

Reynolds, Mel

PHOTOCOPY
PRESERVATION

March 26, 1993

Dear Representative Reynolds:

Thank you for sharing the material on taxation of firearms and your draft legislation. Your materials make clear that gun violence is a strain on our health care system and must be deterred. I have shared the material with the Health Care Task Force and asked them to review it carefully.

I am enclosing a copy of a photo taken at our last meeting. I appreciate your willingness to assist us, and look forward to our continued work together on health care, and other issues.

Sincerely,

The Honorable Mel Reynolds
U.S. House of Representatives
Washington, D.C. 20515

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The Honorable Mel Reynolds
U.S. House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE

April 8, 1993

Dear Representative Reynolds:

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I am enclosing a copy of a photo taken at our last meeting. I appreciate your willingness to assist us, and look forward to our continued work together on health care, and other issues.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bill Clinton".

The Honorable Mel Reynolds
U.S. House of Representatives
Washington, D.C. 20515

(Original signature of Member)

103D CONGRESS
1ST SESSION

H. R. _____

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To provide for the manufacturer or importer of a handgun or an assault weapon to be held strictly liable for damages that result from the use of the handgun or assault weapon, and to amend the Internal Revenue Code of 1986 to increase the excise tax on firearms and use a portion of the revenues from such tax to assist hospitals in urban areas to provide medical care to gunshot victims who are not covered under any health plan.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Strict Liability for
5 Safer Streets Act of 1993".

1 **TITLE I—STRICT LIABILITY OF**
2 **MANUFACTURERS AND IM-**
3 **PORTERS OF HANDGUNS AND**
4 **ASSAULT WEAPONS**

5 **SEC. 101. CAUSE OF ACTION; FEDERAL JURISDICTION.**

6 (a) **IN GENERAL.**—Any person suffering bodily in-
7 jury, death, or property damage, as a result of the dis-
8 charge of a handgun or an assault weapon may bring an
9 action in any United States district court against any per-
10 missible defendant for damages and such other relief as
11 the court deems appropriate.

12 (b) **PERMISSIBLE DEFENDANTS.**—The following per-
13 sons are permissible defendants in an action brought
14 under subsection (a) with respect to a handgun or an as-
15 sault weapon:

16 (1) Any manufacturer of the handgun or as-
17 sault weapon.

18 (2) Any importer of the handgun or assault
19 weapon.

20 **SEC. 102. STRICT LIABILITY.**

21 (a) **IN GENERAL.**—Each defendant in an action
22 brought under section 101(a) shall be held strictly liable
23 in tort, without regard to fault or proof of defect, for all
24 direct and consequential damages that arise from bodily
25 injury, death, and property damage, proximately resulting

1 from the discharge of the handgun or assault weapon with
2 respect to which the defendant is a permissible defendant,
3 except as provided in subsection (b) of this section.

4 (b) DEFENSES.—

5 (1) INJURY WHILE COMMITTING A FELONY.—

6 There shall be no liability under subsection (a) if it
7 is established by a preponderance of the evidence
8 that the plaintiff suffered the bodily injury, death, or
9 property damage, while committing a crime punish-
10 able by death, or by imprisonment for life or for any
11 term of years.

12 (2) SELF-INFLICTED INJURY.—There shall be
13 no liability under subsection (a) if it is established
14 by a preponderance of the evidence that the plain-
15 tiff's bodily injury or death was self-inflicted, or that
16 the property damage was caused by the plaintiff.

17 (3) INJURY BY LAW ENFORCEMENT OFFICER.—

18 There shall be no liability under subsection (a) if it
19 is established by a preponderance of the evidence
20 that the injury was suffered as a result of the dis-
21 charge, by a law enforcement officer in the perform-
22 ance of official duties, of a handgun or assault weap-
23 on issued by the United States or any department
24 or agency thereof, or any State or any department,
25 agency, or political subdivision thereof.

1 (4) INJURY BY MEMBER OF THE UNITED
2 STATES ARMED FORCES.—There shall be no liability
3 under subsection (a) if it is established by a prepon-
4 derance of the evidence that the injury was suffered
5 as a result of the discharge, by a member of the
6 Armed Forces of the United States in the perform-
7 ance of military duties, of a handgun or assault
8 weapon issued by the United States or any depart-
9 ment or agency thereof.

10 (5) INJURY BY SECURITY GUARD.—There shall
11 be no liability under subsection (a) if it is estab-
12 lished by a preponderance of the evidence that the
13 injury was suffered as a result of the discharge, by
14 an individual within the scope of employment as a
15 security guard, of a handgun or assault weapon is-
16 sued by the employer of the individual.

17 (c) AUTHORITY TO AWARD A REASONABLE ATTOR-
18 NEY'S FEE.—In an action brought under section 101(a),
19 the court may, in its discretion, allow the prevailing party
20 a reasonable attorney's fee as part of the costs.

21 **SEC. 103. STATUTE OF LIMITATIONS.**

22 An action may not be brought under section 101(a)
23 after the 2-year period that begins with the date the injury
24 described therein is discovered.

1 **SEC. 104. APPLICABILITY.**

2 This title shall apply only to handguns and assault
3 weapons manufactured in or imported into the United
4 States after the effective date of this Act.

5 **SEC. 105. NO EFFECT ON OTHER CAUSES OF ACTION.**

6 This title shall not be construed to limit the scope
7 of any other cause of action available to a person who suf-
8 fers bodily injury, death, or property damage, as a result
9 of the discharge of a handgun or an assault weapon.

10 **SEC. 106. DEFINITIONS.**

11 As used in this title:

12 (1) **HANDGUN.**—The term “handgun” means a
13 firearm which, at the time of manufacture, had a
14 barrel of less than 12 inches in length.

15 (2) **ASSAULT WEAPON.**—The term “assault
16 weapon” means—

17 (A) a firearm—

18 (i) which—

19 (I) has a barrel of 12 or more
20 inches in length; and

21 (II) is capable of receiving am-
22 munition directly from a large capac-
23 ity ammunition magazine;

24 (ii) which is a semiautomatic firearm
25 which is—

1 (I) not generally recognized as
2 particularly suitable for, or readily
3 adaptable to, sporting purposes; or

4 (II) concealable on a person; or

5 (B) a firearm which is substantially func-
6 tionally equivalent to a firearm described by
7 clause (i) or (ii) of subparagraph (A).

8 (3) LARGE CAPACITY AMMUNITION MAGA-
9 ZINE.—The term “large capacity ammunition maga-
10 zine” means a detachable magazine, belt, drum, feed
11 strip, or similar device which has, or which can be
12 readily restored or converted to have, a capacity of
13 15 or more rounds of ammunition.

14 (4) SEMIAUTOMATIC FIREARM.—The term
15 “semiautomatic firearm” means any repeating fire-
16 arm which utilizes a portion of the energy of a firing
17 cartridge to extract the fired cartridge case and
18 chamber the next round, and which requires a sepa-
19 rate pull of the trigger to fire each cartridge.

20 (5) LAW ENFORCEMENT OFFICER.—The term
21 “law enforcement officer” means any officer, agent,
22 or employee of the United States, or of a State or
23 political subdivision thereof, who is authorized by
24 law to engage in or supervise the prevention, detec-

1 tion, investigation, or prosecution of any violation of
2 law.

