	Y	N	N	Y	Y
MASSACHUSETTS								
Kennedy	N	N	Y	Y	N	N	Y	Y
Kerry	N	N	Y	Y	N	N	Y	Y
MICHIGAN								
Levin	N	N	Y	Y	N	N	Y	Y
Riagle	Y	Y	Y	Y	N	N	Y	Y
MINNESOTA								
Wellstone	N	N	Y	Y	N	N	Y	Y
Durenberger	Y	N	Y	Y	N	N	Y	Y
MISSISSIPPI								
Cochran	Y	Y	Y	Y	Y	N	Y	Y
Lott	Y	Y	Y	Y	Y	N	Y	Y
MISSOURI								
Bond	N	N	Y	Y	Y	N	Y	Y
Danforth	N	N	Y	Y	Y	N	Y	Y
MONTANA								
Baucus	Y	Y	Y	Y	N	N	Y	Y
Burns	Y	Y	Y	Y	Y	N	Y	Y
NEBRASKA								
Eron	Y	Y	Y	Y	N	N	Y	Y
Kerry	N	Y	Y	Y	N	N	Y	Y
NEVADA								
Bryan	Y	Y	Y	Y	N	N	Y	Y
Reid	Y	Y	Y	Y	N	N	Y	Y

	361	362	363	364	365	366	367	368
NEW HAMPSHIRE								
Gregg	N	N	Y	Y	N	N	Y	Y
Smith	Y	Y	Y	Y	Y	N	N	N
NEW JERSEY								
Bradley	Y	N	Y	Y	N	N	Y	Y
Lautenberg	N	N	Y	Y	N	N	Y	Y
NEW MEXICO								
Benjamin	N	N	Y	Y	N	Y	Y	Y
Domenici	N	N	Y	Y	Y	N	Y	Y
NEW YORK								
Moylan	N	N	Y	Y	N	N	Y	Y
D'Amato	Y	Y	Y	Y	Y	N	Y	Y
NORTH CAROLINA								
Faircloth	Y	Y	Y	Y	Y	N	Y	Y
Helms	Y	Y	Y	Y	Y	N	N	N
NORTH DAKOTA								
Conrad	Y	Y	Y	Y	N	N	Y	Y
Dorgan	N	Y	Y	Y	Y	N	Y	Y
OHIO								
Glenn	N	N	Y	Y	N	N	Y	Y
Metzenbaum	N	N	Y	Y	N	N	Y	Y
OKLAHOMA								
Boren	Y	N	Y	Y	N	N	Y	Y
Nickles	N	Y	Y	Y	Y	N	Y	Y
OREGON								
Hatfield	N	N	Y	Y	N	N	Y	Y
Packwood	N	N	Y	Y	Y	N	Y	Y
PENNSYLVANIA								
Wofford	Y	N	Y	Y	N	N	Y	Y
Specter	Y	Y	Y	Y	Y	N	Y	Y
RHODE ISLAND								
Pell	N	N	Y	Y	N	N	Y	Y
Chafee	N	Y	Y	Y	N	N	Y	Y
SOUTH CAROLINA								
Hollings	Y	N	Y	Y	N	N	Y	Y
Thurmond	Y	Y	Y	Y	Y	N	Y	Y
SOUTH DAKOTA								
Daschle	Y	Y	Y	Y	N	N	Y	Y
Presler	Y	Y	Y	Y	Y	N	Y	Y
TENNESSEE								
Mathews	Y	N	Y	Y	N	N	Y	Y
Sasser	Y	Y	Y	Y	N	Y	Y	Y

KEY

- Y Voted for (yea).
- # Paired for.
- + Announced for.
- N Voted against (nay).
- X Paired against.
- Announced against.
- P Voted "present."
- C Voted "present" to avoid possible conflict of interest.
- ? Did not vote or otherwise make a position known.

