

hud NEWS

Department of Housing and Urban Development – Andrew Cuomo, Secretary
Office of Public Affairs, Washington, DC 20410

HUD No. 00-225

(202) 708-0685

<http://www.hud.gov/news.html>

FOR RELEASE

Tuesday

August 22, 2000

CUOMO, MAYORS AND SHEEN CONDEMN DECEPTIVE AND UNFAIR AD CAMPAIGN BY GUN MAKERS

Mayors to file complaint with FCC; Sheen accuses ad campaign of voice identification theft.

WASHINGTON – Housing and Urban Development Secretary Andrew Cuomo joined Mayors Joseph Ganim of Bridgeport, Connecticut – Co-Chair of the US Conference of Mayors Gun Violence Task Force, James Sills of Wilmington, Delaware, and Atlanta Mayor Bill Campbell (via telephone), Cleveland Police Chief Martin Flask, Newark Police Chief Anthony Ambrose and Washington D.C. Police Chief Charles Ramsey at the National Press Club today to condemn the gun industry's \$10 million advertisement attack on the patriotism and personal integrity of the local and national officials who have tried to hold the industry accountable for its actions.

The mayors are seeking to have a response advertisement – to be voiced by actor Martin Sheen – aired by the broadcasters and cable-casters that ran the National Shooting Sports Foundation/Hunting and Shooting Sports Heritage Foundation (NSSF) ads.

The NSSF ad wrongly accuses the Clinton Administration and “big city mayors” of stripping Americans of their right to bear arms. The campaign includes at least one sixty-second (:60) advertisement which ran numerous times during both the Democratic and Republican National Conventions and contains the following language, “we...the makers of America's firearms...are being blamed for crime violence by this administration and big city mayors whose greedy lawyers are using your tax dollars to sue us for criminals they won't prosecute.”

The mayors are part of a group of 33 communities that have filed suit in an attempt to force the gun industry to take responsibility for the guns they manufacture – making them safer and keeping them out of the hands of children and criminals.

In a letter to broadcasters and cable-casters requesting an opportunity to respond to this personal attack, the mayors write that “Most deplorable of all, the ad deliberately makes these charges against a visual background depicting a “big city mayor” desecrating the American flag.

-more-

**U. S. DEPARTMENT OF HUD**

Office of the Secretary/Special Actions Office

451 7th Street, SW, Suite 10142

Washington, DC 20410

Phone: 202-708-2046

FAX: 202-401-6725

To:

Deanne Bender

Phone:

FAX: 456-7028

Date of

Transmission:

8/22/00

Number of Pages (Including cover sheet):

19

From:

Nester Davidson

Phone:

202-708-2046

FAX:

202-401-6725

Comments:

If there are any problems with this transmission, please call 202-708-2046

August, 22, 2000

WCAU-TV
Dennis Bianchi
President and General Manager
NBC 10
10 Monument Road
Bala Cynwyd, PA 19004-1771

KYW-TV
Marcellus Alexander
General Manager
101 S. Independence Mall East
Philadelphia PA 19106-2597

CNN/Cable News Network
Steven Korn
Chief Operating Officer
P.O. Box 105366
Atlanta, GA 30348-5366

Dear Gentlemen:

We, the undersigned Mayors, authorized the filing of a law suit by our Cities against the gun industry in an attempt to force the industry to acknowledge its part in the deaths of over 30,000 people in this country each year. During the week of August 14, 2000 your network repeatedly broadcast an advertisement sponsored by the National Shooting Sports Foundation and the Hunting and Shooting Sports Heritage Fund. Because this ad attacks not only our personal integrity and character, but our patriotism in taking this action, we are seeking the redress afforded us under the FCC's Personal Attack Rule, which affords a subject whose character, honesty, or integrity is personally attacked a reasonable opportunity to respond.

The ad attacks "big city mayors" who employ "greedy lawyers" to sue the gun industry. We are accused of failing to prosecute criminals, being motivated by political self-interest and greed, attempting to destroy American values, and being unpatriotic. Most deplorable of all, the ad deliberately makes these charges against a visual background depicting a "big city mayor" desecrating the American flag. This ad constitutes a direct attack on our character, our honesty and our love of this country. These are precisely the kind of unwarranted personal attacks that the FCC's rule seeks to remedy.