3 (6) OTHER TERMS.—The terms “firearm”, “im-
4 porter”, and “manufacturer” shall have the mean-
5 ings given such terms, respectively, in paragraphs
6 (3), (9), and (10) of section 921(a) of title 18, Unit-
7 ed States Code.

8 **SEC. 107. EFFECTIVE DATE.**

9 This title shall apply to conduct occurring after the
10 date of the enactment of this Act.

11 **TITLE II—REPORT TO VICTIMS**
12 **ON FEDERAL CRIMES COM-**
13 **MITTED WITH FIREARMS**

14 **SEC. 201. REPORT TO VICTIMS ON FEDERAL CRIMES COM-**
15 **MITTED WITH FIREARMS.**

16 Within 30 days after a conviction is obtained in any
17 Federal court of a crime during or in relation to which
18 an individual was injured or killed by a firearm (as defined
19 in section 921(a)(3) of title 18, United States Code), the
20 United States attorney prosecuting the case shall report,
21 on whether title I of this Act applies to the firearm, to—

22 (1) the individual; or

23 (2) if the individual is dead—

24 (A) the closest relative of the individual; or

1 (B) if there is no such relative, the estate
2 of the individual.

3 **TITLE III—REVENUE**
4 **PROVISIONS**

5 **SEC. 301. INCREASE IN TAX ON FIREARMS.**

6 (a) **IN GENERAL.**—Section 4181 of the Internal Rev-
7 enue Code of 1986 (relating to imposition of tax on fire-
8 arms) is amended to read as follows:

9 **“SEC. 4181. IMPOSITION OF TAX**

10 “There is hereby imposed a tax on the sale by the
11 manufacturer, producer, or importer of any firearm, shell,
12 or cartridge a tax equal to—

13 “(1) in the case of firearms, 20 percent of the
14 price for which so sold, and

15 “(2) in the case of shells and cartridges, 11
16 percent of the price for which so sold.”

17 (b) **EFFECTIVE DATE.**—The amendment made by
18 subsection (a) shall take effect on the 1st day of the 1st
19 calendar month beginning more than 30 days after the
20 date of the enactment of this Act.

21 (c) **FLOOR STOCKS TAX.**—

22 (1) **IMPOSITION OF TAX.**—In the case of any
23 firearm on which tax was imposed under section
24 4181 of the Internal Revenue Code of 1986 before
25 the tax-increase date and which is held on such date

1 for sale by any dealer, there is hereby imposed a
2 floor stocks tax on such firearm.

3 (2) AMOUNT OF TAX.—The amount of tax im-
4 posed by paragraph (1) with respect to any firearm
5 shall be equal to the amount of tax imposed under
6 section 4181 of such Code with respect to such fire-
7 arm before the tax-increase date.

8 (3) LIABILITY FOR TAX AND METHOD OF PAY-
9 MENT.—

10 (A) LIABILITY FOR TAX.—Any dealer hold-
11 ing any firearm on the tax-increase date to
12 which any tax imposed by paragraph (1) applies
13 shall be liable for such tax.

14 (B) METHOD OF PAYMENT.—The tax im-
15 posed by paragraph (1) shall be paid in such
16 manner as the Secretary of the Treasury or his
17 delegate shall prescribe by regulations.

18 (C) TIME FOR PAYMENT.—The tax im-
19 posed by paragraph (1) shall be paid before the
20 close of the 6-month period beginning on the
21 tax-increase date.

22 (4) DEFINITIONS.—For purposes of this
23 subsection—

24 (A) TAX-INCREASE DATE.—The term “tax-
25 increase date” means the 1st day of the 1st cal-

1 endar month beginning more than 30 days after
2 the date of the enactment of this Act.

3 (B) FIREARM.—The term ‘firearm’ has the
4 same meaning as when used in section 4181 of
5 such Code.

6 (5) OTHER LAWS APPLICABLE.—All provisions
7 of law, including penalties, applicable with respect to
8 the taxes imposed by section 4181 of such Code
9 shall, insofar as applicable and not inconsistent with
10 the provisions of this subsection, apply to the floor
11 stocks taxes imposed by paragraph (1), to the same
12 extent as if such taxes were imposed by such section
13 4181.

14 **SEC. 302. HOSPITAL GUNSHOT COST RELIEF TRUST FUND.**

15 (a) IN GENERAL.—Subchapter A of chapter 98 of the
16 Internal Revenue Code of 1986 (relating to trust fund
17 code) is amended by adding at the end thereof the fol-
18 lowing new section:

19 **“SEC. 9512. HOSPITAL GUNSHOT COST RELIEF TRUST**
20 **FUND.**

21 “(a) CREATION OF TRUST FUND.—There is estab-
22 lished in the Treasury of the United States a trust fund
23 to be known as the ‘Hospital Gunshot Cost Relief Trust
24 Fund’, consisting of such amounts as may be appropriated

1 or credited to such Trust Fund as provided in this section
2 or section 9602(b).

3 “(b) TRANSFERS TO TRUST FUND.—

4 “(1) IN GENERAL.—There are hereby appro-
5 priated to the Hospital Gunshot Cost Relief Trust
6 Fund amounts equivalent to 50 percent of the net
7 revenues received in the Treasury from the firearms
8 tax.

9 “(2) NET REVENUES.—For purposes of para-
10 graph (1), the term ‘net revenues’ means the
11 amount estimated by the Secretary based on the ex-
12 cess of—

13 “(A) the firearms taxes received in the
14 Treasury, over

15 “(B) the decrease in the tax imposed by
16 chapter 1 resulting from the firearms taxes.

17 “(3) FIREARMS TAX.—For purposes of this sec-
18 tion, the term ‘firearms tax’ means the tax imposed
19 by section 4181 with respect to firearms (within the
20 meaning of such section).

21 “(c) EXPENDITURES FROM TRUST FUND.—Amounts
22 in the Hospital Gunshot Cost Relief Trust Fund shall be
23 available, as provided in appropriation Acts, only for pur-
24 poses of making expenditures to assist hospitals located
25 in urban areas in defraying the costs incurred in providing

1 medical care to gunshot victims who are not covered under
2 any health plan.”

3 (b) CLERICAL AMENDMENT.—The table of sections
4 for such subchapter A is amended by adding at the end
5 thereof the following new item:

“Sec. 9512. Hospital Gunshot Cost Relief Trust Fund.”