Democrats Republicans

	361	362	363	364	365	366	367	368
TEXAS								
Gramm	Y	Y	Y	Y	Y	N	Y	Y
Hutchison	Y	Y	Y	Y	Y	N	Y	Y
UTAH								
Bennett	Y	Y	Y	Y	Y	N	Y	Y
Hatch	Y	Y	Y	Y	Y	N	Y	Y
VERMONT								
Leahy	N	N	Y	Y	N	N	Y	Y
Jeffords	N	N	Y	Y	Y	N	Y	Y
VIRGINIA								
Robb	Y	Y	Y	Y	N	N	Y	Y
Warner	Y	Y	Y	Y	Y	N	Y	Y
WASHINGTON								
Murray	N	N	Y	Y	N	N	Y	Y
Gorton	Y	Y	Y	Y	Y	N	Y	Y
WEST VIRGINIA								
Byrd	Y	Y	Y	Y	N	N	Y	Y
Rockefeller	Y	Y	Y	Y	N	N	Y	Y
WISCONSIN								
Faingo	N	N	Y	Y	N	N	Y	Y
Kohl	N	N	Y	Y	N	N	Y	Y
WYOMING								
Simpson	Y	Y	Y	Y	Y	N	Y	Y
Wallop	N	Y	Y	Y	Y	N	Y	Y

ND Northern Democrats SD Southern Democrats

Southern states - Ala., Ark., Fla., Ga., Ky., La., Miss., N.C., Okla., S.C., Tenn., Texas, Va.

361. S 1607. Omnibus Crime/Carjacking. Lieberman, D-Conn., amendment to make carjacking a federal offense regardless of whether the perpetrator used a gun and to authorize the death penalty if a carjacking results in death. Adopted 65-34: R 33-11; D 32-23 (ND 20-22, SD 12-1), Nov. 9, 1993.

362. S 1607. Omnibus Crime/Federal Jurisdiction of Firearm Offenses. D'Amato, R-N.Y., amendment to the Gramm, R-Texas, amendment to apply federal gun penalties to state offenses that involve a gun that had crossed state lines. The Gramm amendment would impose minimum federal penalties for gun-related crimes of violence or drug trafficking. Adopted 58-42: R 34-10; D 24-32 (ND 16-26, SD 8-6), Nov. 9, 1993. (Subsequently, the Gramm amendment, as modified by the D'Amato amendment, was approved by voice vote.)

363. S 1607. Omnibus Crime/Juvenile Handgun Control. Kohl, D-Wis., amendment to make it a federal crime to sell a handgun to a minor under 18 or for a minor to possess a handgun except with adult supervision in situations such as hunting or ranching. Adopted 100-0: R 44-0; D 56-0 (ND 42-0, SD 14-0), Nov. 9, 1993. A "yea" was a vote in support of the president's position.

364. S 1607. Omnibus Crime/Immigration Laws. Roth, R-Del., amendment to require state and local governments to cooperate with the Immigration and Naturalization Service regarding the enforcement of immigration laws. Adopted 93-6: R 41-3; D 52-3 (ND 38-3, SD 14-0), Nov. 9, 1993.

365. S 1607. Omnibus Crime/Assault Weapon Ban. Dole, R-Kan., motion to table (kill) the Levin, D-Mich., amendment to study improving the use of automated fingerprint systems. (The tabling motion was aimed at a second degree amendment by Feinstein, D-Calif., to ban the manufacture, sale and future possession of 19 semiautomatic assault weapons and "copycat" guns.) Motion rejected 49-51: R 39-5; D 10-46 (ND 4-38, SD 6-8), Nov. 9, 1993. A "nay" was a vote in support of the president's position.

366. S 1301. Fiscal 1994 Intelligence Authorization/Budget Disclosure. Warner, R-Va., motion to table (kill) the Metzenbaum, D-Ohio, amendment to express the sense of Congress that the aggregate amount requested and authorized for intelligence activities should be disclosed in an appropriate manner. Motion rejected 49-51: R 40-4; D 9-47 (ND 4-38, SD 5-9), Nov. 10, 1993.

