

Deanne E. Benos
03/20/2000 06:42:50 PM

Record Type: Record

To:

cc:

Subject: Letter from the President: Guns

THE WHITE HOUSE

Office of the Press Secretary
(New Delhi, India)

For Immediate Release

March 20, 2000

TEXT OF A LETTER FROM THE PRESIDENT
TO THE CHAIRMAN OF THE SENATE
COMMITTEE ON JUDICIARY

New Delhi

March 20, 2000

Dear Mr. Chairman:

Since last summer, I have repeatedly urged the Congress to finish its work on juvenile crime legislation and pass a balanced, bipartisan bill with strong gun measures to keep guns out of the hands of children and criminals. However, I am troubled by your recent comments that you are considering stripping the Senate-passed commonsense gun provisions out of the final conference report. Legislation intended to address the problem of youth violence simply cannot ignore the most devastating problem facing our youth -- gun violence.

Let me be clear: I will not sign juvenile crime legislation that fails to move forward in our efforts to make guns safer, and to keep them out of the hands of children and criminals.

Last summer, the Senate passed reasonable gun provisions that would

help do just this, by closing the gun show loophole, requiring child safety locks for handguns, barring violent juveniles from owning guns as adults, and banning the importation of large capacity ammunition clips. These measures can help save lives and should be enacted without further delay.

Last week, my Administration, joined by many cities and states, reached a landmark agreement with Smith and Wesson under which the company will change the way it designs, distributes, and markets its products. That pact -- which includes important provisions on gun shows, child safety locks, and large ammunition clips -- is proof that when reasonable people choose to sit down and negotiate, they can find common ground and protect the public interest. I hope Congress can now build on that example.

Nearly a year has passed since the tragedy at Columbine High School, and gunfire continues to take the lives of nearly a dozen young people a day. That is why I urge you once again to finish the job you started last year and send me a comprehensive juvenile crime bill that contains the Senate-passed gun safety measures. No task could be more urgent.

Sincerely,

WILLIAM J. CLINTON

#

March 20, 2000

Orrin Hatch
Chairman
Committee of the Judiciary
United States Senate
Washington, DC

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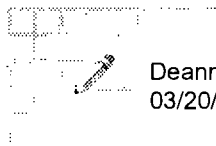
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Sincerely,
BC



Deanne E. Benos
03/20/2000 01:35:37 PM

Record Type: Record

To:

cc:

Subject:

licensed dealer -- 50 or more
gun dealers have to operate out of storefront
secure storage (our bill)
common carrier (our bill)
4 unannounced inspections per year
personal collection of licensees must have checks
suspension of licenses (our bill)
limited restoration of rights for violent felons and serious drug offenders
retitling the Intensive Gun Violence Reduction Strategy and Project Exile Implementation Act
Ballistics

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April 11, 2000

The Honorable Orrin G. Hatch, Chairman
 Committee on the Judiciary
 U. S. Senate
 SD-224
 Washington, D.C. 20510

Dear Chairman Hatch:

We write to request a juvenile justice conference meeting as soon as possible.

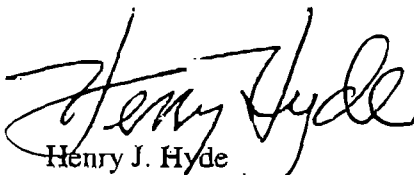
As you are aware, in the last two months, we have witnessed a succession of gun violence tragedies. We have been shocked by a six-year-old shooting a six-year-old in Mount Morris Township, Michigan. We have seen a nursing home held hostage and a mass shooting in Pittsburgh. In February, Memphis firefighters responding to a call were shot and killed by a disturbed man. It is clear that the Nation would like Congress to respond.

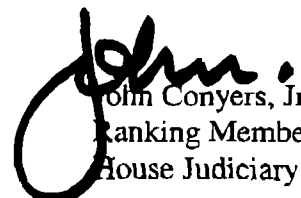
We know that there is not complete agreement on all of the issues before the Conference. We also recognize the need for compromise. We have already agreed in principle to proposed language to reduce the waiting period to 24 hours in most cases, but are still trying to resolve appropriate "safety hatch" exceptions.

We have pledged to each other to begin anew negotiations. We believe, however, that beginning the work of the Conference will play a constructive role in the necessary process of narrowing our differences.

We appreciate your consideration of this request.