MEL REYNOLDS
2D DISTRICT, ILLINOIS

COMMITTEE ON WAYS AND MEANS

SUBCOMMITTEES:
HUMAN RESOURCES
SOCIAL SECURITY

Congress of the United States
House of Representatives
Washington, DC 20515-1302

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for way group
Picture
only

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17926 S. HALSTED
SUITE 1 WEST
Homewood, IL 60430
(708) 957-9955

March 18, 1993

To: The Honorable Hillary Rodham Clinton
Fr: Congressman Mel Reynolds
Re: Taxation of Firearms as a Response to the Public Health
Crisis Caused by Gunfire

SUMMARY OF FINDINGS:

* U.S. HOSPITALS PROVIDED BETWEEN \$1-4 BILLION IN UNCOMPENSATED CARE TO TRAUMA PATIENTS IN 1988. (Source: Journal of the American Medical Association, 1988; 260:3048-3050)

* THE ESTIMATED COST OF TREATING A GUNSHOT VICTIM RANGES FROM \$15,000 TO \$20,000. (Source: Journal of the American Medical Association, June 10, 1992; 267:3067-3070)

* FURTHER TREATMENT OR CARE, CAN COST BETWEEN \$150,000 AND \$270,000 PER PATIENT. LIFETIME COSTS RANGE FROM \$600,000 TO \$1 MILLION FOR QUADRIPLÉGIC TO \$400,000 TO \$500,000 FOR PARAPLEGICS.

* DEATH BY GUNFIRE IS THE LEADING CAUSE OF DEATH AMONG BLACK MALES BETWEEN THE AGES OF 15 TO 19, CLAIMING CLOSE TO 1000 LIVES ANNUALLY.

* A BLACK MALE AGES 15-19 IN 1988 WAS NEARLY THREE TIMES MORE LIKELY TO DIE FROM A BULLET THAN A DISEASE.

* 1 IN EVERY 28 BLACK MALES BORN IN 1987 IS LIKELY TO BE MURDERED. FOR WHITE MALES, THE RATIO IS 1 IN 205.

* GUNS ARE ALREADY LEVIED A 10 PERCENT EXCISE TAX ON HANDGUNS, AND 11 PERCENT ON ALL OTHER FIREARMS. THE TAX RATE ON HANDGUNS HAS BEEN IN EFFECT SINCE 1940 AND ON ALL OTHER FIREARMS SINCE 1954 (AMMUNITION IS ALSO LEVIED AN 11 PERCENT EXCISE TAX).

H.R. 737, THE STRICT LIABILITY FOR SAFER STREETS ACT OF 1993, WOULD EFFECTIVELY DOUBLE THE CURRENT EXCISE TAX ON FIREARMS, DIRECTING HALF OF THE REVENUE COLLECTED TO A TRUST FUND. URBAN HOSPITALS WOULD BE ABLE TO ACCESS FUNDS, IN THE FORM OF GRANTS, IN ORDER TO HELP THEM OFFSET THE COSTS OF TREATING UNINSURED GUN SHOT VICTIMS.

* THE REVENUE COLLECTED FROM THE EXCISE TAX HAS GROWN STEADILY SINCE 1986, FROM \$62.4 MILLION TO \$123 MILLION IN 1991, EFFECTIVELY DOUBLING IN SIX YEARS. AMMUNITION REVENUES ARE NOT INCLUDED IN THESE FIGURES. (Sources: I.R.S., B.A.T.F.)

IMPACT OF GUNS ON HOSPITALS AND TRAUMA CARE CENTERS:

1) U.S. HOSPITALS PROVIDED BETWEEN \$1-4 BILLION IN UNCOMPENSATED CARE TO TRAUMA PATIENTS IN 1988. (Source: Journal of the American Medical Association, 1988; 260:3048-3050)

2) ESTIMATES PLACE THE PERCENTAGE OF UNINSURED GUNSHOT PATIENTS AT UP TO 80 PERCENT, DROWNING THE NATION'S TRAUMA CARE SYSTEM IN RED INK.

3) "A TYPICAL PATIENT AT...DENVER HEALTH AND HOSPITALS ...IS...YOUNG, MALE AND UNINSURED...WITH MULTIPLE GUNSHOT WOUNDS," ACCORDING TO DIRECTOR OF EMERGENCY MEDICAL SERVICES VINCENT MARKOVCHIK, M.D., AS QUOTED IN 1990. (Source: Modern Healthcare, February 5, 1990)

4) BETWEEN 1986 AND 1991, 92 OF THE NATION'S 549 DESIGNATED TRAUMA CARE CENTERS CLOSED, LEAVING 457 CENTERS. IN SOME AREAS OF THE COUNTRY, THE LEVEL OF COVERAGE HAS BEEN STRETCHED RAZOR THIN (Source: Journal of the American Medical Association, June 10, 1992; 267:2994-2996)

- a) Virginia: Five centers serving the entire state.
- b) Houston: One trauma center for a 620 square mile area.
- c) Chicago: Six centers serving the metropolitan area. None of the centers are located on the city's south side. The remaining centers lost a total of \$12 million in 1991.
- d) Washington: MedStar, the trauma unit at Washington Hospital Center, experienced a gunshot caseload increase in 1988 of 204 percent over 1987, to a record 359 cases. The unit's average cost of treating a "penetrating trauma" (gunshot or stabbing) patient is estimated at \$15,000 to \$18,000. The unit lost \$22 million in FY '89 that executives attribute mainly to the cost of treating uninsured penetrating trauma patients.
- e) California: Between 1980 and 1989, 12 trauma centers in California closed --- nine of them in Los Angeles. Statewide, gunshot patients are estimated to cost \$73 to \$137 million a year --- and up to \$171 million if physician and other professional fees are considered.
- f) Detroit: Nonpaying patients have jumped from 8 percent of the total at Detroit Receiving Hospital to 23 percent between 1985 and 1990.

5) THE ESTIMATED COST OF TREATING A GUNSHOT VICTIM RANGES FROM \$15,000 TO \$20,000. (Source: Journal of the American Medical Association, June 10, 1992; 267:3067-3070)

6) FURTHER TREATMENT OR CARE, SUCH AS INTENSIVE CARE OR REHABILITATION IS NOT UNUSUAL, COSTING BETWEEN \$150,000 AND \$270,000 PER PATIENT. LIFETIME COSTS RANGE FROM \$600,000 TO \$1 MILLION FOR QUADRIPLÉGIC TO \$400,000 TO \$500,000 FOR PARAPLEGICS. (Source: "California Under the Gun: State's Hospitals Struggle to Keep Up As The Bullets Fly," Sacramento Bee; June 4, 1989)

7) A 1991 TEXAS STUDY OF FIREARM MORTALITY IN TEXAS BETWEEN 1976 AND 1985 CONCLUDED THAT THE ECONOMIC COST OF FIREARM DEATHS IN TEXAS WAS ESTIMATED TO BE \$40.7 BILLION PER YEAR. (Source: "Firearm Mortality in Texas, 1976-1985: how far is Fort Smith?" Texas Medicine/The Journal; April 1991; 87:78-83)

8) MULTIPLE GUNSHOT WOUNDS: Cook County Hospital experienced a jump from 5% to 25% in the number of patients admitted with multiple gunshot wounds between 1982 and 1991.

GUNS AND THE IMPACT ON THE AFRICAN-AMERICAN COMMUNITY:

1) DEATH BY GUNFIRE IS THE LEADING CAUSE OF DEATH AMONG BLACK MALES BETWEEN THE AGES OF 15 TO 19, CLAIMING CLOSE TO 1000 LIVES ANNUALLY. (See Figure 1 below)

2) THE AVERAGE AGE OF PATIENTS ADMITTED TO CHICAGO'S MOUNT SINAI HOSPITAL FOR GUNSHOT WOUNDS IN 1991 WAS 25, 93 PERCENT OF WHOM WERE MALE. YOUNG MALES ARE NOT ELIGIBLE FOR MEDICAID.