We are patriotic Americans who love our flag and country. We have taken action against the gun industry not from selfish or unpatriotic motives, but to attempt to stem the tidal wave of senseless killing engulfing this country. We are outraged by the crass, slanderous attacks on our integrity, and we seek your assistance in helping us to exercise our legal right to respond to these charges. We are entitled by law to an opportunity to respond to these attacks. By law, you were required, no later than one week from airing, to provide us formal notification of the broadcast, a script or tape of the ad, and the opportunity to respond. Despite the fact that several weeks have passed since the airing, you have undertaken none of these steps. Should this demand not afford us the relief to which we are entitled, we will be left with no avenue except to file a complaint with the FCC. We are fully prepared to do so.

Sincerely,

Mayor William Campbell, Atlanta, Georgia

Mayor Joseph Ganim, Bridgeport, Connecticut

Mayor Clarence Harmon, St. Louis, Missouri

Mayor James Sills, Wilmington, Delaware

Mayor Michael White, Cleveland, Ohio

Mayor Sharpe James, Newark, New Jersey

Mayor Scott King, Gary, Indiana

Mayor Shirley Dean, Berkeley, California

Mayor Jimmie Yee, Sacramento, California

DRAFT *** DRAFT *** DRAFT *** DRAFT *** DRAFT *** DRAFT

Hon. William Campbell,	)	
Hon. Shirley Dean,	)	
Hon. Joseph Ganim	)	
Hon. Hamilton Hicks	)	
Hon. Clarence Harmon	)	
Hon. Sharpe James	)	
Hon. Scott King	)	
Hon. Michael White	)	
Hon. Jimmie Yee	)	
	)	
Complainants,	)	
	)	
v.	)	BEFORE THE FEDERAL
	)	COMMUNICATIONS COMMISSION
KYW-TV,	)	
WCAU-TV, and	)	
CABLE NEWS NETWORK, INC.,	)	
	)	
	)	
Respondents.	)	

COMPLAINT

1. This complaint seeks relief under the Federal Communication Commission's Personal Attack Rule, see 47 C.F.R. §§ 73.1920, 76.209, for outrageous attacks on complainants' character, honesty, and integrity aired by KYW, a CBS-owned and operated affiliate in Philadelphia; WCAU, an NBC-owned and operated affiliate in Philadelphia; and the Cable News Network, a subsidiary of Time Warner, Inc.

2. Complainants are the mayors of the cities of Atlanta, GA; Berkeley, CA; Bridgeport, CT; Cleveland, OH; Gary, IN; Newark, NJ; Sacramento, CA; St. Louis, MO; and Wilmington, DE. Each has authorized their respective cities to file suit against the gun industry in an attempt to reduce the toll of gun violence caused, in part, by recalcitrant gun makers unwilling to take reasonable steps to make their products safer and keep them out of the hands of criminals and children.

3. On a nightly basis during the Republican National Convention, respondents aired an advertisement sponsored by the National Shooting Sports Federation (NSSF) and the Hunting and Shooting Sports Heritage Fund (HSSHF). It is

complainants' belief that the advertisement was aired as well during the Democratic National Convention, August 14 to 17. By this filing, complainants are also seeking redress against any other stations that might have aired this advertisement.

4. The 60-second commercial depicts a well-dressed man, clearly meant to represent complainants, carefully and callously shredding an American flag, while a narrator claims that "the makers of America's firearms" are "being blamed for crime violence by this administration and big city mayors whose greedy lawyers are using your tax dollars to sue us for criminals they won't prosecute." Transcript of NSSF/HSSHF commercial (attached as Exhibit 1). The narrator claims that the gun industry "need[s] you. Because when the government attempts to destroy America's free market place in order to achieve a political agenda, only your vote can save an industry." Id.