367. S 1301. Fiscal 1994 Intelligence Authorization/Budget Disclosure. Metzenbaum, D-Ohio, amendment to express the sense of Congress that the total requested and authorized for intelligence be disclosed in an appropriate manner. Adopted 52-48: R 3-41; D 49-7 (ND 38-4, SD 11-3), Nov. 10, 1993.

368. HR 3116. Fiscal 1994 Defense Appropriations/Adoption. Adoption of the conference report to provide \$240,534,878,000 for the Department of Defense in fiscal 1994. The administration requested \$240,857,464,000. Adopted (thus cleared for the president) 88-9: R 36-7; D 52-2 (ND 40-2, SD 12-0), Nov. 10, 1993.

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.

###

priations outlays over five years. The cuts would have gone beyond the \$433 billion already in the five-year package Congress passed in 1993, which Clinton and Democratic leaders said provided sufficient deficit reduction for the next few years. (1993 *Almanac*, p. 107)

The main argument that administration officials advanced against the Senate proposal was that it could result in cuts in defense which, Clinton said during his State of the Union speech, should not be cut any further. The administration made its case with the help of the Joint Chiefs of Staff, who led the lobbying effort against the motion saying the cuts posed a serious threat to defense and had to be stopped.

Kasich and Democratic budget cutters who joined him in support of the reductions rejected that argument, pointing out that the Senate's proposed cuts represented the only chance lawmakers would have to pursue serious deficit reduction. They said the administration's contention that the cuts were a threat to defense was a scare tactic.

The House and Senate Appropriations committees had the authority to allocate the cuts in any way they saw fit when they divided up the discretionary budget among the 13 appropriations subcommittees — something they did once the budget resolution set their overall spending limit. The House's pattern had been to allocate about half the cuts to defense because defense made up half the budget's discretionary spending.

The effort to make deeper cuts and its rejection was a familiar theme for House deficit hawks, who had tried before to promote spending cuts.

In 1993, Kasich tried unsuccessfully to make an additional \$90 billion in cuts in the budget resolution beyond the \$433 billion already in it. (1993 *Almanac*, p. 102)

5. Assault Weapons Ban

Gun control advocates won their second major victory in less than a year when Congress, in late August 1994, passed a ban on certain semiautomatic assault weapons as part of its omnibus anti-crime bill (HR 3355 — PL 103-322). The pivotal vote came in the House, which approved the gun ban 216-214 on May 5. The Senate already had approved a similar proposal in 1993 as part of its sweeping crime bill, and the House action made it all but certain that the gun control measure would become law.

Gun control groups knew their fortunes had changed when President Clinton took office in 1993. ~~Clinton was the first president in recent years to actively support gun control.~~ By the end of the year, gun control supporters had passed the Brady bill (HR 1025 — PL 103-159), a nationwide waiting period and background check for handgun purchasers. (1993 *Almanac*, p. 300)

Prospects for the assault weapons ban (HR 4296), however, were considered far slimmer. When the House voted on the issue in 1991, lawmakers defeated the ban by 70 votes. The National Rifle Association (NRA) had been a powerful lobby in the House, and Rep. Jack Brooks, D-Texas, chairman of the Judiciary Committee, which oversaw crime legislation, had long fought off gun control proposals. Even when the Senate passed the assault weapons ban in November 1993 as part of its crime bill, many observers predicted it would die in the House. (1993 *Almanac*, p. 293; 1991 *Almanac*, p. 262)

But gun control advocates had new leverage: With crime at the top of voter concerns, lawmakers were eager to embrace anything seen as a tool for fighting violence. Moreover, many law enforcement groups lobbied for the ban and helped transform the issue from a "gun control" cause into a "tough on crime" issue.