3) A BLACK MALE AGES 15-19 IN 1988 WAS NEARLY THREE TIMES MORE LIKELY TO DIE FROM A BULLET THAN A DISEASE.

4) 1 IN EVERY 28 BLACK MALES BORN IN 1987 IS LIKELY TO BE MURDERED. FOR WHITE MALES, THE RATIO IS 1 IN 205.

5) FOR BLACK MALES, AGED 15-19, FIREARM HOMICIDES HAVE INCREASED 125 PERCENT SINCE 1984.

6) A YOUNG BLACK MALE IS 9 TIMES MORE LIKELY TO BE MURDERED THAN A YOUNG WHITE MALE.

7) A 1991 STUDY OF FIREARM MORTALITY IN TEXAS FROM 1976-1985 CONCLUDED THAT BLACK MALES HAD THE HIGHEST FIREARM HOMICIDE RATE IN THE STATE (53.9 PER 100,000).

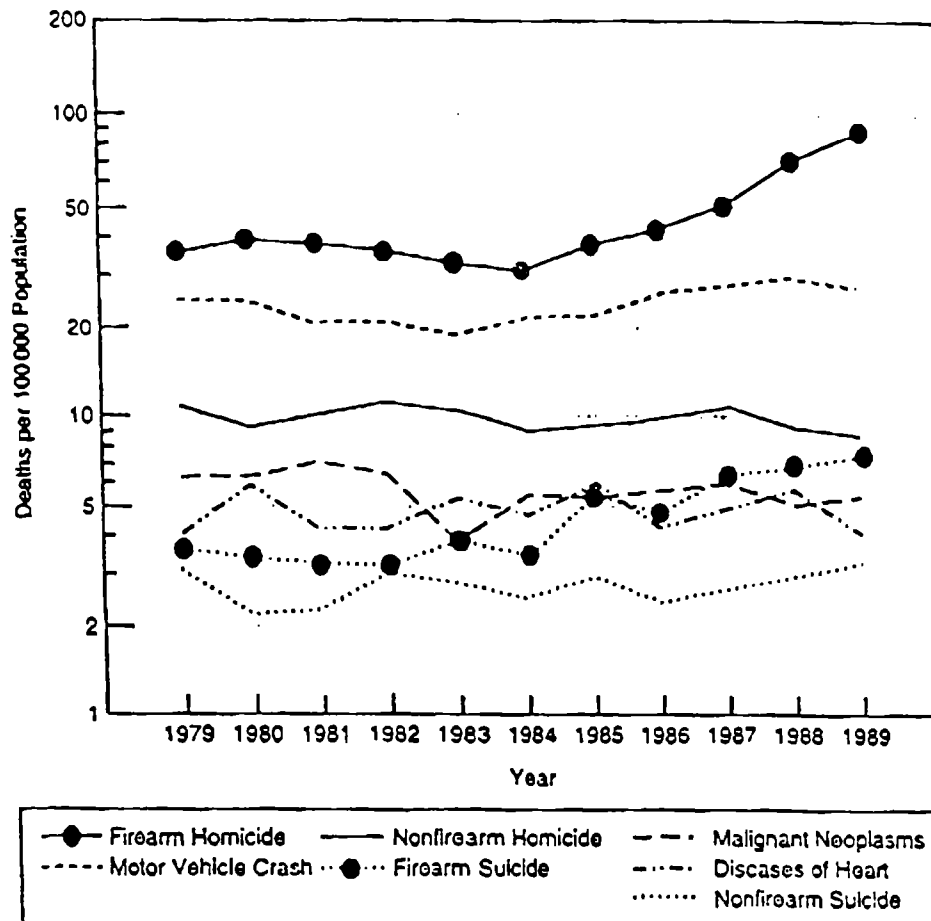


Fig 1.—Leading causes of death for black males 15 through 19 years of age, 1979 through 1989. (from the Compressed Mortality File of the National Center for Health Statistics, Centers for Disease Control).

WHY TAX GUNS?

1) EVERY DAY IN THE CITY OF CHICAGO, 40 PEOPLE ARE SHOT. TWO OF THEM DIE EACH DAY. TWENTY-FOUR CHILDREN, 14 AND UNDER, WERE KILLED IN CHICAGO IN 1992.

2) EVERY DAY OF THE YEAR, 27 CHILDREN AND ADULTS ARE MURDERED BY HANDGUNS (Source: Sen. John Chafee, "Ban Handguns," The Washington Post, June 9, 1992; p. A15)

3) ACCORDING TO FORMER HHS SECRETARY SULLIVAN, EVERY 100 HOURS THREE TIMES AS MANY YOUNG MEN ARE KILLED BY GUNS THAN WERE KILLED DURING THE 100 HOURS OF THE PERSIAN GULF WAR (Source: The Washington Post, March 14, 1991; p. A1).

4) GUNS ARE ALREADY LEVIED A 10 PERCENT EXCISE TAX ON HANDGUNS, AND 11 PERCENT ON ALL OTHER FIREARMS. THE TAX RATE ON HANDGUNS HAS BEEN IN EFFECT SINCE 1940 AND ON ALL OTHER FIREARMS SINCE 1954 (AMMUNITION IS ALSO LEVIED AN 11 PERCENT EXCISE TAX).

H.R. 737, THE STRICT LIABILITY FOR SAFER STREETS ACT OF 1993, WOULD EFFECTIVELY DOUBLE THE CURRENT EXCISE TAX ON FIREARMS, DIRECTING HALF OF THE REVENUE COLLECTED TO A TRUST FUND. URBAN HOSPITALS WOULD BE ABLE TO ACCESS FUNDS, IN THE FORM OF GRANTS, IN ORDER TO HELP THEM OFFSET THE COSTS OF TREATING UNINSURED GUN SHOT VICTIMS.

5) THE REVENUE COLLECTED FROM THE EXCISE TAX HAS GROWN STEADILY SINCE 1986, FROM \$62.4 MILLION TO \$123 MILLION IN 1991, EFFECTIVELY DOUBLING IN SIX YEARS. AMMUNITION REVENUES ARE NOT INCLUDED IN THESE FIGURES. (Sources: I.R.S., B.A.T.F.)

OTHER FACTS:

1) IN 1990, FIVE MILITARY PHYSICIANS AND STUDENTS BEGAN STAFFING TWO OF THREE SHIFTS AT WASHINGTON'S MEDSTAR TRAUMA UNIT, IN ORDER TO TRAIN FOR TREATMENT OF COMBAT-LIKE INJURIES. THEIR SALARIES ARE PAID WITH TAXPAYER MONEY.

2) HOSPITAL EMERGENCY ROOMS AND TRAUMA CENTERS ARE RESPONDING TO THE FLOOD OF GUN-RELATED VIOLENCE: LOS ANGELES COUNTY-HARBOR-UCLA MEDICAL CENTER, PLANNED TO SPEND \$230,000 ON SECURITY STAFF IN 1990, AND CONSIDERED THE PURCHASE OF METAL DETECTORS FOR THE EMERGENCY DEPARTMENT.

