

GUN SETTLEMENT

Press Coverage

Gun Settlement Editorials

1. “ ‘Smart’ Guns No Substitute for Sensible Registration”; USA Today; March 20, 2000.
2. “Gun Lawsuit Brings Positive Move”; The Atlanta Journal and Constitution; March 21, 2000.
3. “Gun Control”; Daily Press; March 21, 2000.
4. “Hooray For Smith & Wesson” The Hartford Courant; March 21, 2000.
5. “If Gun Makers Need a Clue, See Smith & Wesson”; The Houston Chronicle; March 21, 2000.
6. “More Than Safety Locks”; The Ledger; March 21, 2000.
7. “Crack in the Gun Wall”; Los Angeles Times; March 21, 2000.
8. “Gun Maker Sets Needed Example”; The Morning Call (Allentown); March 21, 2000.
9. “Ends, Means Justified in Gun Suit Settlement; Using the Courts to Affect this Outcome is not and Abuse of Power”; Portland Press Herald; March 21, 2000.
10. “Smith & Wesson Progress”; San Antonio Express-News; March 21, 2000.
11. “Cheating the Democratic Process; Gun Suit Settlement is Simple Coercion”; The Arizona Republic, March 22, 2000
12. “Settlement to End Gun Lawsuits Dodges Ballot Box”; The Arizona Republic, March 22, 2000.
13. “The first domino; Smith & Wesson: Maintaining its business was more important than a protracted legal battle”; The Baltimore Sun, March 22, 2000.
14. “Why Are Gun Makers Caving In? They Read the Tobacco Leaves”; The Boston Globe, March 22, 2000.
15. “A Safe Path GOP Must Step Away From Intransigent NRA”; The Columbus Dispatch; March 22, 2000.
16. “Cut and Run Gun Pact Weakens Gun Right”; The Daily Oklahoman; March 22, 2000.
17. “Blackmail Masquerades as Law”; Press Journal (Vero Beach, Fl); March 22, 2000.
18. “ Smith & Wesson Compromise is Blackmail”; The Record (Bergen County, NJ); March 22, 2000.
19. “Putting a Spin on it”; The Denver Post; March 23, 2000.

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1

Divider Title: _____

FOCUS - 21 OF 32 STORIES

Copyright 2000 Gannett Company, Inc.
USA TODAY

March 20, 2000, Monday, FINAL EDITION

SECTION: NEWS; Pg. 28A

LENGTH: 452 words

HEADLINE: 'Smart' guns no substitute for sensible registration

BODY:

With its settlement Friday, gunmaker Smith & Wesson won more than plaudits for agreeing to install "smart" technology on its guns and to abide by a code of conduct. It won more gun sales. The federal Department of Housing and Urban Development, along with three cities, already have agreed to give preference to Smith & Wesson products when buying guns.

But whether those quick accolades will be followed by a real reduction in the 30,000-plus lives lost each year to guns is far from certain. Particularly if the agreement rests too much on technology.

"Smart" guns are supposed to prevent a gun's use by anyone other than the owner, blocking criminals from firing a stolen gun and children from shooting each other. While that certainly will help prevent some needless death and mayhem, safety technology has a nasty habit of failing to live up to bold promises.

Car air bags, for example, were sold as a way to cut highway fatalities as much as 40% by overcoming the fact that most car owners refuse to buckle up. They didn't save nearly as many lives. And now, as-yet-unproved "smart" technology is needed to fix air bags' deadly side effect: They kill short drivers and children.

For guns, the real value of technology is even more elusive. Trigger locks, for instance, depend on owners' locking the trigger, which only those already attuned to gun safety are likely to do. And "smart" features that would "personalize" a gun and prevent firing by non-owners are at least three years away.

Even when available, they would do nothing to make the 200 million firearms already in circulation safer. And they could encourage today's non-gun owner to buy a weapon. A 1997 survey found that 35% of those who said they wouldn't consider buying a gun today might do so in the future if the gun were "smart." That, in turn, could lead to additional suicides and accidental shootings, which already account for more than half of gun deaths.

The biggest risk from this focus on technological solutions, though, is that it might sidetrack the country from more promising control measures, just as the push for mandatory airbags in the 1970s

and '80s forestalled a drive for more effective seat belt laws.

Agreeing to restrict gun sales, as Smith & Wesson has promised in its code of conduct, will help keep guns, smart or not, out of the wrong hands in the first place. Better still is a national gun licensing and registration law, such as is used for cars and drivers, that would do no harm to legitimate gun users.

To the extent that promised technology undermines these efforts, far more could be lost than won in the battle against gun violence.

GRAPHIC: GRAPHIC, B/W, Quin Tian, USA TODAY, Source: Centers for Disease Control and Prevention (Bar graph)

LANGUAGE: ENGLISH

LOAD-DATE: March 20, 2000

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2

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FOCUS - 11 OF 32 STORIES

Copyright 2000 The Atlanta Constitution
The Atlanta Journal and Constitution

March 21, 2000, Tuesday, Home Edition

SECTION: Editorial; Pg. 10A

LENGTH: 376 words

HEADLINE: Editorials: Gun lawsuit brings positive move

BYLINE: Staff

SOURCE: CONSTITUTION

BODY:

The landmark settlement between local governments (including Atlanta) and the nation's largest gun maker testifies to the power of lawsuits to spark change. It also attests to the shortsightedness of the state Legislature in enacting a law that prevents any such future suits by Georgia cities. Threatened with expensive court battles, Smith & Wesson agreed Friday to introduce a dozen comprehensive measures to combat gun violence if local governments would drop the company from their lawsuits.

The extraordinary concessions made by the Connecticut-based firearms manufacturer strike directly at the ease with which criminals obtain handguns in this country. Among them: Smith & Wesson will withhold its weapons from authorized gun show dealers unless every seller at the show agrees to conduct background checks on buyers. The company will no longer do business with dealers who sell a large number of guns involved in crimes. On the child- safety front, Smith & Wesson will install trigger locks on guns that will make them impossible for a small child to fire and concentrate on development of "smart-gun" technology that will limit usage to the owner.

In its debate last year, the Legislature demonized Atlanta for filing suit against gun makers, contending that the city blamed firearms for its crime problems. But the Atlanta lawsuit did not blame gun makers for all the city's crime. Instead, it rightfully faulted the gun industry for failing to take reasonable steps to make their guns safer and to limit their distribution to criminals.

Mayor Bill Campbell says Atlanta will drop its gun-safety lawsuit against the other 16 companies named as defendants if they agree to the Smith & Wesson terms. In a significant settlement incentive, Atlanta and other governments --- the largest legal purchasers of guns --- have vowed not to buy firearms for their police from any gun maker that spurns the deal.

The willingness of Smith & Wesson to buck the gun lobby indicates the company is carefully reading the escalating political and public frustration with gun violence. Unfortunately, the resistance to any safety regulations on the gun industry in Georgia reflects just how badly elected officials here are misreading public opinion.