The proposed ban explicitly outlawed 19 assault-style

weapons, as well as copycat models and other semiautomatic guns with two or more features identified with assault weapons. It also banned large-capacity ammunition clips. But the proposal specifically exempted more than 650 guns that presumably were used by hunters and other sportsmen, as well as any gun legally owned at the time of the law's passage.

Gun control advocates and law enforcement groups pushed for the ban, saying assault weapons were the preferred weapons of criminals and were designed to kill humans rather than for sporting use. The NRA and its allies said the guns were no more lethal than other semiautomatic firearms and that banning them would do nothing to stop criminals from killing.

As the floor vote approached, both sides mounted furious publicity and lobbying campaigns. The Clinton administration added its weight to the battle, with the president and several Cabinet members making phone calls to undecided lawmakers leading up to the vote May 5.

House members began an emotional floor debate on the legislation with the outcome too close to call. Marge Roukema, R-N.J., a leading Republican supporter of the ban, invoked images of the gruesome carnage caused by the weapons. "Today our cities are war zones and our hospital emergency rooms are MASH units," she said. Other supporters cited polls showing strong popular support for the ban.

But opponents ridiculed the ban as ineffective and perhaps unconstitutional. They said the guns to be banned under the legislation were no more powerful than hundreds of others that would be exempt — just uglier.

Once the roll call began, the two sides stayed closely matched. In the final minutes the tally hovered at 213-214, giving opponents the edge. But Rep. Andrew Jacobs Jr., D-Ind., shocked his colleagues by reversing his vote — drawing cheers from the bill's supporters as the vote total flipped to 214-213 in favor of passage. Three holdouts divided 2-1 in casting the final votes, bringing the final tally to 216-214: R 38-137; D 177-77 (ND 137-34, SD 40-43); I 1-0.

The vote was a stunning setback for the NRA and its allies. They went on to fight the ban during House-Senate negotiations on the final crime bill. But with both chambers on record in favor of the ban, the stage was set for final passage. It was approved as part of the crime bill conference report in late August and signed into law by Clinton in September. (Related House votes, pp. 18-C, 19-C; related Senate vote, p. 26-C)

6. Abortion Clinic Access

Abortion rights supporters expected to make big gains in the 103rd Congress — even in the recalcitrant House — with the arrival of President Clinton, who supported their cause. But abortion remained a deeply controversial and complicated issue, and most initiatives to secure abortion rights stalled. The only significant legislation that emerged was one focused on safeguarding access to abortion clinics (S 636 — PL 103-259), and even that had to overcome persistent opposition in both chambers.

The bill's advocates were prodded by a January 1993 Supreme Court decision blocking clinic operators from using a 19th century civil rights law to obtain injunctions and other relief against blockaders. A rash of violence at abortion clinics nationwide, including shootings, arson and massive blockades, further fueled the quest for a federal solution. Supporters framed the measure not as a vote on abortion rights but as a law-and-order issue.

Even so, abortion rights advocates were on the defensive from the time the House first considered the legislation in

HOUSE VOTES 91, 92, 93, 94, 95, 96

91. HR 125. Assault Weapons Ban Repeal/Rule. Adoption of the rule (H Res 388) to provide for House floor consideration of the bill to repeal the current ban on certain semiautomatic assault-style weapons and eliminate the prohibition on selling or manufacturing such guns. The bill also repeals the ban on large-capacity ammunition feeding devices and any combination of parts that could be assembled into a large-capacity ammunition feeding device; requires mandatory minimum prison sentences for committing violent crimes with certain firearms and increases penalties for subsequent offenses; and directs the Justice Department to set up a program enhancing prosecution of violent criminals who use firearms. Adopted 244-166: R 191-34; D 53-131 (ND 25-104, SD 28-27); I 0-1, March 22, 1996.

