

THIRD DRAFT

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REPORT OF THE FIREARMS WORKING GROUP

For the Interdepartmental Working Group on Violence Prevention

December 10, 1993

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I. Executive Summary

Firearms play a central role in the current epidemic of violence. Although children do not appear to be fighting more, when children do fight, they are much more likely to kill because they are more likely to be using firearms. As homicide rates have soared, both the victims and perpetrators have become younger and younger. We have now reached a point in our nation unparalleled in our history: our children are routinely killing our children. The young today are more likely to die from gunshots than from cancer, heart disease, and AIDS combined. And, what may be even more tragic, these firearm injuries are largely predictable and preventable.

In 1990 alone, firearms were used to commit over 16,000 homicides; an additional 239,400 persons were nonfatally injured during assaults with firearms. Further, firearms were involved in over 18,000 suicides and approximately 1,500 unintentional deaths and an undetermined number of suicide attempts and nonfatal accidents. The lifetime cost of all firearm-related injuries occurring in 1985 was estimated to be 14.4 billion dollars. Firearm-related death rates for women, teenaged boys, and young adults are higher now than at any other time. For young people 10 to 34 years of age, firearms are the second leading cause of death, and one out of five deaths to U.S. teens is due to firearms. In fact, in 1990 more U.S. teenagers died from firearm-related injuries than from all natural diseases combined.

In the past the United States has not had a comprehensive approach to preventing firearm injuries. There are very few federal laws regulating firearms, and those few that exist are essentially piecemeal and terribly underenforced. Rational public policy, well-executed science, and effective enforcement will help cure the epidemic of firearm violence.

We need an approach based on what works, and, to effectuate this, a marked acceleration of research, program evaluation, and new technology development. The amount of money the federal government has committed to preventing firearm injuries pales in comparison to the amount that it spends preventing problems that take fewer lives. For instance, the federal government invested \$500 million in research and program development to prevent motor vehicle injury deaths, saving 250,000 lives over the past 25 years. We can do at least as well in preventing firearm injuries, provided that we change the basis for thinking about prevention of firearm injuries from purely politics and philosophy to include science; from purely criminal justice and law enforcement to include health risks and public health, education, housing, transportation, and substance abuse

prevention. We must involve everyone in the process of prevention. We must involve, from the beginning, all communities: men and women, urban and rural, black, Asian, Hispanic and white, conservatives and liberals.

Above all, we must look at a broad array of interventions. We must recognize that there is no one problem and no simple or quick solution to firearm violence. Rather, there are an interrelated set of problems and a range of viable solutions.

PROBLEM: The wrong people can get firearms too easily
SOLUTIONS:

- Limit the supply of new firearms and ammunition
- Restrict access to these weapons

PROBLEM: Firearms are frequently misused
SOLUTIONS:

- Improve enforcement of existing laws
- Punitively tax particular lethal ammunition
- Regulate places where firearms allowed and how they can be carried
- Promote public education about gun safety

PROBLEM: Many firearms are inherently unsafe and excessively lethal
SOLUTIONS:

- Ban the most dangerous weapons and ammunition
- Make firearms safer through new technologies

The Wrong People Can Get Firearms Too Easily

Existing federal law leaves the supply of firearms and ammunition in the United States largely unregulated. As a result, there is a tremendous supply of firearms in this nation; estimates are that there are more than 200,000,000 firearms currently in circulation, or almost one firearm for every person in the United States. The sheer volume of firearms on the streets makes them readily available to virtually anyone who wants them. Thus, inevitably, the wrong people often get their hands on guns. By the wrong people, we mean not only "criminals," but also those persons who may lack the careful judgment that should accompany gun ownership; children, people impaired by alcohol or other drugs, or blinded by rage. So long as the supply of firearms and access to firearm remain essentially unrestricted, these persons will continue to get their hands on guns and kill intentionally or unintentionally.