LOAD-DATE: March 21, 2000

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FOCUS - 12 OF 32 STORIES

Copyright 2000 Daily Press, Inc.
Daily Press

March 21, 2000, Tuesday, Final

SECTION: Editorial, Pg. A12

LENGTH: 866 words

HEADLINE: EDITORIALS

BODY:

Gun control

Lawsuits moved gun makers to add safety features

Some scoffed when several states sued the big tobacco companies for the cost of the health care the states had provided to poor citizens suffering from tobacco-related illnesses. Yet the states will receive billions of dollars in a settlement with the tobacco companies.

Again, some derided large cities that sued gun manufacturers seeking damages for gun violence. But last week, Smith & Wesson settled those lawsuits with a promise to begin installing locks on the weapons it produces, which will make them more childproof. The threat of a large court judgment for the cities was clearly a possibility from Smith & Wesson's point of view.

In both instances, the greatest value of the lawsuits' outcome may be the manufacturers' acknowledgement that companies have some responsibility for the outcome when their products are deadly.

The company will begin immediately to provide an external lock with each gun it sells and promised to begin installing an internal lock within two years.

Trigger locks will not solve the gun problem in this country, because having manufacturers put trigger locks on their products is a safety measure equivalent to installing seatbelts on cars. They work only if their owners are smart enough to understand the inherent danger and use them.

For instance, nobody would argue that the people in that Michigan crack house would have had a trigger lock or barrel cable on that Saturday Night Special the six-year-old used on his classmate last month. Or that safety is any part of the quick-draw street culture.

Still, the locks are a good first step toward better safety features. Just as seatbelts plus government pressure led car manufacturers to begin installing passive air bags, trigger locks should lead gun manufacturers to passive safety features, such as the "smart gun" that can fire only by its owner.

In fact, that's another promising result of the cities' suits against the manufacturers. Smith & Wesson also promised to devote 2 percent of its annual firearms revenue to developing "smart gun" technology.

The point of the cities' lawsuits was to find a way to make it more difficult for people to accidentally kill family members and for thieves to use guns they have stolen to commit additional crimes. They seem to have achieved some progress.

Sad to say, that's a far cry from our own state legislature, which at the same time was rushing to shield gun makers from being sued by any Virginia city or county.

A combination of mandatory safety measures, gun registration and user licensing is needed to reduce gun violence in this country. As proved by both the cities' legal activism and the Virginia legislature's legal "back-tivism," that starts with public officials who have the nerve to tackle the opposition.

Charter school

HU's proposal could get this movement moving

Virginians have been slow to embrace charter schools, in large measure because the state "enabling" legislation actually makes it difficult to set up such competition for the public schools. That's the way the do-or-die public school champions wanted it.

The ability to jump that high hurdle makes Hampton University's charter school proposal especially interesting. Here's an institution with the resources and the educational know-how to pull it off.

HU could not only lead the way but also develop the model to make the process easier for others who want to create their own charter schools.

HU President William Harvey says that taking 800 students in grade six through 12 to a new charter school will relieve overcrowding in the Hampton schools. Even better, he promises to raise the standardized test scores of the students who enroll in his charter school.

Both of those are worthy goals. If Hampton parents want charter schools, what better way to start?

Champs

Bruton, New Kent basketball teams are state's best.

In March, when the attention of sports fans is riveted on college basketball, it's difficult for any athletic program that's not on its way to the Final Four to get the attention it deserves. But it would be a shame for the achievements of the New Kent Trojans and the Bruton High Panthers to go uncelebrated.

Those teams captured state high school basketball championships. On Saturday New Kent won in Group A and Bruton won in Group AA.

The victory was especially sweet for the five seniors who started for New Kent, although putting such an experienced team on the floor may have set

unrealistic expectations for next year.

It takes a lot of hard work and many grueling practices to win a state championship in any sport. The players on these teams have demonstrated the determination to give what it takes. The coaches should help them take that will to win into the classroom, where they need to be just as determined to get an education.

When the college recruiters come calling, our outstanding athletes will be winners only if they have a combination of athletic prowess and academic achievement to take them, as the sportscasters like to say, to the next level.

LANGUAGE: ENGLISH

LOAD-DATE: March 22, 2000

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FOCUS - 13 OF 32 STORIES

Copyright 2000 The Hartford Courant Company
THE HARTFORD COURANT

March 21, 2000 Tuesday, STATEWIDE

SECTION: EDITORIAL; Pg. A10

LENGTH: 451 words

HEADLINE: HOORAY FOR SMITH & WESSON

BODY:

Maybe Smith & Wesson is an outcast today among gun manufacturers. Perhaps the nation's oldest and largest maker of handguns is the scourge of revolver lovers. But the Springfield, Mass., company is a hero to Bridgeport and the state of Connecticut, at the very least, for helping to contain violence caused by handguns.

Smith & Wesson has agreed to a remarkable set of reasonable handgun-safety measures. In return, litigants that included Bridgeport have agreed to drop lawsuits seeking to hold the gun maker responsible for the destruction wreaked by its product. Connecticut has agreed to keep Smith & Wesson out of any future lawsuit.

And grateful law-enforcement departments around the state and nation may well give preference to the cooperative gun maker when it comes time to replace their handguns. Smith & Wesson has helped to ease the strain of gun violence on their workload.

It's a sign of the gun lobby's stranglehold on Congress that cities and states had to bypass Capitol Hill to get sensible gun controls.

Some gun-control advocates aren't entirely happy with the settlement. The Violence Policy Center predicted that Smith & Wesson would skirt the agreement by marketing its guns as collectors' items.

Predicting what a company will do is unwise. Smith & Wesson did not agree to clean up its practices with the intent of ignoring the new rules and again exposing itself to lawsuits. The company deserves the highest commendation for demonstrating the responsibility that, so far, most other gun manufacturers have lacked.

Austrian gun manufacturer Glock GmbH may follow Smith & Wesson's lead to settle the litigation it, too, faces. But other manufacturers' resistance to acknowledging the obvious -- their products cause enormous, costly mayhem, especially in cities -- and to taking common-sense precautions is chilling.

Smith & Wesson produces about one-fifth of the 2.5 million handguns sold yearly in the United States. The company has agreed to put trigger locks on new revolvers. More important, the company will take a greater role in monitoring sales and safety. It will allow sales only by authorized dealers who obey tough new restrictions, and will release guns for sale only after background checks

are complete.

Further, the agreement stipulates that Smith & Wesson will make it harder for criminals to scratch off serial numbers on handguns. The company will also work on smart-gun technology that lets only authorized users fire a gun. Weapons made for police and the military are exempt from the agreement.

Those are hardly severe hardships for the manufacturer. They are the least a gun company should do in a country where gun violence is rampant.