5. Complainants submit that these statements and images constitute a clear violation of the Personal Attack Rule.

6. As the Commission has recognized, see, e.g., In re Application of Eagle Radio, Inc., 9 F.C.C.R. 1294 (1994), the Personal Attack Rule has three essential elements: that a licensee air an attack a) "during the presentation of views on a controversial issue of national importance," b) that is "made upon the honesty, character, integrity or like personal qualities," c) of "an identified person or group." 47 C.F.R. §§ 73.1920(a). Each of these elements is met in this instance.

A Controversial Issue of National Importance

7. The debate over gun safety and gun violence is clearly a controversial issue of unquestioned public importance engendered by the more than 30,000 people killed each year in America by products manufactured by respondents and others in the gun industry.

8. This debate has been the subject of vast amounts of broadcast, cable-cast, and print media coverage. For example, the Media Research Center reviewed two years of news reports on gun policy on four evening shows and three morning broadcasts from July 1, 1997 to June 30, 1999. The MRC identified 653 stories devoted to the subject, of which 47 were concerned with lawsuits against gun manufacturers. See June 1, 2000 WORLD & I, at 8083. The Washington Post

alone has placed gun control in the headlines of 20 stories this year.

9. Moreover, this issue has received attention from national leaders and local leaders such as complainants and other mayors. For example, the Senate deadlocked last year over a juvenile justice bill that included a provision requiring background checks for firearm purchases made a gun shows, with Vice President Al Gore casting the tie-breaking vote in favor of the measure. See 145 Cong. Rec. S5633-05, S5642 (May 20, 1999).

10. And the public is focused on this issue in unprecedented numbers. Indeed, on May 14, 2000, hundred of thousands of women marched in support of sensible gun-safety measures in the Million Mom March. And, on the other side of the debate, NSSF President Robert Delfay has indicated that the gun industry will support their positions with substantial funds. "Manufacturers will commit 1% of their annual revenue to the HSSHF. The budget will likely be tens of millions of dollars." Tamar Hausman, "Your Career Matters: Help Wanted," March 30, 1999 Wall St. J. at B12.

The Personal Attacks

11. The advertisement makes several deplorable attacks on complainants' character, honesty, and integrity, accusing them of moral turpitude of the highest order.

12. First, and most disturbing, the advertisement attacks the basic respect that each complainant has for the American flag, our nation's most sacred symbol. The ad does so by clearly depicting a so-called "big city mayor" in the act of desecrating this national symbol. The accusation that an individual would commit such a heinous act clearly falls within the ambit of the rule. Cf. In re Thomas O'Brien, 42 F.C.C. 2d 1106 (1973) (accusation of treason constituted a personal attack). As Justice Kennedy has noted, although the First Amendment protects the right to do so, desecrating the flag is "repellent . . . to the Republic itself," Texas v. Johnson, 491 U.S. 397, 421 (1989) (Kennedy, J., concurring).

13. Next, by associating complainants with the desecration of the flag, by implying that complainants do not respect "the patriots" who fought and died for our country, and by asserting that complainants seek to undermine the very bed-rock of American free enterprise, the commercial accuses them of a lack of patriotism.

14. Third, by alleging that complainants will not prosecute criminals and are "destroying America's free market place in order to achieve a political agenda," the commercial accuses complainants of crass opportunism and dishonesty. Cf. In re Rev. Paul E. Driscoll, 40 F.C.C. 2d 448, 450 (1973) (remarks that state or imply that that an individual has committed an act that is "by definition" criminal or dishonest covered by rule).

15. Finally, the advertisement baselessly accuses complainants of employing "greedy" lawyers and misappropriating public funds to distract their constituents from their claimed unwillingness to enforce vigorously the criminal law.

16. These claims, moreover, are made in a patently deceptive fashion. According to press accounts, the sponsors of the advertisement chose the narrator's voice to resemble a well-known actor, Martin Sheen. See New York Daily News, August 18, 2000, at 10 (attached as exhibit 4). The actor chosen for the advertisement does indeed have a voice that is strikingly similar to Sheen's.