Sincerely,


 Henry J. Hyde
 Chairman
 House Judiciary Committee


 John Conyers, Jr.
 Ranking Member
 House Judiciary Committee

Proposed Hyde Compromise on Juvenile Justice

I. The proposed compromise has not fixed the significant loopholes present in the last version.

- The definition of a gun show is restricted to "an event which is sponsored to foster the collecting, competitive use, sporting use, or any other legal use of firearms". As a practical matter, this definition opens a loophole that could exclude flea markets and other events at which large quantities of firearms are sold. Gun shows could simply evade the proposed background check requirements by claiming that the event was sponsored for another purpose.
- There is no requirement that the serial numbers of guns sold at gun shows be reported to the Secretary. The Senate gun show legislation included this requirement, to help ATF close the tracing "gap" with respect to used guns sold at gun shows.
- The time period for conducting most background checks at gun shows would be shortened from 3 business days to 24 hours. There is no need for this provision; the FBI completes the vast majority of background checks within 2 hours. The background checks that cannot be completed within 2 hours involve individuals who are 20 times more likely to be prohibited than the average gun purchaser. By restricting the FBI's ability to do a complete background check, this provision in the compromise language would allow more of these felons and other prohibited persons to obtain guns.

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➤ By expanding the number of persons allowed to initiate NICS, the compromise weakens the ability to ensure that NICS checks are not abused for non-firearm-related purposes. In turn, this weakens the ability to protect the safety of individuals subjected to NICS checks for firearm purposes.

➤ Instant check registrants are not subject to the same recordkeeping requirements as licensed dealers; they are not required to file multiple sales or transfers with ATF, nor are they required to cooperate with ATF in trace requests. Accordingly, it will be virtually impossible to trace criminals that were sold at gun shows through instant check registrants.

➤ The compromise language creates ambiguity as to ATF's authority to deny instant check registration to felons and other prohibited persons. This ambiguity should be removed.

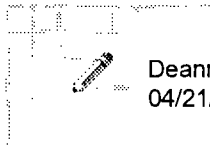
- The existing language would encourage evasion of the background check requirements by individuals who initiate transactions at gun shows, then complete the transfers elsewhere. A new criminal penalty for those who structure transactions to evade the requirements of the law would not cover most of these transactions. For example, while registrants would be provided with a copy of a document provided by the Secretary, setting forth *verbatim* the requirements of the law, this document would not be provided to vendors. Accordingly, it would be very difficult to prosecute vendors who evade the background check requirements, since it would be difficult to establish that they knew the requirements of the law.
- Gun show promoters and instant check registrants are given civil immunity from liability. This encourages careless behavior on their part.
- Roving vendors are not subject to the same requirements as vendors at fixed locations.
- The ban on importation of large capacity ammunition feeding devices is meaningless as drafted. Unlike the Senate bill, the compromise language fails to amend the definition of a "large capacity ammunition feeding device" to include devices manufactured on or before September 13, 1994. Many such devices have been imported into the United States pursuant to existing law; this amendment would continue to allow the importation of such devices.
- The compromise bill would prohibit the charging of a fee in connection with a NICS check. This prohibition would apparently apply to State POCs as well as the FBI, and would discourage participation in NICS by State POCs.

II. The proposed compromise opens new loopholes.

- Hyde has proposed new language that would generally require the completion of Brady background checks from gun shows within 24 hours; however, it would allow the FBI the full 3 business days to complete *certain* background checks. This language would not provide the FBI with adequate time to complete background checks.
 - The FBI would be allowed the full 3 business days in cases where the person has been arrested for an offense described in 18 U.S.C. 922(g), and the disposition of the arrest has not been communicated to the Attorney General. This language is acceptable, but it is limited only to arrest records.
 - The FBI would also be allowed the full 3 business days in cases where there is an "official record that the person being checked may be a person described in such section 922(g), and there is no official disposition record to the contrary." This language unnecessarily restricts the type of cases in which the FBI may require more than 24 hours to complete a background check. For example, the

FBI may receive telephonic advice from a court clerk or State police officer to the effect that the individual is under a restraining order or was convicted of a disabling offense; however, it might be impossible to retrieve the supporting records within 24 hours (especially on a weekend). Such advice would presumably not constitute an "official record."