Washington Post 3/5/93

Does Congress Hear the Gunfire?

GUNFIRE is loudest not in the places where the long guns of sport are fired by law-abiding men and women but in the streets, homes, offices and stores where handguns and weapons of war abound. The bloody stories are everyday reading, and the public outcry is mounting. It comes, too, from gun owners who want nothing to do with the free flow of firearms to the wrong hands and who understand the crucial distinction between their own peaceful pursuits and the mindless marketing of handguns. State actions are helping but the most effective moves are up to Congress:

■ **The Brady Bill:** Every substantive poll taken in recent years has shown it enjoys overwhelming public support. Every major law enforcement organization supports it. Bob Scully, executive director of the National Association of Police Organizations, representing more than 140,000 police officers, noted that "just one week ago, I stood in the U.S. Capitol for the introduction of the Brady bill. Since then seven law enforcement officers have been shot and killed. It's our job to protect the citizens of the United States, but who is protecting us?" The bill would require a five-day waiting period and mandatory background check for handgun sales from dealers. It has won support in the Senate and the House in the past, and now President Clinton has promised to sign it

if enacted. It should be enacted on its own right away.

■ **Taxes:** Along with increases in taxes on cigarettes and alcohol to offset costs associated with health care, Congress is looking at proposals to increase the current 10 percent excise tax on handguns and 11 percent on all other firearms to 20 percent and 21 percent respectively. Rep. Mel Reynolds of Illinois and others seeking this change cite rough estimates of hospitalization expenses for firearms injuries that run from more than \$400 million to \$1 billion a year. Whatever form the additional taxation might take, it should be a substantial amount.

■ **A Handgun Ban:** Republican Sen. John Chafee of Rhode Island continues to propose a national ban on the sale, manufacture or ownership of handguns. There would be exceptions for law enforcement and military agencies, collectors of antique firearms, federally licensed handgun sporting clubs operating under certain safety procedures, security guard services and licensed dealers, importers or manufacturers that are determined to be serving legitimate needs. That's a stiff proposal, not likely to rally a majority behind it in a hurry. But it raises a serious question: Why should this country load up on concealable weapons? More and more people have more and more cause to wonder.

...symbols are.
 ...the meaning of words
 ...by sign of
 ...and symbols are concepts
 ...deeper level than the
 ...stand.
 ...symbols may be located in
 ...er bright young people
 ...of lead and fill them
 ...them into what turns out
 ...an political reality.
 ...critics without these
 ...cent on symbolically
 ...nistration into
 ...to Washington."
 ...it about symbols whose
 ...e to be in street signs,
 ...of the depths of human
 ...not tell the difference
 ...allic signal.
 ...out signals that they
 ...hts. But traffic signals
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 ...ll. They direct external
 ...an move people's souls.
 ...eems one part naive to
 ...at's men prod their idea
 ...if it were a reluctant
 ..."This is what we
 ...are doing. And this is
 ...we have just done."
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...f symbols may be
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 ...efore launching
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 ...ical reality.

...cannot fully explain
 ...ons are fitting, however.
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 ...ferent from signs, signals,
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 ...L
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 ...ratory, not MTV or
 ...not be entered or

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Gun makers must pay the price

By Mel Reynolds

Who will have the courage to stop the carnage and flow of blood in our communities?

Day after day, the indiscriminate killing continues, on the South Side, the northwest suburbs, all corners of the metropolitan area. Like a cancer, the violence and bloodshed spread. Unchecked, it will destroy the very social fabric that binds all of us together.

The statistics are shocking and sobering. Nationally, nearly 25,000 Americans were killed in 1991, half of the deaths attributable to handguns, a figure comparable to the population of Hazel Crest.

In 1991, Illinois recorded 1,224 murders. Of those, 830 were attributable to firearms, with handguns responsible for 736 homicides. A disproportionate number of these homicides occurred in the African-American community. For its teenage boys, gunshot deaths outnumber all natural causes of death combined, according to the FBI. No community has gone unscathed, however.

According to the Tribune's own study of this issue, 59 children 14 and under, were killed in the Chicago area in 1992, 24 by gunfire. The overwhelming majority of the victims of such gunfire were African-American children. Innocent children of all races with the whole world ahead of them, silenced far too soon by an assailant's bullet.

And yet the manufacturers of these death machines blithely continue churning out weapons, proclaiming them in advertisements as the best home protection money can buy. They neglect to tell the public that the New England Journal of Medicine found that a handgun owner, family member or friend is 43 times more likely to be killed by a handgun kept in the home than he or she is to use that handgun for self-defense.

The handgun and semi-automatic assault weapons manufacturers will argue that the 2nd Amendment justifies their relentless pursuit of profit and market share. They cannot, however, attempt to grasp the brass ring of the moral high ground with blood on their hands. They are not simply manufacturing a product to satisfy a demand. They are ensuring the swift, painful, early death of thousands of children, women and families.

This nightmare must end. Our children, indeed all citizens, should be able to enjoy our parks, walk innocently down the street and laugh with our friends. It is an American tragedy that far too many children do not know what it is to play outside without fear, yet know all too well the caliber of a weapon by the shot they hear in the dark of the night or light of day.

If we are serious about stanching the flow of blood in our streets, then we must hold those individuals and companies who manufacture and traffic in handguns and semi-automatic assault weapons strictly liable for the injury, maiming and death caused by those weapons. Further, we must begin to address the enormous costs to our already overburdened health-care system of treating uninsured gunshot victims.

Toward that end, I have introduced the "Strict Liability for Safer Streets Act of 1993." The legislation holds manufacturers and importers of handguns and semi-automatic assault weapons accountable for any injury or death caused by the weapon, with some limited exceptions. In addition, the legislation raises the current 10 percent excise tax on handguns and 11 percent excise tax on all other firearms to 20 percent and 21 percent respectively. Half of the total revenue would be deposited into a trust fund to be utilized by urban hospitals to help alleviate the costs of treating uninsured gunshot victims. (Since 1986, revenues from the firearms excise tax have almost doubled, from \$62 million to \$123 million.)

It is no accident that on the South Side of Chicago, where the need for trauma care is greatest, there are no

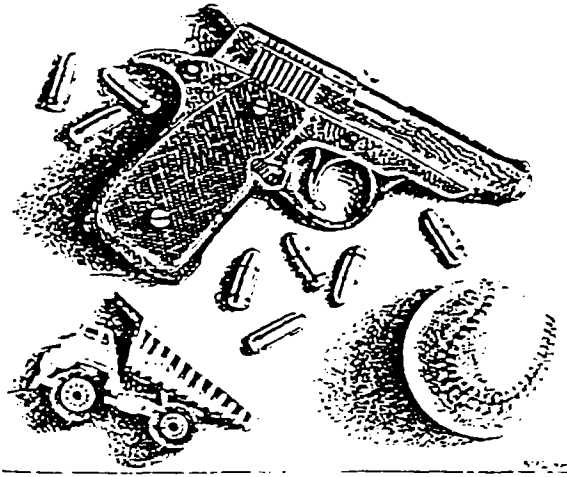
Killing our children

trauma centers. Hospitals that used to provide such care were overwhelmed by the costs associated with treating uninsured patients. The costs associated with the treatment of uninsured persons who were injured or maimed by gunshots certainly were contributory factors in the decision by hospitals on the South Side to close their doors to trauma patients.