An Identified Person or Group

17. It is clear that the commercial constitutes a personal attack made against a discrete and identifiable group of individuals - specifically, complainants and their colleagues who have filed suit against the gun industry. It identifies them as "big city mayors whose greedy lawyers are using your tax dollars to sue" the gun industry, clearly delimiting a specific category of intended victims, recognizable to anyone even remotely familiar with this issue.

Relief

18. On August 22, complainants sent a letter to those stations it could identify as having aired the advertisement at issue demanding the redress afforded under the Personal Attack Rule. August 22, 2000 Letter to Respondents at 1 (attached as exhibit 2). None of the stations who received this letter provided complainants with an opportunity to rebut these accusations.

19. Therefore, in view of the facts set forth above, complainants request that the Commission require respondents to provide notification of the full dates, times, and identifications of the broadcasts of the attack, and a

reasonable opportunity to respond. See 47 C.F.R. § 73.1920(a)(1), (3).¹

20. Specifically with regard to the latter relief, complainants request that respondents, and any other station intending to air the ad, cease airing these attacks until such time as complainants are provided with the opportunity, free of charge, see Broadcast Procedure Manual, 49 F.C.C. 2d para. 16 (1974) (describing the remedy as "an offer of a reasonable opportunity to respond over the station's facilities free of charge"); cf. Red Lion Broadcasting Co. v. FCC, 395 U.S. 367, 392-93 ((1969) (discussing free response), to air their own response advertisement immediately following any future airing of the attack.

21. In order to counteract the deceptive nature of the advertisement respondents aired, the response advertisement will be narrated by actor Martin Sheen. This is, complainants assert, the only reasonable response, given the ad's misappropriation of Sheen's voice.

22. The NSSF/HSSHF has announced that it will run this same commercial during the fall in states such as Michigan, Missouri, Ohio, and Pennsylvania. See James Dao, "Commercials By Gun Industry Will Try to Counter Litigation," July 28, 2000 New York Times at A15 (attached as exhibit 3). Complainants accordingly urge expedited consideration of this matter by the Commission.

23. In sum, this case arises at the heart of the Personal Attack Rule, and it incumbent upon the Commission to act quickly to ensure that the public debate about this critical national issue no longer be obscured by unanswered, inappropriate invective.

Respectfully submitted,

Attorney for Complainants

Date: _____

¹ Complainants are entitled as well to receive a script or tape of the ad, see 47 C.F.R. § 73.1920(a)(2), but have obtained a tape independently.



COMMENTS ON GUN INDUSTRY AD ATTACKING MAYORS

Mayor Marc Morial of New Orleans: "This television campaign is both despicable and anti-American. The mayors of this nation have a responsibility to ensure the public safety of our citizens. How can we begin to meet that responsibility when a five-year-old is as capable of using a gun as a 25-year-old? Aspirin comes in a child proof bottle. Cars have seat belts and airbags. But anyone can just point and shoot a gun. We must continue our efforts to end the violence that has brought our nation to a silent fear. We want guns made safer."

Scott King, Mayor of Gary Indiana whose 17 year-old nephew was a victim of handgun violence, said "The recent spate of television advertisements on behalf of the gun industry are, in my view, inappropriate and inaccurate in so far as they suggest that anyone that advocates for greater responsibility on the part of their industry to reduce the unacceptable rates of injury and death resulting from handguns is, somehow, unpatriotic." He went on to say, "Notwithstanding the intensity of my views on this issue, I have not and will not impugn the patriotism of those that have different views from mine. As our country moves forward in debate regarding this issue, I would hope that attacks such as these ads are not the means by which opponents of reasonable handgun safety measures express themselves as it detracts from the dialog necessary to reduce the killing and maiming of Americans."

Mayor Jimmie Yee Sacramento, California: "On March 23, 1999, the Sacramento City Council voted, on behalf of the more than 400,000 residents of our City, to initiate civil liability litigation against the firearms industry. Sacramento's action has always intended to create safer neighborhoods in our City. By resolution, our City Council said that our action was not to promote gun control, seek monetary damages or otherwise destroy legitimate businesses." He continued, "Sacramento's action was to compel gun manufacturers to understand that their products leave in their wake unnecessary death and destruction, pain, bereavement, grief, fear and shattered neighborhoods in our City. We will not back away from this objective."