- The compromise language would not include cases where there was information indicating that the person was indictment on felony charges. Such a person would be prohibited from possessing firearms under 18 U.S.C. 922(n).
- The compromise language would now allow a licensee to ship a gun to a purchaser after the gun show ends, regardless of whether the purchaser resides in the State where the gun show was held. This amendment would *significantly* weaken the existing controls on the interstate shipment of firearms.
 - At a minimum, the language should be amended to clarify that it overrides the existing provisions in the GCA that would prohibit such an interstate shipment of a firearm to a nonlicensee
 - Furthermore, the language should be amended to clarify that it is *not* intended to supersede the existing restrictions that make it unlawful for a licensee to sell a handgun to someone who does not reside in the same State.
- The compromise language would also allow instant check registrants to ship firearms to purchasers who reside within the State. It is not clear why the instant check registrant would have possession of the firearm in the first place; they are not supposed to be transferring guns, they are merely supposed to be initiating NICS checks
- The compromise language would require the "immediate" destruction of all records of NICS background checks regarding persons who are not prohibited from possessing firearms. This would significantly restrict the ability of the FBI to audit the system for abuses.



Deanne E. Benos
04/21/2000 04:17:06 PM

Record Type: Record

To: Anna Richter/OPD/EOP
cc:
bcc:
Subject: Re: Letter from the President to Representative Hyde

Anna Richter



Anna Richter
04/21/2000 04:03:41 PM

THE WHITE HOUSE

April 21, 2000

The Honorable Henry Hyde
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20510

Dear Chairman Hyde:

As you know, yesterday marked the anniversary of the tragic shootings at Columbine High School -- and the date by which I had called on Congress to enact common sense gun safety legislation. The passing of this deadline is a deep disappointment. When nearly 12 of our nation's children are killed by gunfire every day, we have an urgent responsibility to do all we can to reduce gun violence. That is why I am grateful for your good-faith efforts to seek agreement, despite tremendous pressure on Congress from the gun lobby. I was also glad to see that you joined Representative Conyers last week in urging Chairman Hatch to promptly convene the juvenile justice conference and to move forward at last on this legislation. And I

appreciated receiving your most recent proposal to reach a compromise.

I still have serious concerns about aspects of your latest proposal that I fear would create new loopholes for criminals to buy guns. But I am confident that if we can keep working together in good faith, we can reach agreement on a strong, common-sense bill that I can sign into law.

I was especially encouraged by your recent commitment on "Meet the Press" and in your letter to Mr. Conyers to ensure that persons under felony indictments remain subject to full, three-day background checks. It is critical that we make the same effort to stop criminals from buying guns at gun shows that we already make at gun stores.

In order to prevent fraud, protect privacy, and fully enforce the nation's gun laws "goals we both share" I believe we must make National Instant Criminal Background Check System records available for a sufficient period of time rather than immediately destroy them. However, as a gesture of good faith, I am willing to meet you halfway on this important issue, by requiring records to be destroyed within 90 days, instead of 180 days as provided under current law. With this compromise, we can address your concerns while preserving this significant law enforcement tool. I hope this step will help break the current logjam, and bring your colleagues back to the conference table.

We still have other important issues to resolve. I remain concerned about aspects of your proposal that would leave open the gun show loophole by letting criminals buy guns at flea markets and by cutting short existing background checks on persons with certain mental health histories and domestic violence restraining orders; undermine the ban on importation of high-capacity ammunition clips; weaken longstanding controls on interstate firearms sales; and fail to require vital recordkeeping provisions needed by law enforcement to trace guns sold at gun shows that later turn up in crimes.

Despite these significant outstanding issues, I believe we can reach an agreement. It is my sincere hope that in the coming weeks, we can work together to address our common goal of closing the gun show loophole and ensuring that our nation's gun laws are fully enforced without weakening current gun laws in the process. Neither of us is interested in a compromise that would serve only to compromise public safety and the effectiveness of law enforcement. I look forward to working with you to pass this common sense legislation, and encourage you to continue urging Chairman Hatch to allow the conferees to meet and consider this legislation. As you have stated, our efforts will come to nothing until that happens. Only by allowing an open and honest debate in conference and by working out our differences can we do right by the American people on this vital issue. We owe it to the families of Littleton, and the thousands more who lose their lives in gunfire each year in America, to get this done now.

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NBC News Transcripts

SHOW: MEET THE PRESS (10:00 AM ET)

April 16, 2000, Sunday

LENGTH: 1770 words

HEADLINE: REPRESENTATIVE HENRY **HYDE** AND SENATOR CHARLES SCHUMER
DISCUSS POSSIBILITIES FOR GUN CONTROL LEGISLATION

BODY:

MR. RUSSERT: And we're back.