Only if we are able to hold manufacturers and importers of these weapons responsible and accountable and mandate that they assume a heavier monetary burden for their actions, can we even hope to begin to reduce the slaughter of our citizens.

Strict liability is not a new concept in American jurisprudence. There is well-established common law doctrine of strict liability for "ultra-hazardous activities." These are uncommon activities creating a great risk of harm to the community which outweighs any value the activity may have. The doctrine has been applied to the storage and use of explosives, to the storage of natural gas and to the sale of dangerous pesticides. So it should be with handguns and semi-automatic assault weapons.

Strict liability applied to manufacturers of handguns has even withstood scrutiny by the courts. Maryland's highest court, in a 1985 decision in *Kelley v. R.G. Industries*,



Barbara Cummings/Los Angeles Times/Enca

found that handguns, such as the infamous "Saturday Night Special," "have no legitimate purpose in today's society" and concluded that the "manufacturer ... of a Saturday Night Special knows, or ought to know, that it is making or selling a product principally to be used in criminal activity."

I have no doubt that those who cherish firearms more than the general welfare and sanctity of our communities, such as the National Rifle Association, will fight this proposal tooth and nail. The issue and question of corporate responsibility has nothing to do with the 2nd Amendment. My legislation in no way impinges upon the right of people to bear arms. There is no prohibition on the manufacture, distribution and sale of firearms. On the contrary, the legislation is rooted in the common-sense principle that people, and, by extension, corporations, should be held responsible for their actions.

It is high time that those who stand in the way of real progress on this issue find themselves caught in the "sight" of public outrage.

Too much blood has been spilled, too many tears have been shed, to turn a blind eye to the problem any longer. We must take back our communities. The Strict Liability for Safer Streets Act of 1993 is the place to start.

Mel Reynolds (D-Ill.) is a member of the U.S. House of Representatives.

Michael K. Beard

Gun Control: The Virginia Model

The need for national reform is obvious to almost everyone but the NRA.

A year ago Virginia Gov. L. Douglas Wilder and Bill Clinton were rivals for the Democratic presidential nomination. Today, President Clinton would do well to emulate Wilder in respect to the governor's recent victory over the National Rifle Association, which resulted in the passage of a one-handgun-a-month limit in Virginia.

Wilder was able to overcome the influence of the state's gun lobby, which historically has defeated all gun initiatives in Virginia, by circumventing the special interests and speaking directly to the people. As in the rest of the nation, public opinion polls in Virginia continually show a solid majority in favor of more restrictive gun laws. In the past, however, the gun lobby was able to thwart the views of the majority by relying on its campaign contributions and zealous membership.

This year Wilder, aided by the threat of an economic boycott of the state, was able to mobilize the great majority of Virginians, including many in the business community who had previously been silent on the issue.

Clinton will likely need to build the same type of coalition if effective gun control legislation is to be enacted during his first term.

The need for reform of the nation's gun laws is obvious to almost everyone aside from the gun lobby, which still steadfastly clings to the one thing we know does not work—the present system—and continues to spew forth tired old slogans that long ago lost whatever meaning they might have held.

Handguns killed 25,000 Americans last year. They are the leading cause of death for male teenagers across the country, and in two states—Louisiana and Texas—firearm deaths recently surpassed automobile fatalities. Yet, the NRA still maintains that "guns don't kill people, people kill people."

In Virginia, the NRA demonstrated its growing irrelevance to the gun debate by refusing to offer any solutions to end the state's gun-running reputation. The NRA's sole contribution was a suggestion that driver's licenses be made more difficult to obtain. The gun lobby's whining against any inconvenience to the "law-abiding gun owner" sounded especially self-serving in light of this support of the driver's license bill, which would have inconvenienced everyone in the state who drives.

With the gun lobby apparently devoid of solutions, a good place for a Clinton plan to begin would be with a national one-handgun-a-month bill. Legislation has already been introduced by Rep. Robert Torricelli of New Jersey implementing the Virginia plan nationwide.

The Torricelli proposal acts a perfect complement to the long-stalled Brady bill,

which, although approved by both houses of Congress in 1991, has never been sent to the White House for the president to sign. The waiting period and police background check contained in the Brady bill, combined with the one-handgun limit, would effectively reduce gun trafficking from states with lax gun laws into jurisdictions that have enacted tougher statutes.

While the Brady bill would require handgun buyers to undergo a police background check, no such system is in place for gun sellers. Currently, more than 270,000 Americans have federal licenses to sell guns, and the understaffed Bureau of Alcohol, Tobacco and Firearms does not have the capacity to effectively police them all. Any comprehensive approach to reducing gun violence must address the ease with which individuals can obtain a seller's license.

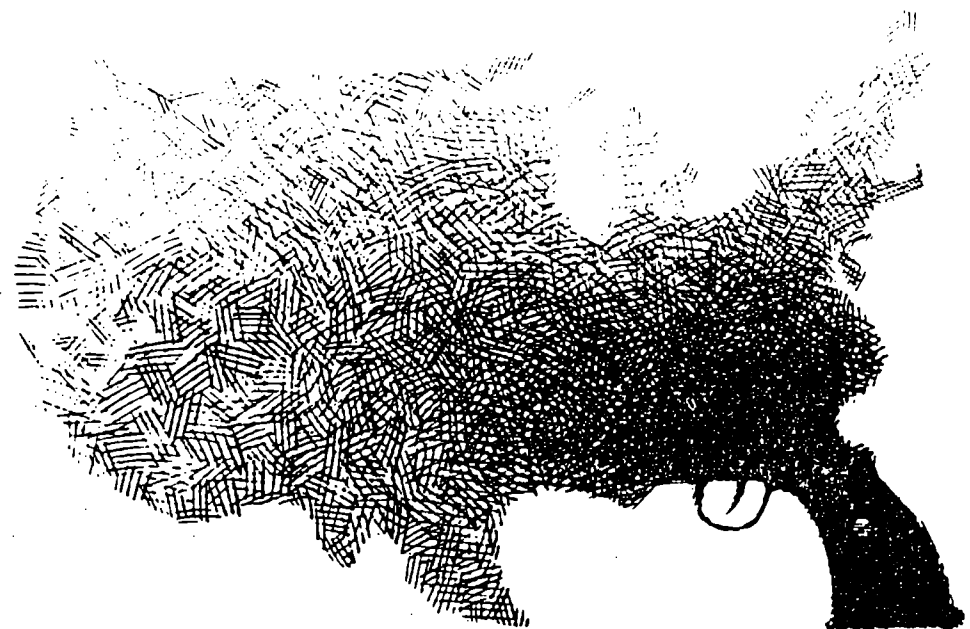
The shooting of five people near CIA headquarters with an AK-47 assault rifle highlights another growing problem with which Congress has in the past refused to deal. Several years ago, the Bush administration outlawed the importation of assault rifles but did nothing to stop their manufacture or sale within the United States. Officials in Fairfax County, where the CIA shooting took place, reacted with surprise when informed that assault rifles were not covered by the county's handgun waiting period. Similarly, most Americans are surprised that these battle-field-style weapons are sold at all and expect Congress and the president to act.