COMMENTS 00-225

Page Two

Mayor Joseph Ganim of Bridgeport, CT: "This is clearly an act of desperation by the gun manufacturing industry. How else can you explain the wasting of \$10 million dollars on advertising that insults those who served this country solely for the purpose of avoiding responsibility for the weapons they manufacture. To infer that the effort to keep weapons out of the hands of criminals and children, and to make the weapons safer through design is unpatriotic and is proof positive the gun manufacturing industry is realizing the hopelessness of their argument."

St. Louis Mayor Clarence Harmon: "These ads constitute a direct attack on my character, my honesty, my love of country, and my responsibility for the health, safety and welfare of the citizens of the City of St. Louis. They attack not only my integrity, but allege that I, and the other mayors, will not prosecute criminals. As a former police chief of the City of St. Louis, and now as mayor, I have a thirty-year record of bringing criminals to justice. The gun lobby invokes the memory of our nation's warriors, and wraps itself in their flag. It implies that I betray all that our veterans fought for. As a veteran, I find this tactic repugnant. I served to defend our children from the same terrors that the gun manufacturers visit upon them every day. I am joining the other mayors in demanding equal time from the television stations and networks to rebut and counter these unfounded attacks."

Mayor Shirley Dean of Berkeley, CA: "This is just the latest attempt by the gun lobby to draw attention away from the real issue at hand: the gun industry's failure to take common sense actions to make their products safer. What's worse, this ad crosses the line of honest debate and enters the area of personal attack. If they think that questioning the patriotism of the Mayors and this Administration will cause us to back down, they are sadly mistaken. It has only strengthened our resolve to fight for our constituents and reduce gun violence."

Cleveland Mayor Michael R. White: "There surely is a role that gun manufacturers have played in times of war. But it is tough to swallow a campaign that compares the innocent children senselessly gunned down on city streets to major war battles. The battles they cite were fought by consenting adults to protect freedom and individual liberty. That's a far cry from the freedom and individual liberty lost by gun violence on America's streets. Our citizens can see right through that nonsense."

Handgun Control Inc. and the Center to Prevent Handgun Violence Legal Director Dennis Henigan: "There is nothing patriotic about making it easy for kids and criminals to get guns, and there is nothing unpatriotic about challenging the industry to do so."

###

Transcript for Gun Ad
**by: National Shooting Sports Federation/
Hunting and Shooting Sports Heritage Fund**

We were with the patriots who fought for this flag at Gettysburg.
We were with the soldiers who bled for these stripes at Normandy.
We were with the heroes who fought for these stars in the Mekong Delta.
We are the makers of America's firearms.
But now we are being blamed for crime violence by this administration and
big city mayors whose greedy lawyers are using your tax dollars to sue us
for criminals they won't prosecute.
So now we need you.
Because when the government attempts to destroy America's free market
place, in order to achieve a political agenda, only your vote can save an
industry and your constitutional right from disappearing.
Please call to hear how you can help.
Together we must never surrender.

site: <http://www.hsshf.org>

RUSH & MOLLOY

BY GEORGE RUSH AND JOANNA MOLLOY

Bro's shot across Sheen's bow

The gun lobby may have bushwhacked actor Martin Sheen. Worse still, Sheen's own brother is the hired gun. Joe Estevez — youngest sibling of the "West Wing" star — is doing the voiceover on a slick pro-gun commercial that has been running during the Republican and Democratic conventions. If you've heard it, you might have thought it was Sheen himself, since Estevez sounds more like Sheen than Sheen does.

"We wanted a recognized voice that would catch people's attention," admits Lawrence Keane of the Hunting and Shooting Sports Heritage Foundation, the Connecticut-based organization that sponsored the ad. He tells *The New York Times*: "We picked the voice on purpose."

The commercial shows a man draping an American flag over a large table, then ripping off the stars and stripes. Then Estevez chomps off his mouth: "We were with the patriots who fought for this flag at Gettysburg. We were with the soldiers who bled for these stripes at Normandy... We are the makers of America's firearms."