Henry **Hyde**, let me just ask a quick question on Mr. Podesta's comments about the president impeachment. The president said that he was not ashamed of being impeached, that it in fact was a partisan effort like the Republican revolution, like tax cuts. And you were head of that effort.

REP. **HYDE**: Well, I think, with due respect to Mr. Podesta, he's wrong. It wasn't a partisan effort. It was an onerous task imposed upon us by the law. The independent counsel statute required the independent counsel--who we didn't appoint--to provide the House of Representatives with substantial credible evidence of impeachment. He sent us 11 items. We had to deal with them, or we would walk away from our duties. So...

MR. RUSSERT: Should the president be ashamed of being impeached?

REP. **HYDE**: Well, I don't want to say that he should be ashamed, but I would be ashamed. When he got fined \$ 90,000 by Judge Susan Webber Wright for misleading the court, I think those are things that a president oughtn't be proud about.

MR. RUSSERT: Would it be in the interest of the nation for him to be indicted after he leaves office?

REP. **HYDE**: I don't want to say that. The impeachment is over. My role as an adversary of the president is over. The president prevailed on a 50-to-50 vote. What the independent counsel does is within his discretion--prosecutorial discretion. Many senators, including my friend, Chuck Schumer, kept saying, "Let's not find him guilty of impeachment, because the law will take care of it after he leaves office."

But I would not presume to tell the independent counsel what he should do. I think the country's weary of this whole saga, but he also has a duty to enforce the law, to take care that the laws are faithfully observed. So that's his problem and he's welcome to it.

MR. RUSSERT: Senator Schumer, you did say, when you supported censure of the president, that the law will treat him like any citizen when he leaves office. If, in fact, they indict the president, you would be open to that.

SEN. SCHUMER: Well, you know, again I agree with Henry on just about all of what he said there. The president did some wrong things; obviously, terribly wrong. He will have the mark of Cain on his forehead because of them. But I do think that the American people have said, "Let's move on. We've been through this process in a way that has traumatized the nation. It's time to move on to other things."

MR. RUSSERT: Let's move on to gun control. Chairman **Hyde**, you have a proposal, which I outlined with Mr. Podesta. He said it has the grounds for perhaps potential compromise. The one sticking point seems to be the waiting period. You're saying 24 hours for most Americans, 95 percent who can be approved in two hours, and those where a red flag is waved, allow a three-day period so it can be checked out thoroughly. Mr. Podesta said, "Why do you want to destroy the Brady background

records?" and this whole debate about unofficial versus official records. Bottom line: Can you get over that hurdle?

REP. **HYDE**: Well, I would hope so. I would like to discuss with Mr. Podesta the reasons for getting rid of the records of people who are eligible to purchase a gun. There's no reason to keep them. It is only those problematic applicants whose records you can keep and keep in perpetuity. But if you pass the test, if a national instant check finds you eligible, there's no purpose to keep those records, but a fear among some people that this is a precursor to a national registration system which is anathema to them. In the give and take of trying to compromise, I think it is perfectly acceptable to say, "Keep the records of the questionable ones but get rid of the records of those who pass," so I just don't agree with him on that.

MR. RUSSERT: Senator Schumer?

SEN. SCHUMER: Yeah. Yeah, again, I think Henry hit it on the head. There's a small group of people who are holding this up, people who are afraid of any kinds of records being kept. This was a new provision put in the compromise, and I agree with--I think Henry is trying to move to a compromise and respect him for it. But if you're not allowed to keep records, then gun dealers who don't want to obey the law will never be brought to justice. Our great problem--we have shown that 50 percent of the crimes used in guns come from 1 percent of the dealers, the rotten apple dealers. And if they can just rip up their records, we'll have no way of knowing whether they're obeying the law or not. We keep records in every other aspect of life. Why not here?

MR. RUSSERT: Senator Schumer, can there be a gun control bill this year and what would the Republicans have to agree to to make that happen?

SEN. SCHUMER: I think we're getting closer, and I am hopeful. I think what Henry **Hyde** has proposed on the 72 hours is a big step forward. I think there are three provisions left. One is the records. The records should be kept plain and simple. The N.R.A. says they believe in enforcement. Ask law enforcement. The best law enforcement tool of the record.

Second, we would have to define what a gun show is. The way the definition is now, if you were to set up a camping show but 90 percent of the people there were selling guns, you would not have to do a Brady check.

And third, although I think Henry disputes me, we think that people who have been indicted for a felony should have to wait the 72 hours. That should be a red flag.

REP. **HYDE**: It's part of our bill.