LANGUAGE: ENGLISH

LOAD-DATE: March 21, 2000

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FOCUS - 14 OF 32 STORIES

Copyright 2000 The Houston Chronicle Publishing Company
The Houston Chronicle

March 21, 2000, Tuesday 3 STAR EDITION

SECTION: A; Pg. 25

LENGTH: 726 words

HEADLINE: If gun-makers need a clue, see Smith & Wesson

BYLINE: ANDREW CUOMO, JAMES K. HAHN; Cuomo is secretary of the U.S. Department of Housing and Urban Development; Hahn is city attorney of Los Angeles.

BODY:

IN a breakthrough in our efforts to reduce gun violence and prevent accidental shootings, Smith & Wesson, the nation's largest gun manufacturer, on Friday agreed to implement comprehensive safety and distribution reforms.

This agreement is the culmination of a collaborative effort by the Clinton administration, states that have threatened to bring lawsuits against the gun industry and the counties and cities, such as Los Angeles, that already have filed suit. We joined forces to demand fundamental changes in the way guns are designed, distributed and advertised. This agreement will serve as a model for the gun industry and as the standard for future settlements.

For decades, the gun industry refused to make guns safer, claiming impracticality or impossibility. Smith & Wesson has stepped forward and demonstrated clearly and convincingly that there is no barrier - technological or otherwise - to making guns safer.

Under the agreement, for example, Smith & Wesson will now design guns that cannot be operated by young children. Had this feature already been in place on all guns, the recent tragic shooting by a 6-year-old may well have been prevented. Children who find guns in the home also will be protected by Smith & Wesson's agreement to almost immediately sell guns with an external lock and to place internal locks on new guns within two years.

To prevent a user from inadvertently firing a gun under the mistaken impression that a gun is unloaded - an occurrence that results in approximately 23 percent of accidental shootings - Smith & Wesson will place an indicator on its pistols alerting users that a bullet is in the chamber.

Perhaps most significant, Smith & Wesson has agreed to commit 2 percent of its annual firearms sales revenue to the development of personalized gun technology and, within three years, to incorporate this technology into all new firearms designs. With this technology, a gun could be operated only by its lawful purchaser and would be useless to criminals who purchase guns on the illegal secondary market or steal weapons. It will also allow parents to prevent

their children from accidentally firing such weapons.

These design features are important in themselves and also show a new willingness on the part of the industry to take its fair share of responsibility for gun safety.

The safety and design concessions go hand-in-hand with important changes in the way guns will be sold. Up to now, many gun manufacturers have asserted that once their products leave their factories, they simply have no responsibility for what happens. Smith & Wesson reversed this position by agreeing to sell only to dealers who comply with stringent controls, including undergoing extensive training to recognize and prevent straw purchases of guns and meeting strict security and insurance requirements, as well as implementing an electronic inventory system to track the weapons sold at shows. Smith & Wesson has further agreed not to market guns in a way that appeals to juveniles and won't advertise their products near schools, high-crime areas or public housing.

Going beyond what federal law now requires, the agreement closes the gun-show loophole by providing that Smith & Wesson will only sell to gun shows that agree to conduct background checks for all the guns they sell. And for the first time, purchasers must complete a certified safety training course or have passed a certified firearms-safety exam.

In the past, the gun industry has also asserted that it was not its responsibility to reduce the use of guns in crime. With this agreement, Smith & Wesson rejects this position and will begin test-firing all of its handguns in order to allow the "finger-printing" of guns to assist law enforcement. An oversight commission, made up of representatives of cities, states, Smith & Wesson and the Bureau of Alcohol, Tobacco and Firearms, will monitor retailers to ensure that their guns are not disproportionally traced to crime.

This agreement sends a historic, yet simple, message. We can accomplish so much more through cooperation and negotiation than we can through confrontation and denigration. Smith & Wesson has shown that good business practices are compatible with corporate responsibility, and we urge the rest of the gun industry to adopt the model set by Smith & Wesson.

GRAPHIC: Drawing

LANGUAGE: ENGLISH

TYPE: Editorial Opinion

LOAD-DATE: March 22, 2000

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FOCUS - 15 OF 32 STORIES

Copyright 2000 Lakeland Ledger Publishing Corporation
The Ledger (Lakeland, FL)

March 21, 2000, Tuesday

SECTION: News; Pg. A10

LENGTH: 547 words

HEADLINE: MORE THAN SAFETY LOCKS; EDITORIALS

BODY:

Last week, Smith & Wesson, the nation's largest gun manufacturer, made major concessions about the way it will sell guns. The change that drew the most attention was the agreement to sell small locks that prevent the trigger from being pulled -- something Smith & Wesson already does. Within two years, all Smith & Wesson weapons will have internal locks.

But the agreement has other provisions that will begin to make handguns safer around children and somewhat harder for criminals to obtain. Smith & Wesson guns will contain a hidden serial number that will be more difficult for criminals to alter or remove.

Smith & Wesson dealers also must agree not to sell Smith & Wesson products to anyone who has not taken a certified firearms safety course or passed a safety exam.

The company agreed to withhold weapons from authorized dealers at gun shows unless all sellers at the show agree to make background checks of all purchasers.

(Florida voters gave county commissioners the authority in 1998 to require such background checks for all purchasers at gun shows. While some counties have done so, the Polk County Commission has refused to do so -- despite the overwhelming approval for the measure at the polls in Polk and statewide.)

That's just one step Smith & Wesson will take in an aggressive stance on its dealers. The company has agreed that it will not allow dealers to continue selling its weapons if they sell more than one gun every 14 days to the same purchaser. Dealers who sell guns that are used to commit a disproportionate number of crimes may also find themselves taken off the list of Smith & Wesson dealers.

In return for the company's agreement, about half the 30 cities and counties suing for damages to recover costs related to handguns agreed to drop their legal action against Smith & Wesson. The agreement does not end civil action against other gun makers.

While groups opposed to controls on guns criticized Smith & Wesson and urged other manufacturers to continue to resist such agreements, it appears that Smith & Wesson was only the first crack in the gun-manufacturing industry. A senior executive with Glock GmbH, a major manufacturer of guns used by police

departments, told The Wall Street Journal that his company is considering the same agreement. "We haven't signed it," said Paul Jannuzzo, who took part in the covert talks that resulted in the Smith & Wesson deal, "but we are still doing the balancing test. We are still weighing the idea of bleeding to death with legal bills vs. the cost of complying."

It appears the agreement will have a substantial effect on the industry. Officials in the Clinton administration like to compare Smith & Wesson's actions with that of the Liggett Group. In 1996, the cigarette company settled a lawsuit, which encouraged other major companies to reach agreements. Unlike the tobacco industry, the gun manufacturers lack the deep pockets of the tobacco companies and present a less cohesive front; the settlements may fall in line even faster.