92. HR 125. Assault Weapons Ban Repeal/Passage. Passage of the bill to repeal the current ban on certain semiautomatic assault-style weapons and eliminate the prohibition on selling or manufacturing such guns. The bill also repeals the ban on large-capacity ammunition feeding devices and any combination of parts that could be assembled into a large-capacity ammunition feeding device; requires mandatory minimum prison sentences for committing violent crimes with certain firearms and increases penalties for subsequent offenses; and directs the Justice Department to set up a program enhancing prosecution of violent criminals who use firearms. Passed 239-173: R 183-42; D 56-130 (ND 26-103, SD 30-27); I 0-1, March 22, 1996. A "nay" was a vote in support of the president's position.

93. HR 1833. Abortion Procedure Ban/Rule. Adoption of the rule (H Res 389) to provide for House floor consideration of the Senate amendments to the bill that would impose penalties in the case of certain late-term abortions, in which the person performing the abortion partially delivers the fetus before completing the abortion. An exception would be granted where the procedure was necessary to save the life of the woman. Adopted 269-148: R 217-13; D 52-134 (ND 30-100, SD 22-34); I 0-1, March 27, 1996.

94. HR 1833. Abortion Procedure Ban/Agreeing to the Senate Amendments. Canady, R-Fla., motion to agree to the Senate amendments to shift the burden of proof from the defendant to the prosecution to show beyond a reasonable doubt that the abortion procedure was not necessary to save the life of the woman; to clarify who can be held liable for performing the procedure; and to allow a prospective father to sue for civil damages only if he was married to the woman at the time of the abortion. The bill would impose penalties in the case of certain late-term abortions, in which the person performing the abortion partially delivers the fetus before completing the abortion. An exception would be granted where the procedure was necessary to save the life of the woman. Motion agreed to (thus clearing the bill for the president) 286-129: R 214-15; D 72-113 (ND 47-83, SD 25-30); I 0-1, March 27, 1996. A "nay" was a vote in support of the president's position.

95. H Res 379. Eighth Anniversary of Kurd Massacre/Adoption. Gilman, R-N.Y., motion to suspend the rules and adopt the resolution expressing the sense of the House that the United States should mark the eighth anniversary of the death of more than 5,000 Iraqi Kurds from a chemical attack by the Iraqi government by commemorating the men, women and children who were killed. The resolution also calls on the United States to reaffirm its commitment to protect and help the Kurdish people in Iraq. Motion agreed to 409-0: R 228-0; D 180-0 (ND 125-0; SD 55-0); I 1-0, March 27, 1996. A two-thirds majority of those present and voting (273 in this case) is required for adoption under suspension of the rules.

96. H Con Res 102. Condemn Iranian Treatment of Baha'is/Adoption. Gilman, R-N.Y., motion to suspend the rules and adopt the resolution to condemn the repressive actions of the Iranian government and to urge it to extend to the Baha'i community internationally recognized human rights. Motion agreed to 408-0: R 227-0; D 180-0 (ND 125-0; SD 55-0); I 1-0, March 27, 1996. A two-thirds majority of those present and voting (272 in this case) is required for passage under suspension of the rules.

KEY

- Y Voted for (yea).
- # Paired for.
- + Announced for.
- N Voted against (nay).
- X Paired against.
- Announced against.
- P Voted "present."
- C Voted "present" to avoid possible conflict of interest.
- ? Did not vote or otherwise make a position known.