Another promising proposal that ought to appeal to the Clinton administration was introduced last month by freshman Rep. Mel Reynolds of Illinois. Reynolds's proposal calls for doubling the excise tax on handguns and earmarking the funds to offset the medical costs incurred treating victims of gun violence. Such a plan would shift the cost of gun violence away from the public and onto those who profit from the gun trade. It might also reduce handgun sales in the same manner other "sin" taxes are used to reduce consumption of tobacco and alcohol.

Finally, in addition to legislation, a massive public education campaign must be implemented by the surgeon general along the lines of the successful anti-smoking campaign begun three decades ago. That campaign was vigorously opposed by the powerful tobacco lobby, and this one—which should discourage handgun use, especially among young people—will be attacked by the gun lobby. We need a surgeon general—supported by the president—who will stand up to the gun lobby and declare handguns a public health hazard.

If President Clinton adopts each of these proposals and is able to activate the support of the American people the way Gov. Wilder was able to in Virginia, we may finally be able to break the lock the gun lobby has had on the legislative process and begin to reduce the terrible and uniquely American tragedy of gun violence.

The writer is president of the Coalition to Stop Gun Violence.



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Editorials

Guns kill

- The public is paying a terrible cost for failing to restrict the availability of handguns.

In a story beginning on Page 1A today, staff writer Mary Elizabeth DeAngelis describes in stunning detail what everybody knows in general: Handgun violence has a terrible cost — not just in deaths and ruined lives, but in money spent on victims. Read her report, and ponder the costs.

The public health problem of violence isn't simple; it will require complex treatment. A good place to start is with children who grow up thinking violence is an effective way to solve problems. Charlotte-Mecklenburg's public schools are helping by teaching children other ways to resolve disputes. Another way to combat violence is to put violent criminals away. North Carolina is building prisons to do that. The breakdown of families is a problem. Many public and private groups are working on that.

◆ Congressman Mel Reynolds, D-Ill., has proposed a response to the public cost of gun violence that wouldn't restrict gun ownership. He would increase the excise tax on handguns from 10% to 20% and on other firearms from 11% to 21%, and deposit half the total revenues in a trust fund to help hospitals pay for treating uninsured gunshot victims. We'd tax handguns more and exempt hunting firearms from the increase, but he's on the right track.

Restrictions on handguns would further curb handgun violence. For starters:

- Congress should pass the Brady bill, requiring a five-day waiting period and background check for handgun sales from dealers.

- North Carolina should make it illegal for anyone under age 21 to have a firearm, except in restricted circumstances.

- To drive a car you must get a driver's license and prove you can drive safely. Why should owning a firearm be simpler?

- More than 270,000 Americans have federal licenses to sell firearms. The Bureau of Alcohol, Tobacco and Firearms has nowhere near the resources to police them all. Make it tougher to get a license to sell firearms, and sharply reduce the number of licensed dealers.

- Sen. John Chafee, a Rhode Island Republican, proposes a ban on the sale, manufacture or ownership of handguns except under certain circumstances (for example, for law enforcement and security agencies, licensed collectors and gun clubs). His bill probably won't go anywhere, but it raises a good question: How does America benefit from an open market in concealable weapons?

There's no simple remedy for violence. But to reduce handgun violence, America must restrict the availability of handguns.

Gun control push gathers steam

Siege in Texas, backing from Clinton add to the momentum for new laws

By Michael Putzel
GLOBE STAFF

WASHINGTON - The day after a gunman drove through the window of a Killeen, Texas, cafeteria in October 1991 and killed 22 persons, a shaken Rep. Chet Edwards, who represents Killeen and knew some of the victims, abandoned his long-standing opposition to gun control and voted for a national ban on assault weapons.

The bill was soundly defeated despite Edwards' vote switch, and today, with tanks and other military vehicles surrounding a band of heavily armed religious zealots outside his hometown of Waco, the Democratic congressman isn't talking.

"It would be premature and foolish" to discuss gun control while the 10-day standoff between the religious cult and federal agents continues, an Edwards spokesman said.

But in the Texas Legislature and

across the country, gun control advocates are seizing on the Waco case, in which four federal agents and as many as a dozen cultists were killed in a shootout early last week, to rekindle their campaign to make it harder for people to buy handguns and assault weapons.

The case is one of several recent developments that have prompted gun-control advocates to step up their efforts and have led foes of their goals to consider retooling.

In Texas, gun-toting citizens are fighting for the right to carry concealed weapons as undercover agents can, a move that they argue would frighten off criminals. U.S. Gov. Ann Richards said yesterday she would veto such a bill if it goes through the Legislature.

And some state lawmakers are talking about banning assault weapons - a radical concept in a state that boasts of its Wild West legacy.

GUN CONTROL, Page

Landscape for gun control

A look at congressional gun control proposals, and actions in some cities and states.

CONGRESS

The Brady Bill, named for President Ronald Reagan's press secretary who was shot during an assassination attempt against Reagan 12 years ago, was reintroduced last week, with supporters optimistic that President Clinton's pledge of support will be enough to ensure its passage. The bill, which passed both houses last year but died at the end of the session when Republicans threatened to filibuster a crime bill to which it was attached, would require handgun buyers to undergo a police background check and wait five business days before picking up their purchases. Supporters of the National Rifle Association are expected to counter with a proposal to require an instant, computerized background check of gun buyers at the time of purchase.

Lawmakers also have proposed a national limit of one handgun purchase a month per person, which Clinton has said he would support, and doubling the 11 percent federal excise tax on guns and ammunition to help pay the cost of treating people wounded by gunfire. Sen. John H. Chafee is expected to introduce legislation this month to ban private ownership of handguns, a measure given a chance of success.

VIRGINIA

The state that gun control advocates labeled the wellspring for gunrunners up and down the East Coast adopted a law Feb. 25 limiting handgun purchases to one a month per person, a measure that Gov. Douglas Wilder made the centerpiece of his anti-crime campaign.

NEW JERSEY

The state is finishing a hard-fought battle to repeal the strictest ban in the nation against assault weapons. The Republican-controlled legislature voted to repeal the state's ban on assault weapons, the strictest law of its type in the country. Gov. Jim Florio, who had proposed the ban during his 1989 campaign, vetoed the repeal, and the lower house voted to override him. The state Senate could take up the measure this week, but Florio supporters say they have mustered the votes to sustain the veto and keep the ban in place. If so, the vote to override may be postponed.

TEXAS

Opposing forces are squaring off over a proposal to permit Texans to

carry concealed weapons. The Lone Star state has a long tradition of supporting the rights of gun owners, but gun control advocates point to the fatal shootout in Waco between federal agents and Branch Davidians as evidence that guns prompt violence. The state health department has reported that more people are shot to death in Texas than die in automobile accidents.

MADISON, WISCONSIN

The city is scheduled to hold a referendum in April on a proposal to ban all handguns.