It's safe to say that you wouldn't catch Sheen spilling for gun makers. The left-leaning antiwar activist has been arrested many times in nonviolent protests.

We can't tell you how close the brothers are. We can tell you that Sheen's 144 TV and movie credits include "Badlands," "Catch-22," "Gandhi" and "Apocalypse Now." Estevez' 83 credits include "Slaves of the Vampire Werewolf" and "Blambo Movie Bash."

Estevez' manager, Kurt Swarnick, said, "Obviously, he did it for the money." Sheen's manager would say only that the Emmy-nominated star knew of his brother's involvement.

She was just blowing smoke

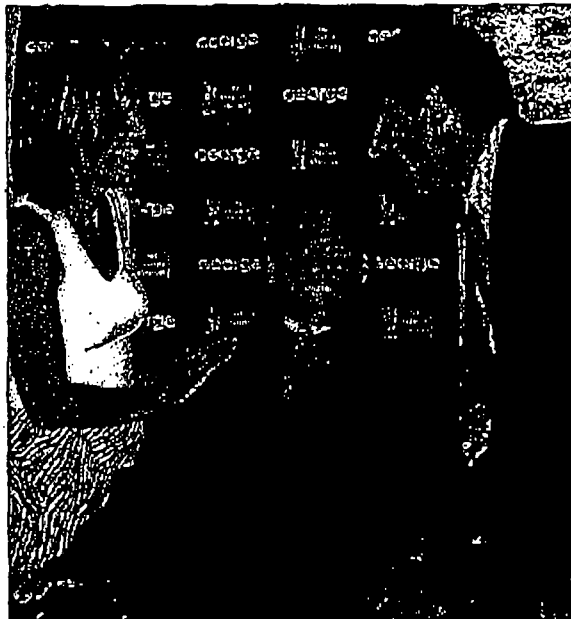
Melanie Griffith is backing away from



Big liberal Martin Sheen's brotherly love is being tested by gun-ad voiceover.

her offer to smoke pot with her kids.

The "Cool B. Demented" star called us to "clarify" some comments she made to *Paper* magazine. We told you on Tuesday how Griffith had said she hoped her children would "ask me if they could experiment with pot" rather than have them "go out and buy some s--- that has



wired psychedelic chemicals in it."

Griffith, a detox-clinic grad, says she has since been deluged with calls, apparently from concerned friends.

"I was being honest," a fearful Griffith told us. "I'm not advocating that my children do drugs. Because of my history with drugs, my children don't want to try anything. Knock on wood, my son [Alexander] is going to be 15, and he has never tried anything in his life."

"I have never been a pot-smoker. When I did drugs, I was into cocaine and alcohol, which I don't do anymore.... I have said to my children, 'If anyone comes up to you with pot or any drugs, please tell me first. If you feel like you have to do it, I would rather you do it with me than with somebody else.' I would rather they not even try it."

After taking a few lashes for the way the media "twist everything around," we had to ask Melanie how she would find some "safe" grass, assuming her kids still wanted to experiment. And would she light up with them, or just watch?

"You know what?" said Griffith, who was sitting with her son. "After this whole thing, I'm not going to do it at all. I'm not going to try it with them. So forget it. The whole thing is absolutely gone now."

No word on Alexander's reaction.

Lock up yer daughters, Mick!

Playboy is wooing daughters of rock stars for a nude layout, we hear. Word is, Rod Stewart's tricky lass, Ashley, has defied her dad's wishes and agreed. The bug is also said to be courting Mick Jagger's daughters, Jade and Elizabeth, even though papa doesn't even like their

Charity for Christopher Reeve's Paralysis Foundation began at Lawrence Bender's home Wednesday as Reeve & wife Dana laughed with Andrew Cuomo, above, and Robert Kennedy Jr. and kids Linda-Dreyfus hobnobbed, below.



modeling. Meanwhile, Rolling Stone Seattle Wood arrived too late to see Jerry Hall's nude scene in the London stage production of "The Graduate" this week. But Wood, now out of rehab and drinking nonalcoholic beer, didn't mind, saying he had seen Hall in the tub together many times. "That's life of the road for you," the rocker quipped to the *London Sun*.