Sadly, the Republican-controlled Congress cannot even muster enough backbone to require trigger locks on weapons. It's a sorry state of political affairs when gun manufacturers have to step in to protect children from handguns.

LANGUAGE: ENGLISH

LOAD-DATE: March 22, 2000

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FOCUS - 16 OF 32 STORIES

Copyright 2000 Times Mirror Company
Los Angeles Times

March 21, 2000, Tuesday, Home Edition

SECTION: Metro; Part B; Page 6; Editorial Writers Desk

LENGTH: 526 words

HEADLINE: CRACK IN THE GUN WALL

BODY:

Two things are clear in Smith & Wesson's agreement last Friday to a wide array of handgun restrictions. The action by one of the nation's oldest and largest handgun makers should be broadly applauded and quickly emulated. But, make no mistake, it was bottom-line fears stemming from pending lawsuits--not a change of heart--that led the company to take this step. Lawsuits that pose the threat of millions of dollars in liability have a way of getting businesses to act responsibly, something the current well-bought Congress apparently can't do.

In coming months, Smith & Wesson will begin to adopt dozens of changes in the way it manufactures, markets and sells handguns, all aimed at keeping guns out of the hands of children and criminals. Many of these reforms are identical to those President Clinton tried and failed to get Congress to mandate.

For instance, Smith & Wesson pledged to put trigger locks on all its handguns, make gun grips too large and triggers too powerful for young children to handle, and to stop doing business with gun show dealers who do not conduct criminal background checks. The company also pledged to imprint a hidden second serial number on its guns to deter theft. Most of these steps can help suppress gun violence, but some are more symbol than substance. For instance, Smith & Wesson has no authority to require its dealers to conduct background checks at gun shows. Yet the company's decision to crack the industry's stone wall of opposition to any new safety measures is clearly a major development, and Smith & Wesson management deserves credit.

But note that the agreement will excuse the company from litigation that ultimately could have led to its bankruptcy. Lawsuits filed against a number of gun makers by the federal government and more than a dozen cities, including Los Angeles, seek to hold firearms companies responsible for the carnage their weapons cause.

The plaintiffs' legal claims were initially dismissed as so fantastical that no jury would ever buy them. Yet each school shooting, each workplace massacre and each hostage drama--along with recent outrageous claims by the National Rifle Assn. that Clinton is somehow responsible for continuing gun violence--made that prediction much shakier. Smith & Wesson, with an estimated

19% market share of the 2.5 million handguns sold nationally each year, wisely decided not to roll the dice at trial or with a costly monetary settlement. Other gun makers immediately--and predictably--denounced the company's decision.

The mounting litigation has made the industry the newest champions of tort reform for all the wrong reasons, seeking harsh legislative limits on the right to sue. In this respect, the gun manufacturers join such corporate rogues as tobacco companies, asbestos manufacturers and some pharmaceutical firms, each, in its time, declaring itself blameless for the harm its products caused. Skyrocketing legal bills, multimillion-dollar jury verdicts and the bankruptcies of venerable companies have rendered those declarations as hollow as they were expensive. The firearms industry would be wise to take note.

LANGUAGE: English

LOAD-DATE: March 21, 2000

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FOCUS - 17 OF 32 STORIES

Copyright 2000 The Morning Call, Inc.
The Morning Call (Allentown)

March 21, 2000, Tuesday, FIFTH EDITION

SECTION: COMMENT, Pg. A16

LENGTH: 320 words

HEADLINE: GUNMAKER SETS NEEDED EXAMPLE

BYLINE: The Morning Call

BODY:

The nation's largest gun manufacturer announced a major agreement with the Clinton administration Friday in exchange for the dropping of federal, state and city lawsuits. In addition, according to the unprecedented agreement with Smith & Wesson, no new suits will be filed related to shootings committed with their guns.

What a welcome reversal of attitude in an industry where, up to now, manufacturers have said that after products leave the factory, they have no further responsibility. The significance of the reforms agreed to by Smith & Wesson was underscored on Saturday: The Department of Housing and Urban Development, and the Atlanta, Detroit and Miami mayors announced their law enforcement agencies will seek to give preference to Smith & Wesson when buying guns. Other cities should do this, to push more manufacturers to follow Smith & Wesson's lead.

HUD Secretary Andrew Cuomo acknowledged his proposed regulation for law enforcement for the nation's 3,200 public housing authorities must undergo public comment and congressional oversight. And it could be implemented only by threatening to withhold federal funds for gun purchases for housing project guards. Municipal officials, however, have more direct authority over gun purchases by law enforcement agencies under their direction.

The Smith & Wesson agreement proves there is no real barrier to making guns safer: It will install external locks within 60 days and internal locks within two years. A 'code of conduct' for selling and distributing handguns prohibits the marketing of weapons to appeal to juveniles or criminals. The company will devote 2 percent of firearms revenues every year to developing 'smart' technology to limit a gun's use.

The Smith & Wesson agreement is a model for the entire gun industry, a standard for future settlements with other gun makers who choose to go down this more responsible path.

LOAD-DATE: March 22, 2000

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FOCUS - 18 OF 32 STORIES

Copyright 2000 Guy Gannett Communications, Inc.
Portland Press Herald

March 21, 2000, Tuesday, CITY EDITION

SECTION: EDITORIAL, Pg. 8A

LENGTH: 336 words

HEADLINE: Ends, means justified in gun suit settlement;
Using the courts to affect this outcome is not an abuse of power.

BODY:

It's hard to argue with the ends achieved by the Clinton administration's attempt to sue gun maker Smith & Wesson.

In exchange for dropping suits aimed at holding Smith & Wesson accountable for handgun violence, the company will provide trigger locks on its weapons and take a series of other voluntary steps to reduce handgun violence. These steps include agreeing to make only weapons that hold 10 or fewer rounds of ammunition and setting aside 2 percent of Smith & Wesson's revenues to develop smart weapons that will only work for the guns' rightful owners.

A gun manufacturers' trade group, the National Shooting Sports Foundation, decried the agreement as a sellout by Smith & Wesson, but it's hard to see how any defender of Second Amendment rights could object to these terms. These are modest safety improvements that will have a modest impact on handgun violence. Still, they are worthwhile in that they should save some lives.

The means for achieving these concessions are likely to be more controversial. With Congress mired in the myopic lobbying of the National Rifle Association, the Clinton administration has used the courts to affect public policy. It is a tactic similar to that of the states and now the federal government with respect to the tobacco industry. Some worry that this approach represents an abuse of power by the executive branch.

In fact, it's well within the president's authority to seek to hold gun makers liable in civil court. The government has a long history of using civil suits to get private parties to cooperate. Anti-trust cases are a good example. The tactic works both ways, too. For instance, private companies have used the threat of civil litigation to get environmental regulators to ease up.