CHICAGO, ILLINOIS

Mayor Richard Daley recently announced he would seek legislation to make weapons manufacturers liable for damage caused by their products, a measure similar to one already adopted in the District of Columbia. Daley also proposed a ban on assault weapons and as well as a 25-percent tax on the sale of other guns and ammunition, with the revenues earmarked for trauma centers and caring for those injured by guns.

COMPILED BY MICHAEL PUTZEL

2/11/93 Boston Globe

Texas siege, Clinton backing bolster efforts at gun contro

■ GUN CONTROL

Continued from Page 1

proposal is given little chance of passage this year, but some Texans find it remarkable that the bill is even up for debate.

"In light of what's going on in Texas, we're going to tackle assault weapons," said Michael Beard, president of the Coalition to Stop Gun Violence. "We have a window of opportunity right now, and no idea how wide it is."

Meanwhile, Sarah Brady, who heads Handgun Control Inc., said the same voter anger that fueled anti-Washington fever in last fall's elections has helped turn the tide against the National Rifle Association, whose campaign contributions and army of grass-roots members have defeated most gun laws for decades.

Brady, whose husband, Jim, was gravely wounded in the assassination attempt on President Reagan 12 years ago, has acquired a powerful new ally in President Clinton. Clinton has said repeatedly that if Congress passes the Brady Bill, a proposal for handgun control that was opposed by President Bush, he will sign it.

Praise for governors

Talking to students in New Jersey last week, Clinton hailed Virginia Gov. Douglas Wilder and New Jersey Gov. Jim Florio for leading gun-control campaigns in their states. And a spate of killings of police officers from California to Virginia to Boston has helped spawn calls for new limits from law enforcement groups.

But Brady said she is even more encouraged by what she describes as unprecedented citizen concern. "The difference is the constituents are mad," Brady told the Globe. "They're mad about the carnage and mad about the kids who are afraid to go to school. And they're speaking out."

The NRA suffered a major setback last month in Virginia when its lobbying efforts failed to block a grass-roots movement championed by Wilder to limit handgun purchases to one a month. Wilder said

'The difference is the constituents are mad. They're mad about the carnage and mad about the kids who are afraid to go to school.'

SARAH BRADY
Handgun Control Inc.

the state had become notorious as a supply source for gunrunners from Maine to Florida.

In response to such recent losses, the NRA is switching tactics, putting less stress on its traditional defense of the right to keep and bear arms and launching an ambitious crusade to fight crime by building more prisons and putting more criminals in them.

"We are undertaking a fundamental new mission," said Wayne LaPierre Jr., executive vice president of the NRA. "We want to become the No. 1 crime-fighting organization in the United States of America. At the same time, we want to protect the opportunity of honest citizens to own guns."

Last week, Senate Majority Leader George Mitchell, a Maine Democrat, reintroduced the Brady Bill, which would require buyers of handguns to undergo a background check and wait five business days before picking up their purchases. The measure passed both houses of Congress last year but died when Republican opponents threatened to filibuster the crime bill to which it was attached.

Despite Brady's optimism, however, Mitchell is concerned that even a minority of opponents in the Senate could again use procedural tactics to kill the bill. He said he has made no decision about when to bring it to the floor.

State issues

Outside Washington, the battle over gun control is being waged with

new fervor in a number of states.

In New Jersey, Florio is fighting to save his state's ban on assault weapons, which have gained popularity among drug dealers and street gangs. Florio won passage of the ban in 1989, but it was repealed last year. Florio vetoed the repeal, but the lower house voted recently to override him.

Yesterday, however, proponents of the ban appeared near victory. With the state Senate president and five other Republicans saying they would not support an override of Florio's veto, observers said the pro-repeal forces could not must together the requisite votes for an override.

In Wisconsin, forces are squaring off over a referendum, scheduled for next month, on a proposal to ban handguns in Madison, the state capital.

In Congress, some gun-control advocates hope to push beyond Brady's waiting-period legislation. Rep. Mel Reynolds of Illinois, a freshman Democrat who was shot during the election campaign last year, has introduced legislation that would make firearms manufacturers liable for damage done by their products.

Reynolds, whose district includes the violence-racked South Side of Chicago, also proposes to double the existing federal excise tax on firearms and earmark the proceeds for a fund to finance trauma units in areas where gunshot wounds are a major burden on the health care system.

"After the economy and health care, this is going to be the issue of the '90s," Reynolds said, reciting an urban litany of drive-by shooting, gang violence and cases of school children being gunned down by other children.

The NRA's LaPierre agrees that violence has reached crisis levels in the United States, but he blames politicians and a collapse of the criminal justice system. "I see coming down to a fundamental philosophical debate as to whether we're going to ban guns or ban criminals," he said.

To Brady, the issue is equally basic: "Guns have no place in solving life's problems," she said.

THE WHITE HOUSE

WASHINGTON

February 1, 1994

The Honorable Mel Reynolds
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Reynolds:

Thank you for writing about your concerns with the Access Initiative in the Health Security Act. We recognize, as you do, that a Health Security Card will not alone guarantee that all Americans receive appropriate medical care. The programs in the Access Initiative are designed to assure that individuals in medically underserved communities have real access to the full range of services in the comprehensive benefit package, needed support services, and an adequate choice of culturally sensitive providers and health plans. The Health Security Act proposed by the President builds on the community and migrant health center program and provides support for these centers and other community-based providers.

You have raised specific concerns about the level of funding for community and migrant health centers. The Health Security Act authorizes \$600 million in new funds for community and migrant health centers over fiscal years 1995 through 2000. In addition, a new capacity expansion program (\$2.7 billion over fiscal years 1995 to 2000) will be available to community and migrant health centers as well as other providers in medically underserved areas to build new health care facilities, support capital improvements for existing facilities, and link current primary care providers with inpatient institutions through information systems and telecommunications. The enabling services program (\$1.2 billion over fiscal years 1996 to 2000) will be available to community and migrant health centers as well as other providers in medically underserved areas to provide translation, transportation, child-care and outreach services. Expansion of the National Health Service Corps (\$950 million over fiscal years 1995 to 2000) will increase the supply of practitioners available to serve in community and migrant health centers.

You also raised concerns about offsets in funding for Public Health Service programs. The offsets do not represent a reduction in the ability of Public Health Service programs like community and migrant health centers to provide services. The offsets represent the amount of federal appropriations that will not be needed because, with universal coverage, health plans will make payments for those services for those individuals who were previously uninsured or underinsured.

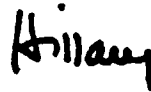
Page 2
February 1, 1994

Finally, we agree that Access Initiative grants should continue to reward community-based providers. The Access Initiative will integrate publicly-funded providers with private providers and health plans. To receive funding under this program, providers and plans must demonstrate significant community involvement as well as the ability to provide access to health services for all individuals in underserved areas.

The Health Security Act calls for substantial new funds for the Access Initiative over fiscal years 1995 through 2000. We are committed to assuring a secure funding stream for these programs and look forward to working with you and other members of Congress to define the appropriate mechanism to do so.

Please feel free to contact me with any additional concerns or questions.

Sincerely yours,

A handwritten signature in black ink that reads "Hillary". The signature is written in a cursive, slightly slanted style.

Hillary Rodham Clinton