Isaac Hayes is going to Heaven, but not without Lolo Leno. At least, those were the vocalists flanking the "Shit-happy singer/radio personality (Heaven is on the left) at his 4th annual charity birthday bash at the Copacabana Wednesday.

EMAIL: rushmolloy@edit.nydailynews.com

FOR THE DAILY DISH GO TO www.nydailynews.com



News Release

Office of Mayor Michael R. White

Cleveland City Hall
Room 227
Cleveland, Ohio 44114
216/664-2239 • Fax 216/664-3570

ATTENTION ASSIGNMENT EDITORS AND REPORTERS

For more information, contact:

Mayor's Press Office: 216/664-2239

Brian Rothenberg, Press Secretary

STATEMENT OF MAYOR MICHAEL R. WHITE

CLEVELAND - AUGUST 22, 2000 - Cleveland Mayor Michael R. White's office issued the following statement regarding advertisements currently being aired nationally by the National Sport Shooting Foundation.

"There surely is a role that gun manufacturers have played in times of war. But it is tough to swallow a campaign that compares the innocent children senselessly gunned down on City streets to major war battles."

"The battles they cite were fought by consenting adults to protect freedom and individual liberty. That's a far cry from the freedom and individual liberty lost by gun violence on America's streets. Our citizens can see right through that nonsense."

The City of Cleveland filed suit against gun manufacturers on May 12, 1999.

Michael R. White
Mayor
City of Cleveland



City of Gary

SCOTT L. KING

Mayor

SUZETTE RAGGS

Deputy Mayor

Department of Public Information

401 Broadway • Suite 204

Gary, Indiana 46402

Phone (219) 881-1314 • Fax (219) 881-1397

LALOSA DENT BURNS

Director

FOR RELEASE:

August 22, 2000

MAYOR KING RESPONDS TO TELEVISION AD CAMPAIGN

Gary, Indiana-Gary Mayor Scott L. King responded by letter to the Secretary of the U.S. Department of Housing and Urban Development (HUD) last week in regard to the large number of television advertisements run by and the National Sport Shooting Foundation (NSSF) during the Democratic and Republican Conventions.

King said, "I wish to state my unequivocal support for the proposition that the recent spate of television advertisements by and on behalf of segments of the gun industry and the National Rifle Association are, in my view, inappropriate and inaccurate in so far as they suggest that anyone that advocates for greater responsibility on the part of their industry to reduce the unacceptable rates of injury and death resulting from handguns is, somehow, unpatriotic."

Mayor King continued, "Every mayor in this country is charged first and foremost with preserving the health, safety and welfare of his or her constituency. If we failed to respond to any other factor that contributed to injury or death in numbers approaching those caused by the abuse of handguns we would be derelict in our sworn duties. How is it that after being shut out of the Congress and state legislatures in our efforts to secure rational legislation to protect our people, the fact that we seek relief in the courts is somehow likened to high treason by the same forces that contribute substantially to those legislative powers that refuse to respond responsibly?"

King further stated, "Many mayors, myself included, have attempted for more than a year to dialogue with these same groups. Some cities, Gary included, have used the model of Project Exile as suggested by the NRA and gun manufacturers in addition to other approaches to combat handgun violence. We, in good faith, have tried to be responsive to the suggestion that more aggressive use of existing laws will serve to accomplish our goal of reducing the killing and maiming of our constituents only to discover, as was printed in last week's New York Times, that the advocates of using such methods are the same ones that attempt to make such laws and their enforcement as "toothless" as

2.

possible by, for example, refusing to close the gun show loophole; refusing to permit the collection and preservation of point of purchase data and by resisting efforts to increase the number and authority of law enforcement agents to enforce such laws. Their current ad attack on mayors and others, when seen against this backdrop, is nothing short of cynical hypocrisy. The fact that these commercials were unveiled during the Democratic and Republican conventions also, in my view, raises serious questions as to the true intent of these ads."