Clinton was elected to office with laudable and clear priorities with respect to firearms regulation. That he has used the power of his office to achieve these ends is not an abuse of power, but an appropriate expression of the will of the voters.

LANGUAGE: ENGLISH

LOAD-DATE: March 22, 2000

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FOCUS - 19 OF 32 STORIES

Copyright 2000 San Antonio Express-News
San Antonio Express-News

March 21, 2000, Tuesday , METRO

SECTION: EDITORIAL; Smith & Wesson's concessions to the federal government are appropriate voluntary measures.; Pg. 6B

LENGTH: 216 words

HEADLINE: Smith & Wesson progress

BODY:

A settlement last week between British-owned Smith & Wesson and the federal government will not stop the nation's gun violence or acrimonious debate between proponents of gun control and the National Rifle Association.

But the decision by the nation's largest maker of handguns to agree to dozens of safety measures illustrates the potential for common ground and common-sense measures. To be sure, Smith & Wesson, faced with lawsuits from more than a dozen cities and the prospect of losing millions of dollars in liability, did not come to a compromise without pressure.

Still, the reforms it will enact are necessary and wise. They include putting trigger locks on all handguns, making gun grips too big and triggers too strong for young children to fire and curtailing business with dealers who sell guns at gun shows where criminal background checks are not conducted.

In what may be a domino effect, the Wall Street Journal reported that Austria's Glock GmbH may follow Smith & Wesson's lead in accepting government handgun restrictions for legal protections.

Reducing the gun violence of children and adults requires many solutions, including enforcement of existing laws. But one of the solutions is for other gun manufacturers to follow the example of Smith & Wesson.

LANGUAGE: ENGLISH

LOAD-DATE: March 21, 2000

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11

Divider Title: _____

FOCUS - 2 OF 32 STORIES

Copyright 2000 Phoenix Newspapers, Inc.
THE ARIZONA REPUBLIC

March 22, 2000 Wednesday, Final Chaser

SECTION: OPINIONS; Pg. B10

LENGTH: 377 words

HEADLINE: CHEATING THE DEMOCRATIC PROCESS;
GUN SUIT SETTLEMENT IS SIMPLE COERCION

BODY:

The promises extracted from Smith & Wesson are impressive. It's easy to warm to the anticipated benefits of childproof guns, traceable firearms and gun sales only to qualified buyers.

But it's also easy, much too easy, to ignore the full costs of this agreement between the nation's largest gun manufacturer and a slew of governmental entities threatening to sue it out of business. It wasn't cheap. Cheating the democratic process never is.

The agreement was the result of government coercion, some say bullying, and legal threats. This is fine if you believe in gun control by any means necessary. It should unsettle anyone who wants public policy set by the traditional legislative processes.

Smith & Wesson, breaking ranks from what was once a united front against the lawsuits, agreed to change the way it does business for the opportunity to stay in business. It removed itself from the cross hairs of local, state and federal entities who want gunmakers to pay the public costs of gun violence.

"Others are willing to sacrifice our company, our employees and our customers for their principles," went the company line. "We will not allow this to happen when we can make choices to prevent it."

So, Smith & Wesson says it will change the way it designs, distributes and markets its products.

It will develop so-called "smart gun" technology to prevent unauthorized use of handguns. It will sell external and internal locking devices with its new guns. It will adhere to a code of conduct regarding, among other things, gun show sales, inventory control and multiple handgun sales. And it won't market guns to appeal to juveniles and criminals.

The negotiated settlement achieved with relative ease what rarely gets done in Congress and many state legislatures.

Gun control proposals make lawmakers sweat bullets. They always bring about fierce fighting with little or no result. The current stalemate in Congress over proposed gun control legislation proves the point.

We won, we're told by government negotiators. We now have promises from one gun manufacturer that might reduce gun violence and improve safety.

But what did we lose?

Government bullying, although effective in this case, is not the way to do the people's business.

LANGUAGE: ENGLISH

LOAD-DATE: March 23, 2000

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Divider Title: _____

FOCUS - 3 OF 32 STORIES

Copyright 2000 Phoenix Newspapers, Inc.
THE ARIZONA REPUBLIC

March 22, 2000 Wednesday, Final Chaser

SECTION: OPINIONS; Pg. B11

LENGTH: 714 words

HEADLINE: SETTLEMENT TO END GUN LAWSUITS DODGES BALLOT BOX

BYLINE: ROBERT ROBB, The Arizona Republic

BODY:

In the settlement to get some of the lawsuits against it dismissed, gun manufacturer Smith & Wesson agreed, among other things, to impose a "code of conduct" on those who sell its products.

Those who sell Smith & Wesson firearms would have to agree to require buyers to clear a background check even if the statutory waiting period had elapsed, and to have passed a safety training class. Those who buy several guns could leave the store with only one, the remainder available after two weeks. And the dealer or retailer would have to abide by this code of conduct not only for Smith & Wesson products, but for all gun sales regardless of the manufacturer.

Since Smith & Wesson currently has 25 percent of the gun market, dealers and retailers may have no choice but to comply.

It's rather clear that the intent of the lawsuits filed by 29 cities so far against gun manufacturers isn't to recover alleged damages but to impose gun control public policy that, thus far, cannot be enacted through democratic legislative processes. A revelation underscored by the fact that the press release announcing the settlement was issued by the federal Department of Housing and Urban Development, which is not yet a party to any of the lawsuits.

Gun nuts and gun control freaks can't agree on the time of day, and both groups issue blizzards of statistics that make this issue an intellectual minefield. But the real public policy landscape can be described this way:

A lot of people, over 30,000 a year, are killed with guns, intentionally and accidentally. This is a serious problem.

Moreover, some gun manufacturing and marketing appears to be targeted at a very loyal customer class: criminals. This, also, is a serious problem.

However, the unfortunate reality is that the American people have a violent streak independent of guns. Our homicide rate would be high compared to other industrialized countries even if all gun-related deaths were eliminated.

Despite media impressions, gun-related fatalities are going down, not up.

More children under the age of 17 drown than are killed by a firearm. We

would save the lives of more children by banning private swimming pools than possession of guns.

And the role of guns for protection is undervalued, particularly when our criminal justice system fails to prevent or solve crimes, or even lock away predatory criminals when they are caught. One estimate is that guns are used five times more frequently to prevent than to commit a crime.

And then there's the pesky Second Amendment, for which the founders' usual clarity of expression failed them. Gun control freaks claim that the Second Amendment only gives states, not citizens, the right to arm - a reading that contorts the actual words, and completely ignores the historical context within which the words were written.

The public policy question is what can be done to address the serious problems, and the public's proper concern that firearms are too freely available to the wrong people, without unduly or unconstitutionally infringing on the right of law-abiding citizens to arm themselves?

Significant and meaningful gun control has been, and is being, enacted, nationally and locally. But it isn't moving far or fast enough for gun control advocates, and so they are expressing frustration with, and seeking to get around, democratic legislative processes.