SEN. SCHUMER: Well...

REP. **HYDE**: It is part of our bill.

SEN. SCHUMER: ...if it truly is--the bill I've seen--the one that was sent over to my office by your folks did not do that. But if does, great. Then that one's off the table and we only have two things left.

REP. **HYDE**: Absolutely.

MR. RUSSERT: Chairman **Hyde**, can you deal with those two issues?

REP. **HYDE**: Certainly. And I'd be happy--look, Tim, I have a fear and I hope I'm dead wrong that some people want the issue, they don't want a bill. You get to the 10-yard line and you look up and there are no goalposts. They've moved them on you. I have been trying to negotiate for--well, since last November, and they keep moving the goalposts on me.

Mr. Conyers, my counterpart, in the Judiciary Committee, wrote me recently saying he will not negotiate until Senator Hatch calls a meeting of the conferees. Well, Senator Hatch is concerned, and rightly so,

that that will just provide a forum for posturing, for beating up on people who disagree with the liberal view on this. And he'd like to see us reach an agreement and then put it on the table. Well, all of that doesn't argue for a bill. It argues for contention and for issues. So I think we can do it, if there's goodwill and sincerity on all sides. I know Chuck is full of goodwill and sincerity.

SEN. SCHUMER: Thank you. Much of it.

REP. **HYDE**: But not everybody is.

MR. RUSSERT: If, in fact, you can arrange a compromise with people like Chuck Schumer, can you get it by Tom DeLay and Dick Arme, the House leadership, and Orrin Hatch in the Senate?

REP. **HYDE**: I think so. I've got a majority of the Republicans on the conference. I have four signatures. I need three more. Get three Democrats and we're in shape to make a formal offer to the Senate. That would have momentum. So I have asked the president, who called us over to the Oval Office and urged us to reach an agreement--I've asked him to weigh in and help me get those three signatures. I'm willing to...

MR. RUSSERT: What has he said?

REP. **HYDE**: I haven't heard yet. But I'm willing to negotiate constantly to try and get a bill. I want a bill.

MR. RUSSERT: Senator Schumer, do Democrats want the issue to wave around in the general campaign or do they want a real bill?

SEN. SCHUMER: Well, I certainly want a bill. I've spent more than a decade of my life trying to move things forward. There's a very simple way to remove the issue. The Lautenberg amendment, which is the original amendment passed by the Senate, has no loopholes. Now, we're down to a bill with a few loopholes. If you want to take away the issue, pass the Lautenberg amendment, which passed the Senate. Now, the reason that doesn't happen, I believe--he can't say it here--is not Henry **Hyde**, but it is Orrin Hatch and Trent Lott, it's Tom DeLay and others who have to get the permission, almost, of the NRA. And the NRA is extreme. It--this is not--Henry says the liberal view? Eighty percent of all Americans are for this. The majority of gun owners are for this.

REP. **HYDE**: The Lautenberg...

SEN. SCHUMER: This is a small group of people holding progress back.

REP. **HYDE**: Chuck, the Lautenberg amendment won't fly. It's a non-starter. He defines gun shows in such a way as to criminalize a lot of activity. The Alcohol, Tobacco and Firearms Bureau can go in and do a search of premises just because you have a license to be a gun dealer...

SEN. SCHUMER: Well...

REP. **HYDE**: ...without any reasonable cause or probable cause...

SEN. SCHUMER: No.

REP. **HYDE**: He defines gun shows--the votes just aren't there.

SEN. SCHUMER: He treats--the votes aren't there because Tom DeLay, Orrin Hatch...

REP. **HYDE**: No.

SEN. SCHUMER: ...and others won't let him. Both Houses...

REP. **HYDE**: No.

MR. RUSSERT: And John Dingell. And John Dingell...

SEN. SCHUMER: And John Dingell...

MR. RUSSERT: ...ranking Democrat in the House.

SEN. SCHUMER: Yes. But we have the majority of votes in both houses for the principles of the Lautenberg amendment. We are getting close.

REP. **HYDE**: We...

SEN. SCHUMER: I think we could have an arrangement.

REP. **HYDE**: We can...

SEN. SCHUMER: But for all the--all this pr--we have not moved the goalposts back. For all this crying, we've said, "Pass the Lautenberg amendment. Pass it, it's no longer an issue." And, Tim, let me just tell you one other thing. I believe this summer George Bush is going to call up Trent Lott and Dennis Hastert and say, "Pass it already. Because the public is so strongly for it, it's hurting me."