Democrats Republicans
Independent

91 92 93 94 95 96

ALABAMA						
1 Callahan	Y	Y	Y	Y	Y	Y
2 Everett	Y	Y	Y	Y	Y	Y
3 Browder	Y	Y	Y	Y	Y	Y
4 Bevil	Y	Y	Y	Y	Y	Y
5 Cramer	Y	Y	Y	Y	Y	Y
6 Bachus	Y	Y	Y	Y	Y	Y
7 Hilliard	Y	Y	N	N	Y	Y

ALASKA						
AL Young	Y	Y	Y	Y	Y	Y

ARIZONA						
1 Salmon	Y	Y	Y	Y	Y	Y
2 Pastor	N	N	N	N	Y	Y
3 Stump	Y	Y	Y	Y	Y	Y
4 Shadegg	Y	Y	Y	Y	Y	Y
5 Kolbe	Y	Y	Y	N	Y	Y
6 Hayworth	Y	Y	Y	Y	Y	Y

ARKANSAS						
1 Lincoln	N	N	N	Y	Y	Y
2 Thornton	Y	Y	Y	Y	Y	Y
3 Hutchinson	Y	Y	Y	Y	Y	Y
4 Dickey	Y	Y	Y	Y	Y	Y

CALIFORNIA						
1 Riggs	Y	Y	Y	Y	Y	Y
2 Heger	Y	Y	Y	Y	Y	Y
3 Fazio	N	N	N	N	Y	Y
4 Dealittle	Y	Y	Y	Y	Y	Y
5 Matsui	N	N	N	N	Y	Y
6 Woolsey	N	N	N	N	Y	Y
7 Miller	N	N	N	N	Y	Y
8 Pelosi	N	N	N	N	Y	Y
9 Dellums	N	N	N	N	Y	Y
10 Baker	Y	Y	Y	Y	Y	Y
11 Pombo	Y	Y	Y	Y	Y	Y
12 Lantos	N	N	N	N	Y	Y
13 Stark	? ?	N	N	Y	Y	Y
14 Eshoo	N	N	N	N	Y	Y
15 Campbell	Y	N	N	N	Y	Y
16 Lofgren	N	N	N	N	Y	Y
17 Farr	N	N	N	N	Y	Y
18 Condit	N	N	N	N	Y	Y
19 Radanovich	#	#	Y	Y	Y	Y
20 Dooley	N	N	?	N	Y	Y
21 Thomas	Y	Y	#	#	?	?
22 Seastrand	Y	Y	Y	Y	Y	Y
23 Gallegly	Y	Y	Y	Y	Y	Y
24 Beilenson	N	N	N	N	Y	Y
25 McKeon	? ?	Y	Y	Y	Y	Y
26 Berman	N	N	N	N	Y	Y
27 Moorhead	? ?	Y	Y	Y	Y	Y
28 Dreier	? ?	Y	Y	Y	Y	Y
29 Waxman	N	N	N	N	Y	Y
30 Becerra	N	N	N	N	Y	Y
31 Martinez	N	N	N	Y	Y	Y
32 Dixon	N	N	N	N	Y	Y
33 Roybal-Allard	N	N	N	N	Y	Y
34 Torres	N	N	N	N	Y	Y
35 Waters	-	-	N	N	+	+
36 Harman	N	N	X	X	?	?
37 Vacancy						
38 Horn	N	N	N	N	Y	Y
39 Royce	Y	Y	Y	Y	Y	Y
40 Lewis	#	?	Y	Y	Y	Y

ND Northern Democrats SD Southern Democrats

91 92 93 94 95 96

41 Kim	Y	Y	Y	Y	Y	Y
42 Brown	N	N	N	N	Y	Y
43 Calvert	#	?	Y	Y	Y	Y
44 Bono	Y	Y	Y	Y	Y	Y
45 Rohrabacher	Y	Y	Y	Y	Y	Y
46 Dornan	Y	Y	?	?	?	?
47 Cox	?	#	Y	Y	Y	Y
48 Packard	Y	Y	Y	Y	Y	Y
49 Bilbray	N	N	Y	Y	Y	Y
50 Filner	N	N	?	?	?	?
51 Cunningham	?	?	?	?	?	?
52 Hunter	Y	Y	Y	Y	Y	Y