It's easy to get frustrated when the National Rifle Association's Executive Vice President Wayne LaPierre makes an ass of himself by saying that President Clinton is "willing to accept a certain level of killing to further his political agenda." But LaPierre and even the NRA aren't the real reason gun control public policy isn't moving any further or faster.

The real reason is that there are nearly as many guns in America as people, and those who own them tend to be highly attached to them. Gun nuts vote, and they vote on the basis of what they care most passionately about. And in a democracy, that's their right.

The place to settle this fight is at the ballot box and in legislative bodies, subject to the constraints of the Second Amendment. The Smith & Wesson settlement, by circumventing these forums, will do less to make us safe than it does to make our democracy less meaningful.

LANGUAGE: ENGLISH

LOAD-DATE: March 23, 2000

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Divider Title: _____

FOCUS - 4 OF 32 STORIES

Copyright 2000 The Baltimore Sun Company
THE BALTIMORE SUN

March 22, 2000, Wednesday ,FINAL

SECTION: EDITORIAL ,20A

LENGTH: 318 words

HEADLINE: The first domino; Smith & Wesson: Maintaining its business was more important than a protracted legal battle.

BODY:

AMERICANS may get safer guns after all. Smith & Wesson's agreement last week to settle lawsuits with the federal government and 28 local governments not only protects the company -- it has also changed the debate over gun safety.

The agreement -- which contains many of the reforms President Clinton has asked Congress to approve -- sidesteps the congressional logjam. Smith & Wesson agreed to restrictions such as background checks at gun shows and designing guns so children can't fire them.

Business considerations were the force behind Smith & Wesson's decision. Faced with the possibility of paying off millions in lawsuit settlements or unfavorable judgments, the nation's largest gun maker -- which sells about 19 percent of the 2.5 million sold annually -- decided to act responsibly. It broke ranks with its fellow manufacturers and the National Rifle Association, which predictably called the agreement a "sell-out."

The agreement calls for Smith & Wesson to sell external gun locks with its firearms soon, and -- in the longer term -- to develop smart guns. Smith & Wesson also agreed to sell only to gun show dealers who perform background checks. All these measures are designed to keep the company's guns out of the hands of children and criminals.

Smith & Wesson's concessions are also causing other manufacturers to reconsider their positions. Glock GMBH, an Austrian company that supplies semi-automatic pistols to many police departments, admits it is mulling its options. If federal and local law enforcement agencies give preference to gun makers who sign agreements similar to Smith & Wesson's, other gun makers will have to go along.

And that's the point here. As public anger grows after each school shooting, hostage situation or workplace slaughter, the gun makers will come to believe that they have no choice but to institute better controls and safeties.

LOAD-DATE: March 24, 2000

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FOCUS - 5 OF 32 STORIES

Copyright 2000 Globe Newspaper Company
The Boston Globe

March 22, 2000, Wednesday ,THIRD EDITION

SECTION: OP-ED; Pg. A19

LENGTH: 860 words

HEADLINE: DAVID NYHAN;
WHY ARE GUN MAKERS CAVING IN? THEY READ THE TOBACCO LEAVES

BYLINE: By David Nyhan

BODY:

To understand why gun makers are caving in to gun control, and why high-paid gun lobbyists have gone nuclear, you have to peer through the smoke.

Literally. Because what happened to cigarette makers is what is happening to gun makers. As went the merchants of nicotine go the merchants of firearms. Light 'em up, baby. It was the concerted legal efforts of governments and of shrewd, well-organized, and indefatigable activist groups that brought the mighty influence peddlers to heel. Smith & Wesson smelled the coffee last week, giving in to the Clinton administration's muscle and the fear of being bankrupted by lawsuits that assail gun makers now just as the cigarette makers have been buried in legal challenges. The largest handgun maker agreed to curbs on gun show loopholes and dealers and to restrict multiple sales, install gun locks, research "smart gun" technology, and stop foot-dragging on regulation.

All the millions lavished on right-wing congressmen over the years, all the attack ads bought in the closing days of tough campaigns to croak gun-control candidates, all the greasy commercials designed to keep America drenched in guns (200 million-plus on the loose, more than one for every adult), that all went up in (antigun) smoke.

Just as Liggett Group jolted the cigarette lobby by breaking ranks in 1996 to settle with antitobacco interests, the Smith & Wesson move will likely trigger, pardon me, an industry-wide cave. High time.

Because the National Rifle Association bosses are starting to sound a little too screwy for comfort. The NRA's lobbyist, Wayne LaPierre, accused the president of murder, disgusting most Americans, embarrassing conservative Republican allies in Congress, and shaming those of the 3 million dues-paying NRA members with any sense of decency. This nutcake inhabits some sort of Wayne's World where he thinks he can get away with traducing Clinton as "willing to accept a certain level of killing to further his political agenda . . . he needs a certain level of violence in this country," and holding Clinton personally responsible for a gun murder.

With Republicans wincing all over Washington, we recall Wayne's 1995 NRA fund-raising letter denouncing federal agents as "jack-booted government thugs." That prompted President George Bush to quit the NRA. What Bush understood, and LaPierre does not, is that after Waco and Oklahoma City, words can be as lethal as bullets. Now the legal system is about to exact enormous settlement penalties against gun makers for the hundreds of thousands of gun deaths, 651,000 since 1979, the year before Ronald Reagan became president. The gun guys saw the handwriting on the wall and the whites of the antigun lawyers' eyes.

A jury in Miami may shortly return a colossal punitive judgment against tobacco, which could force the industry to post billions in a bond, threatening bankruptcy for even the largest manufacturers. If you're Mr. Big at the Shoot'em-up Gun Corp., you're looking at these kinds of statistics:

Every 18 minutes, an American dies of gunshots; every two years, more Americans die from guns than perished in the Vietnam war - 15,000 suicides, 11,000 murdered, another 1,500 in accidents, logs New York Times columnist Bob Herbert. And the bill is coming due. Twenty-nine cities and counties are suing gun makers. The legal posses are circling.

Smith & Wesson copped a plea, took a deal, and won immunity from a huge Excedrin Headache of a legal mess. "This agreement is a major victory for American families," said Clinton, speaking for every clan that buried a gunshot victim. He even had a kind word for British-owned Smith & Wesson's "courage and vision." The No. 2 manufacturer, Glock, announced it was thinking of going along, but not gracefully. "We are still weighing the idea of bleeding to death with legal bills vs. the cost of complying," grumped an executive of the Austrian-owned gun maker, which sells more than half of all police weapons, a market share very much now in jeopardy.

Even Moses got into the act. Charlton Heston, who had an easier time parting the Red Sea in Hollywood than dealing now with public opinion, made an NRA TV commercial castigating Clinton as a liar. But if Moses is reading a script from "Wayne's World," more than 40 nervous House Republicans were sensing a change in the public's attitude. They voted to pressure their leadership to bring together a House-Senate conference committee, which has met only once since last summer.