REP. **HYDE**: But...

MR. RUSSERT: Mr. Chairman, I'm going to give you the last word.

REP. **HYDE**: Thank you. Lautenberg cannot pass. There aren't the votes there. I won't support it. It is too drastic, just as Dingell is too drastic in the other direction. We have two Democratic amendments here that need a lot of work. I'll meet them in the middle. If you want a bill, we can do it.

SEN. SCHUMER: As long as you...

MR. RUSSERT: Can you get it done by this week, the first anniversary of Columbine?

REP. **HYDE**: Well, unfortunately, everyone is on Easter district work period and no one is around.

SEN. SCHUMER: But until Orrin Hatch convenes a conference, which he's refused to do, you can't get it done this week.

REP. **HYDE**: Once we reach an agreement, Orrin Hatch will convene a conference.

SEN. SCHUMER: Well, let's keep working.

MR. RUSSERT: And we'll be watching. Chairman Henry **Hyde**, Senator Chuck Schumer...

SEN. SCHUMER: Thanks.

MR. RUSSERT: ...thank you very much.

Next up: the 38th president of the United States, Gerald Ford; the 39 president of the United States, Jimmy Carter. A most interesting perspective on American politics coming up on **MEET THE PRESS**.

(Announcements)

LANGUAGE: English

LOAD-DATE: April 16, 2000

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SHOW: MEET THE PRESS (10:00 AM ET)

April 16, 2000, Sunday

LENGTH: 1772 words

HEADLINE: WHITE HOUSE CHIEF OF STAFF JOHN PODESTA DISCUSSES THE WHITE HOUSE RESPONSE TO THE ELIAN GONZALEZ CASE AND DEMONSTRATIONS AGAINST THE WORLD BANK AND INTERNATIONAL MONETARY FUND

BODY:

MR. RUSSERT: John Podesta, welcome.

If the 11th Circuit says Elian Gonzalez will stay in the country pending all appeals, but, in fact, custody should be granted to the father, is the U.S. government prepared to go in and take Elian Gonzalez and give him to the father?

MR. PODESTA: Well, first of all, Tim, I think we want to see this matter resolved peacefully, and as you know, the Justice Department has asked the court for an order directing the Miami relatives to effectuate the reunification with the father. We hope that that's what takes place, but the attorney general, the president and the entire federal government are prepared to enforce the law. We live under the rule of law in this country and that's what needs to happen.

MR. RUSSERT: Would the president sign off on any use of force?

MR. PODESTA: Well, I'm not going to get there, Tim, and get into that because I think that--first of all, I think we want to see a peaceful resolution to this, and I think the keys to that are in the hands of the Miami relatives and the people that are advising them. It was a little chilling to hear the attorney for the Miami relatives say there is no law at the beginning of your interview with him. But we still hope that reason will prevail and that they will do the right thing, follow the law, and have a peaceful resolution of this. But at some point, this matter needs to be dealt with and the rule of law needs to prevail. We want to see that done peacefully, and we're hopeful that that can take place.

MR. RUSSERT: Mr. Garcia-Pedrosa, the lawyer, said that as a condition, they would want a guarantee of psychiatric testing for the child before transferring custody.

MR. PODESTA: Well, it's interesting, Tim. They keep changing the bar. A couple of weeks ago, they said if Elian would just stay in the country pending appeal, that that was enough to reunite him with his father. And the father agreed to that. Then it was they wanted to be able to meet with the father and talk to the father about what they thought was in the best interests of Elian. The father agreed to that. The Justice Department arranged for that in a neutral setting. And then they backed off of that. So they keep changing the bar. And I'm not sure that at least the advisers to the Miami relatives are ever going to be prepared to do this in a peaceful way. But again, we remain hopeful that the relatives will ultimately decide that it is in the best interests of Elian to follow the law and to turn him over in a context and to reunite him with his father in a context that's peaceful and that's in his best interests and to stop the propaganda war, the trashing of father, which we now hear on morning television on Sunday, and to get back to do the right thing, to follow the law and to do what's in the best interests of this child.

MR. RUSSERT: Is Congressman Serrano correct that 20 years from now, Elian Gonzalez may still be in America?

MR. PODESTA: Well, I think that that's--again, that's up to his father. His father has said he wants to take him back to Cuba. And I think that we intend to follow the law, reunite him with his father and then that's a decision his father needs to make. At this point, his father has every intention, I think, to take

him back to Cuba.