COLORADO						
1 Schroeder	?	?	N	N	Y	Y
2 Skaggs	N	N	N	N	Y	Y
3 McClinnis	Y	Y	Y	Y	Y	Y
4 Allard	Y	Y	Y	Y	Y	Y
5 Hefley	Y	Y	Y	Y	Y	Y
6 Schaefer	Y	Y	Y	Y	Y	Y

CONNECTICUT						
1 Kennelly	N	N	N	N	Y	Y
2 Cejdenso	N	N	N	N	Y	Y
3 DeLauro	N	N	N	N	Y	Y
4 Shays	N	N	N	N	Y	Y
5 Franks	Y	Y	N	N	Y	Y
6 Johnson	N	N	N	N	Y	Y

DELAWARE						
AL Castle	N	N	Y	Y	Y	Y

FLORIDA						
1 Scarborough	Y	Y	Y	Y	Y	Y
2 Peterson	Y	Y	N	N	Y	Y
3 Brown	N	N	N	N	Y	Y
4 Fowler	Y	Y	#	#	?	?
5 Thurman	Y	Y	N	N	Y	Y
6 Stearns	Y	Y	Y	Y	Y	Y
7 Mica	Y	Y	Y	Y	Y	Y
8 McCollum	Y	Y	Y	Y	Y	Y
9 Bilirakis	Y	Y	Y	Y	Y	Y
10 Young	N	N	Y	Y	Y	Y
11 Gibbons	?	?	?	?	?	?
12 Canady	Y	Y	Y	Y	Y	Y
13 Miller	Y	N	Y	Y	Y	Y
14 Goss	Y	Y	Y	Y	Y	Y
15 Weldon	Y	Y	Y	Y	Y	Y
16 Foley	Y	Y	Y	Y	Y	Y
17 Meek	N	N	N	N	Y	Y
18 Ros-Lehtinen	Y	N	Y	Y	Y	Y
19 Johnston	X	X	N	N	Y	Y
20 Deutsch	N	N	N	N	Y	Y
21 Diaz-Balart	Y	Y	Y	Y	Y	Y
22 Shaw	?	?	?	?	Y	Y
23 Hastings	N	N	N	N	Y	Y

GEORGIA						
1 Kingston	Y	Y	Y	Y	Y	Y
2 Bishop	N	Y	N	N	Y	Y
3 Collins	Y	Y	Y	Y	Y	Y
4 Linder	Y	Y	Y	Y	Y	Y
5 Lewis	N	N	N	N	Y	Y
6 Gingrich	Y	Y	Y	Y	Y	Y
7 Barr	Y	Y	Y	Y	Y	Y
8 Chambliss	Y	Y	Y	Y	Y	Y
9 Deal	Y	Y	Y	Y	Y	Y
10 Norwood	Y	Y	Y	Y	Y	Y
11 McKinney	N	N	N	N	Y	Y

HAWAII						
1 Abercrombie	N	N	N	N	Y	Y
2 Mink	N	N	N	N	Y	Y

IDAHO						
1 Chenoweth	Y	Y	Y	Y	Y	Y
2 Crapo	Y	Y	Y	Y	Y	Y

ILLINOIS						
1 Rush	N	N	N	N	Y	Y
2 Jackson	N	N	N	N	Y	Y
3 Lipinski	N	N	N	N	Y	Y
4 Gutierrez	N	N	N	N	Y	Y
5 Flanagan	Y	Y	Y	Y	Y	Y
6 Hyde	Y	Y	Y	Y	Y	Y
7 Collins	X	X	Y	Y	Y	Y
8 Crane	Y	Y	Y	Y	Y	Y
9 Yates	N	N	N	N	Y	Y
10 Porter	Y	Y	Y	Y	Y	Y
11 Weller	Y	Y	Y	Y	Y	Y
12 Costello	Y	Y	Y	Y	Y	Y
13 Fawell	Y	Y	Y	Y	Y	Y
14 Hastert	Y	Y	Y	Y	Y	Y
15 Ewing	Y	Y	Y	Y	Y	Y