"America is waiting to see whether Congress can really produce a bill that responds to the interests of our children and not the intimidation of the NRA," Clinton said. Republicans in tough reelection fights need some cover after Columbine and other outrages.

Governor George W. Bush, who speedily disavowed LaPierre's rhetorical low blows against Clinton, now scoots leftward, saying he's for trigger locks, too. But Bush has a time bomb in his saddlebags: He signed a right-to-carry law that lets Texans lug their six-shooters, concealed, just about anywhere. So the candidate in cowboy boots will need to hide his holster by November.

LANGUAGE: ENGLISH

LOAD-DATE: March 22, 2000

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Divider Title: _____

FOCUS - 6 OF 32 STORIES

Copyright 2000 The Columbus Dispatch
The Columbus Dispatch

March 22, 2000, Wednesday

SECTION: EDITORIAL & COMMENT, Pg. 9A

LENGTH: 754 words

HEADLINE: A SAFE PATH GOP MUST STEP AWAY FROM INTRANSIGENT NRA

BODY:

Reasonableness triumphed over rhetoric Friday with the news that the nation's largest gun manufacturer will implement new controls on how it makes and sells handguns. The agreement was a welcome respite from more than a week of unproductive accusations fired by the National Rifle Association.

A more important lesson can be taken from the compromise: In between the poles that the two sides of the gun-control debate inhabit lies the path of progress.

The deal includes these measures:

- * Within three years, handguns will be manufactured using "smart technology," which allows only authorized users to fire them.

- * The company will place a second, hidden set of serial numbers on all new guns. That move is expected to make it easier to trace guns because criminals should find it harder to erase identifying marks.

- * Smith & Wesson authorized dealers will be governed by a company-imposed "code of conduct" prohibiting them from making sales at gun shows without checking the background of gun buyers.

- * Customers wanting to buy more than one gun will be able to take home only one initially -- they will have to wait 14 days to pick up the rest.

The agreement was between the gun manufacturer, the departments of Treasury and Housing and Urban Development, 15 cities, Connecticut and the state of New York.

It comes after many Republicans distanced themselves from the extremist comments of NRA Executive Vice President Wayne LaPierre, who has taken to blaming President Clinton for individual deaths and for wanting a certain level of gun violence to pursue an anti-gun agenda.

Such outlandish statements may have won the NRA new members, but they lost the group the political support, at least for now, of some GOP leaders who had been reliable allies. Some Republicans already had stepped back from the NRA's

intractability. But the GOP as a whole has become far too tolerant of an organization that has shown such inflexibility on such an important issue.

Common sense should have been telling Texas Gov. George W. Bush, Senate President Trent Lott of Mississippi and House Whip Tom DeLay of Texas that the NRA's extreme position did not represent the sentiment of the majority of Americans or, even, a large proportion of gun owners.

Almost 90 percent of respondents in a 1998 survey by the National Opinion Research Center at the University of Chicago and the Johns Hopkins Center for Gun Policy said they supported legally requiring new handguns to be designed so that children could not fire them; 71 percent wanted a law requiring guns to be manufactured so that only owners could shoot them.

A January 2000 Gallup Organization poll indicated that 73 percent of Americans favor registering all handguns. Gun ownership has dropped steadily over the last four years.

Yet, poor judgment and the NRA influence in election campaigns have made too many Republicans afraid to work toward legislation that the public wants and is in the public good. Like other powerful interest groups working on other issues, money has helped the NRA get its way.

In 1999 and so far this year, the NRA contributed about \$ 300,000 to Republican members of the House of Representatives and \$ 55,000 to GOP senators, according to the Center for Responsive Politics, which based its calculations on filings with the Federal Election Commission. The NRA contributed \$ 1.35 million in 1997 and 1998 to Republican House and Senate members.

This month's shooting death in Michigan of a 6-year-old by a 6-year-old has refocused the issue of gun violence. The first anniversary of the killing spree at Columbine High School on April 20 will highlight how little legislators have done to address the accessibility of guns, particularly to young people.

That shooting, the strong reaction to the vitriol coming from NRA officials' mouths and the Smith & Wesson settlement may change that.

Momentum is increasing to pass gun legislation nationally, as well as in the Statehouse. Rep. Ann Womer Benjamin, R-Aurora, is renewing efforts to craft a gun safe- storage bill that will appeal to all sides of the issue.

In addition to legislative efforts, more gun manufacturers should show the same admirable responsibility as Smith & Wesson in making guns less accessible to and less useable by children.

Gun makers' motives need not be altruistic. The public still wins -- and its sentiments finally are heeded -- if avoiding costly legal settlements prods gun makers toward sensible safety measures.

GRAPHIC: Phot, A smart gun and its brain

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FOCUS - 7 OF 32 STORIES

Copyright 2000 The Daily Oklahoman
THE DAILY OKLAHOMAN

March 22, 2000, Wednesday CITY EDITION

SECTION: EDITORIAL;

LENGTH: 403 words

HEADLINE: Cut and Run Gun Pact Weakens Gun Rights

BODY:

IT'S not hard to see why British firearms manufacturer Smith & Wesson signed a pact with the Clinton administration last week.

Having watched the federal government use lawsuits and the threat of lawsuits to herd the tobacco industry into a multi-billion dollar settlement, the gun maker saw a similar prospect on the horizon in suits against firearms manufacturers by the U.S. Housing and Urban Development Department and a number of municipalities.

Smith & Wesson decided to cut and run, no doubt to limit its potential financial liability, but in the process earning the scorn of Second Amendment defenders - other gun makers and the National Rifle Association - left to soldier on against President Clinton's demagoguery.

The agreement itself is less remarkable than the public relations points it hands Clinton and his anti-gun allies.

It contains a number of the items Clinton has been clamoring for: trigger safety locks with each weapon sold, Smith & Wesson's support for "smart gun" technology that would allow only the gun owner to fire a weapon, restrictions on Smith & Wesson dealers at gun shows and more.

All are "feel good" measures that won't do much to stop the kind of high-profile shootings the president likes to exploit while building support for gun control legislation.

More significant is the perception that the pro-Second Amendment forces' battlements have been breached and that more serious anti-gun measures, such as national handgun registration, now may be thinkable. The NRA says the agreement heads that way with a requirement that Smith & Wesson firearms contain a "ballistic signature" to help authorities trace a weapon from a bullet or casing.

Worse, it's hard to imagine this anti-gun administration will be satisfied with what it wrung from Smith & Wesson. There are other manufacturers to squeeze through litigation, actual or threatened, to accomplish in the courts what isn't possible through Congress.