Mayor King added, "As you know, I am involved in this issue not only as a mayor, but also as the uncle of a victim of handgun violence. My nephew, Blake, was killed by means of a handgun last June. He was seventeen years old. Notwithstanding the intensity of my views on this issue, I have not and will not impugn the patriotism of those that have different views from mine. As our country moves forward in the debate regarding this issue, I would hope that attacks such as these ads are not the means by which opponents of responsible handgun safety measures express themselves as it detracts from the dialogue necessary to reduce the killing and maiming of Americans."

King concluded, "Once again, this administration and my fellow Mayors have demonstrated leadership on this issue and I look forward to continuing to work with them to shape the debate and move toward greater safety for all America."

A coalition of Mayors including New Orleans Mayor Morial and HUD Secretary Cuomo will participate in a 10:00 a.m. Press Conference in Washington, DC, Tuesday, August 22nd regarding the \$10 million NSSF campaign. Mayor King will be unable to attend.



**OFFICE OF THE MAYOR
CITY OF ST. LOUIS
MISSOURI**

**CLARENCE HARMON
MAYOR**

August 21, 2000

**CITY HALL - ROOM 200
1200 MARKET STREET
SAINT LOUIS, MISSOURI 63103-2277
(314) 622-3281
FAX: (314) 622-4061
harmoc@stlouis.missouri.org**

Dear Secretary Cuomo and Fellow Mayors:

During the week of August 14, the National Shooting Sports Foundation (NSSF) and the Hunting Shooting Sports Heritage Fund (HSSHF) attacked "big-city mayors" via advertisements that were broadcast nationally. The advertisements' sponsors claimed that the mayors employed "greedy lawyers" to sue the gun industry, and claimed that the governments were attempting to destroy America's marketplace of firearms to achieve a political agenda.

These commercials wrongly attacked both the leaders of other communities and myself for using our city attorneys to bring legal action against the gun manufacturers in an attempt to secure safer products and more reasonable distribution practices. Perhaps worst of all, the ad deliberately makes these charges against a visual background depicting the deplorable desecration of the American flag.

These ads constitute a direct attack on my character, my honesty, my love of country, and my responsibility for the health, safety and welfare of the citizens of the City of St. Louis. They attack not only my integrity, but allege that I, and the other mayors, will not prosecute criminals. As a former police chief of the City of St. Louis, and now as mayor, I have a thirty-year record of bringing criminals to justice.

The gun lobby invokes the memory of our nation's warriors, and wraps itself in their flag. It implies that I betray all that our veterans fought for. As a veteran, I find this tactic repugnant. I served to defend our children from the same terrors that the gun manufacturers visit upon them every day.

My fellow mayors and I have sought to hold the gun industry accountable for, among other things, the public nuisance which their products have inflicted on our citizens, causing our citizens personal damage, personal injury, and fear. I support any attempt by the Secretary of Housing and Urban Development to counter the unfounded attacks on the mayors of our nation's largest cities by the NSSF and the HSSHF. I will continue to fight any attack on the citizens of St. Louis' right to safe neighborhoods and streets.

I also am joining the other mayors in demanding equal time from the television stations and broadcast networks to rebut and counter these unfounded attacks.

I support the Department of Housing and Urban Development's continued efforts to rid our nation's streets of gun violence. Our cities have too much promise to allow a small cabal of criminals, and those in the gun industry who fail to take responsibility for their products and services, to dim it.

Sincerely,

Clarence Harmon
Mayor, City of St. Louis

PROPOSED RESPONSE AD - FROM MAYORS**August 22, 2000**

Along with freedom, comes responsibility.

An obligation that has been abandoned by America's gun manufacturers.

The violence continues, and they count their profits.

Efforts by local communities and the Clinton administration are being twisted by gun makers in a \$10 million dollar ad campaign painting them as unpatriotic and driven by greed.

Rather than take common sense steps to make safer guns and keep them out of the hands of kids and criminals, the gun makers hide behind the flag.

I'm Martin Sheen.

Don't be fooled. Learn the truth about gun safety.

Your child's life may depend on it.