MR. RUSSERT: The family is saying: Please, don't do it tomorrow because it's the anniversary of the Bay of Pigs invasion of Cuba, some 39 years ago, and please don't do it this week because it's Easter week. Holy Thursday, Good Friday, a period of reconciliation. Would the administration hold off a week?

MR. PODESTA: Well, I don't think, frankly, that the family has much standing to make those kind of requests. They had the opportunity last week when the attorney general arranged for a face-to-face meeting between the Miami relatives and Elian's father, Juan Miguel, to meet in a neutral setting and to turn the boy over to the father at that time. So having failed to do that, having backed away from an agreement they freely made and then to say: We should wait, we should wait, we should wait, is just--again, I don't think they have much standing to do it. If we get--once the 11th Circuit's ruled, I think the government is prepared to effectuate a return of Elian to the custody of his father, where he belongs.

MR. RUSSERT: Another big story in Washington: the demonstrations against the World Bank and the trade policies of the administration. These are scenes in Washington this morning. Large amounts of protesters, some 600 have been arrested. The police closed down the headquarters of the protesters. What's your reaction?

MR. PODESTA: Well, I think the protesters have a right to legally protest and do so in a peaceful way. And, obviously, the World Bank and the people coming to it have a right to meet, and the IMF has a right to meet, and I think the D.C. police and other local authorities are trying to do this in a way that does not use force and keeps the peace so that both groups can do what they're here to do.

They're all guests in the District of Columbia and hopefully they can go about their business and the protests can take place and the meetings can take place. And ultimately, this is a debate about what's best for people who live in the poorest conditions in the world, whether--and what their future's going to be. And we ought to have that debate, but I think that, again, the administration has strong views that we need to relieve the debt, we need to invest more in education and health care around the world, we need to remove child labor, and I think it's a good debate for the American public to have.

MR. RUSSERT: Is there a concern that the nation's capital could be closed down tomorrow, in effect?

MR. PODESTA: Well, I think that, again, there's gonna be a certain amount of inconvenience on the streets because of the street closings, etc., but I think that the authorities here are determined to make sure that the meetings take place and the capital is not closed down and the government operates and--but hopefully, the protesters can do their protest in a peaceful way and we can all move on.

MR. RUSSERT: Gun control: The president challenged Congress--first anniversary of the shootings at Columbine High School--to have a bill on his desk.

MR. PODESTA: Right.

MR. RUSSERT: Chairman Henry **Hyde** of the Judiciary Committee, who'll be on in a few minutes, has said, "All right, we'll go for safety locks, we'll ban high-capacity ammunition clips, we'll ban juvenile possession of assault weapons. And on the waiting period, 90 percent of people who apply for guns can be approved in a matter of minutes, there should be a 24-hour wait. And for other people, we'll have red flags. If there's any problem whatsoever, that would be a three-day waiting period." Is that the kind of compromise you could accept?

MR. PODESTA: Well, I don't think we can accept what Mr. **Hyde** has put on the table right now, although I think he is, in good faith, trying to find common ground on this. The president has said, as you know, that 95 percent of the checks are done within two hours and the guns are turned over, but for that 5 percent of the checks that are--that remaining 5 percent, you have 20 times higher percentage of--to have the gun check rejected, to be a felon, a fugitive or a stalker, so that you can't get the gun. And

it's those 5 percent that we're, of course, quite concerned about.

I think with regard to the one day versus three days, I think that there's some ability to work things out with Mr. **Hyde**, but there are some other provisions that he's put in that would limit the ability to look at records of people who have been indicted for violent crimes, but haven't been convicted. There's a provision, I think, we're particularly disturbed about which would require the instant destruction of Brady background checks, which I think really is the--from a commonsense perspective, you can't enforce the law if the records of the checks are immediately destroyed. But I think we could get to common ground on that.

Frankly, our bigger problem is with the Senate, which absolutely refuses to meet in conference. A conference was reported--was set up eight months ago, and Chairman Hatch is the chairman of that conference. He was off for several months on his quixotic campaign for president, but for several months he's been back in town and he refuses to meet. The president had him down with Mr. **Hyde**. Mr. **Hyde** and Mr. Conyers said, "Let's sit at a table and see if we can work this out." Senator Leahy was there, representing the Democrats in the Senate. He said, "Let's sit at the table and see if we can work this out." And so far, Chairman Hatch and Senate Majority Leader Lott have refused to convene this conference. I think if we could get to the table, some of these matters could be worked out.