Smith & Wesson's deal with the Clinton administration was a surrender of the high ground of the Constitution. It increases the likelihood of more government regulation that ultimately will hassle law-abiding gun owners much more than the criminals it is supposed to encumber.

Smith & Wesson has made this sorry bed; others are going to have to fight hard to keep from having to lie in it, too.

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FOCUS - 9 OF 32 STORIES

Copyright 2000 Stuart News Company
Press Journal (Vero Beach, FL)

March 22, 2000, Wednesday

SECTION: Editorial; Pg. A12

LENGTH: 433 words

HEADLINE: BLACKMAIL MASQUERADES AS LAW

BODY:

President Clinton said it was "courage and vision" that led Smith & Wesson Corp. to agree to actions supposedly rendering firearms less dangerous to the innocent, but his is an erroneous assessment. It was not courage and vision at all.

The more likely motive was the possibility of being pummeled into non-existence by a slew of suits filed against gun manufacturers by 28 cities and the threat of more suits from thousands of public housing authorities under the direction of the Department of Housing and Urban Development.

Even at that, this coerced settlement between the major gun firm and bully-boy federal officials appears mostly for a show, an effort by Smith & Wesson to get itself off the hook with minimal damage to its pocketbook and by the White House to look like the nation's gun-control savior. That's not the worst of it. This is one more example of how this White House thinks any means is justified to achieve its politically profitable ends.

A highly publicized element of this agreement is the pledge to put trigger locks on guns, not so bad an idea, but an idea that most gun manufacturers have been planning on since a prior agreement with the administration several years ago.

Smith & Wesson also says it will only sell its guns to distributors that agree to abide by rules to keep the guns out of the hands of criminals. But some of these issues are already covered by state or federal law and the promise presupposes that Smith & Wesson is a police department with enforcement powers, which it obviously is not.

More interesting, perhaps, is Smith & Wesson's pledge to make all its handguns so-called smart guns within three years. Some doubt, however, that the technology will succeed in its aim of making weapons readily operable only by their owners. And the company, some have told the press, was traveling down this path anyway.

A reported fear of other gun manufacturers is that this Smith & Wesson deal will set them up in court cases, making it look as if they were negligent because they have not taken all the steps Smith & Wesson has. But Robert Levy, a fellow in constitutional studies at the Cato Institute, doesn't think Smith & Wesson had much choice.

The company, Levy says, knew it did not have the resources to defend itself against federal suits to which the White House turned after failing to get its way legislatively. For the administration to use public resources in this way, he said in a statement, is "no better than blackmail masquerading as law." And that's an assessment that is not erroneous.

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FOCUS - 10 OF 32 STORIES

Copyright 2000 Bergen Record Corp.
The Record (Bergen County, NJ)

March 22, 2000, WEDNESDAY; ALL EDITIONS

SECTION: OPINION; Pg. L9

LENGTH: 452 words

HEADLINE: SMITH & WESSON COMPROMISE IS BLACKMAIL

SOURCE: Wire services

BYLINE: JAY AMBROSE

BODY:

PRESIDENT CLINTON SAID it was "courage and vision" that led Smith & Wesson Corp. to agree to actions supposedly rendering firearms less dangerous to the innocent, but his is an erroneous assessment. It was not courage and vision at all.

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Jay Ambrose writes for the Scripps Howard News Service.

LANGUAGE: English

LOAD-DATE: March 22, 2000

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Divider Title: _____

FOCUS - 1 OF 32 STORIES

Copyright 2000 The Denver Post Corporation
The Denver Post

March 23, 2000 Thursday 2D EDITION

SECTION: DENVER & THE WEST; Pg. B-07

LENGTH: 735 words

HEADLINE: Putting a spin on it

BYLINE: Al Knight,

BODY:

President Bill Clinton and his political allies continue to reduce the precision of the English language as they flit from one public-policy issue to another.

Because they are so intent on getting their own way, they damage or destroy useful words and concepts and never show a hint of regret.

Two recent events illustrate the trend. The first has to do with last week's decision by Smith & Wesson, the nation's largest gun-maker, to give in to government demands and make a number of changes regarding manufacture and marketing.

Smith & Wesson had been sued by about 30 municipalities, and the federal government had threatened to join those suits. The company, faced with mountainous legal bills, finally surrendered to preserve its 'viability.' Viability means 'capable of living' and 'having the ability to grow, develop and expand.' In other words, Smith & Wesson signed the agreement so that it would not die.

Numerous press accounts, however, blindly reflected the administration's point of view that Smith & Wesson had voluntarily signed. 'Voluntary' was a key word in followup articles and statements by either the administration or its allies.

Sen. Herb Kohl, D-Wis., author of a bill that would require all handguns to be sold with child-safety devices, said the company's 'voluntary action should be made mandatory for all gun-makers.' If something is mandatory, it can't at the same time be voluntary, and vice versa.

In the euphoria of the announcement concerning Smith & Wesson's newfound willingness to install child-safety locks, very few commentators noted that the original threat of a federal lawsuit was an inappropriate act by the Clinton executive branch in that it attempted to achieve by litigation what could not be obtained by legislation.

Rich Bauter, vice president of firearms-marketing for Browning, another gun manufacturer, said what commentators should have said: 'I would think that everybody in the country would be absolutely outraged at not only Smith &

Wesson's steps, but also the U.S. government's steps that have intruded into the legislative process.' The dominant theme is the one advanced by the Clinton administration: This is a victory for children. The threat of a lawsuit was justified and the proof can be found in the fact that - at least for one manufacturer - it worked. End of story. The fact that a perfectly good word, 'voluntary,' had to be tortured and killed in the process is of no apparent significance. The second event that distorted the clarity of our thinking was the Democratic reaction to Tuesday's U.S. Supreme Court decision that the Federal Food and Drug Administration may not regulate tobacco products. The court found that the FDA had, in 1996, asserted it had jurisdiction to regulate tobacco products, even though it had 'expressly disavowed any such authority since its inception.' After years of acknowledging that it had no right to regulate such products, the Clinton administration changed its mind and asserted an authority not granted to it by Congress. No surprisingly, the court noted that on six different occasions Congress had specifically said otherwise, and it firmly ruled that the FDA has no such authority. How did the president react? Without missing a beat, he said it is 'now the responsibility' of Congress to deal with this matter. Again, pure spin is at work. It is more accurate to say that whether the FDA regulates tobacco has always been for Congress to decide. The pity is that, for four years, Clinton and his hirelings at the FDA attempted to ignore that fact. The truth is that this president believes that Congress is unimportant, and has contrived with executive orders and threatened lawsuits against American corporations to get by one means what it cannot get by following constitutional principles.

No wonder then that an enterprising firm has begun to market a clock counting down the minutes and seconds until the Clinton administration finally ends. Given the damage already inflicted on the precise use of our language, it can't come soon enough. Al Knight (aknightfchaffee.net) is a Denver Post and editorial writer.

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