MR. RUSSERT: So you think there's pretty good chance you may get gun control this year?

MR. PODESTA: I think there's a pretty good chance that if there was a give and take and common sense prevailed, that common sense gun safety legislation could be passed. If we're going to remain in a posture where you're just afraid to convene in a room--because I think the arguments or lack of credibility of your arguments will be exposed, then I don't know. They control the keys to that conference.

But I think we intend to keep the public pressure on the conference to meet and resolve these differences. The president, obviously, traveled to Colorado this week to try to--in support of the ballot issue in Colorado, which has never been thought of, really, as anything but a kind of pro-gun state where 80 percent of the people support closing the gun show loophole. We ought to sit down. We ought to meet. We ought to see if we can find common ground and compromise and move this country forward in the direction of good common sense gun safety legislation.

MR. RUSSERT: The president raised some eyebrows this week when he said he didn't feel ashamed about being impeached. What was he trying to say?

MR. PODESTA: I think what he was trying to say was that he had made a terrible personal mistake, that he's paid a heavy price for it, that he's tried to make amends for that, first, with his family--with his wife and his daughter--and with the American people. But that he thought that the impeachment itself was a partisan effort, a partisan endeavor. And that it was the decision of the people who impeached him to go ahead and do so. And it was done on a partisan basis and for that, they're responsible. Again, I think he said repeatedly that he's sorry for what he did and the personal mistake he made and what he's doing, again, to make amends for it by trying to work every day on behalf of the American people.

MR. RUSSERT: John Podesta, we thank you for joining us this morning on **MEET THE PRESS**.

MR. PODESTA: Thanks.

MR. RUSSERT: Coming next: Will Congress act on gun control? We'll ask Chairman Henry **Hyde**, Senator Chuck Schumer. Then: former Presidents Gerald Ford and Jimmy Carter, together, in a very rare joint interview. All coming up right here on **MEET THE PRESS**.

(Announcements)

MR. RUSSERT: The Columbine shootings one year later. Will there be a compromise on gun control? **Hyde** and Schumer after this station break.

(Announcements)

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April 14, 2000

The Honorable John Conyers, Jr.
Ranking Minority Member
Committee on the Judiciary
Washington, D.C.

Dear John:

In my ongoing effort to negotiate a compromise juvenile justice and gun bill, I noted your most recent objections in the CO Daily Monitor on April 13, 2000, wherein it is stated that my proposal "would not catch questionable people who do not fall under the 'arrest' category - such as the mentally ill, the dishonorably discharged, and those with domestic violence or stalking misdemeanors." I believe the language in my proposal will catch any disqualified person so long as there is a record of the disqualification. We do not in any way change current law regarding ineligibility to purchase guns. All of the disqualifications under the Brady law (Section 922 of title 18 of the United States Code) will remain in force and any official indication of such disqualifications will trigger the longer, three-day waiting period.

It is argued that "by leaving out unofficial records, a host of questionable buyers would fall through the cracks," under my proposal. Such an argument misunderstands the effect of my proposal, which contemplates that any information of a possible Brady disqualification that is contained in the National Instant Check Systems (NICS) will trigger the three-day review period. The term "unofficial record," by itself, could include a letter from a disgruntled neighbor or the scribbling on a cocktail napkin. It is too vague, but more importantly, any record in the NICS database that suggests the existence of any of the Brady disqualifications would be used under my "official record" language to trigger the three-day review period.

Regarding the three-day waiting period for those under indictment, I believe the "official record" language in my proposal covers persons under indictment. As you know, records of indictments are included in the NICS database. However, I am willing to work with you to ensure that such disqualified purchasers are explicitly covered by my proposal and would receive the three-day review.

You have also questioned the need for immediate destruction of records. It is important to note that the records of any ineligible purchaser can currently be retained in perpetuity and can

be freely used by law enforcement to investigate, charge, and prosecute those who try to buy a gun illegally. In fact, such NICS records are currently kept by the FBI, though, as a practical matter, they have rarely been used to charge or prosecute anyone. Under my proposal, it is only the records of eligible, approved purchasers that could not be retained. As you know, a provision regarding the immediate destruction of records is vital to those who see universal record retention as a back door to a federally maintained national registry, and therefore, necessary to include if we are to actually get the votes to pass a law.

John, do you want a bill? You have to compromise, as I have to compromise. I believe I have presented you a reasonable compromise. I await your acceptance or your counteroffer.

Sincerely,



HENRY J. HYDE

Chairman

House Committee on the Judiciary