Laws that prohibit carrying guns in public and that impose a mandatory sentence for crimes perpetrated with a firearm have been found to have small but positive effects in reducing firearm homicides. After passage of the 1977 Washington D.C. restrictive licensing law that prohibited handgun ownership by everyone but

police officers, security guards, and previous gun owners, firearm suicides and homicides declined by 25%.

Once a firearm is manufactured, it is difficult to make sure that it goes only to a responsible adult; therefore, effective firearm control must address the problem at its source by limiting production of new firearms and ammunition, especially the most dangerous weapons. In addition to pressing for total bans on new production of assault weapons (as in Senator Feinstein's amendment to the Crime Bill), the Administration should consider enforced limits on the production levels of the ordinary handgun, which, due to its concealability and broad availability, remains the weapon of choice among criminals, accounting for approximately 80% of all gun homicides. Although the public may not be prepared for a total handgun ban (presumably because of a perception that there are legitimate uses for a handgun), the legitimate demand for handguns is certainly met by the more than 70 million handguns already in circulation, and the introduction of two million or more new handguns into the market each year. Therefore, it may be politically feasible to freeze manufacture of handguns at current levels, with measured reductions in production levels over time, perhaps leading toward a total, or near-total, ban on production of handguns for civilian use.

Restrictions on new manufacture of various firearms, standing alone, will not eliminate the huge existing arsenal of firearms, or keep firearms away from the wrong people. State or local amnesty or buy-back programs, under which citizens turn in firearms, may help chip away at the arsenal, as would an end to the government practice of selling or distributing to civilians firearms seized in crimes. But only tough, new requirements that retail and secondary firearms purchasers be licensed and/or register their firearms, combined with stricter enforcement of laws prohibiting sale of firearms to certain classes of persons, will dramatically reduce the wrong peoples' access to guns.

In addition to, or as an alternative to, a licensing scheme (where firearms purchasers might have to pass a gun safety test and a background check to receive a permit to buy any firearm or ammunition), the Administration should consider creating a class of "restricted weapons," potentially to include all handguns and semi-automatic long guns, that could be purchased or carried only by persons holding valid registration certificates for those firearms. Such restricted weapon certificates should be issued by the local police or licensing authority only after the applicant passed the Brady background check, demonstrated a satisfactory knowledge of the safe and responsible use of firearms, and proved that the firearm would be used for one of several, specified legitimate purposes. Restricted weapons could be possessed only in one's home or place of business or on the premises of a target range (depending on the terms of the registration certificate), or while transported to or from any of the above. Possession of an unregistered, restricted firearm or unlawful public carrying of a restricted firearm would be a

punishable federal offense.

Tighter restrictions on retail firearm sales must be supplemented by efforts to block the two streams by which felons most often obtain their firearms; the illegal black market and theft. The federal government should regulate secondary transfers of all firearms to prevent their delivery to prohibited persons. To transfer a firearm, an unlicensed person should be required, along with the transferee, either to go to the premises of a licensed dealer and document the transfer in the dealer's records, or to mail a transfer application to the local police (including the name and residence of both the transferor and transferee). The transferee should be required to certify that he is not a prohibited purchaser (as he must now do in order to buy a firearm from a licensed dealer), and, in the case of a handgun, to wait five days for a "Brady" background check. To control theft from licensed dealers, the Administration should advocate enactment of new requirements that dealers store their firearms securely, as well as stricter penalties for gun theft.

Licensing and registration requirements, which ultimately are designed to screen out prohibited purchasers, will not be fully effective unless we tighten various loopholes in the current law of prohibited purchasers, expand the list of prohibited persons to include all prospective firearm owners with a demonstrated propensity to violence, and force licensed dealers to comply with existing federal firearm laws. To ensure dealer compliance, it is desirable to reduce the number of licensed firearm dealers (currently numbering almost 250,000) through higher fees and tighter application standards, as redouble efforts to monitor licensed dealers. Further, to prevent rapid arming of criminals, federal law should incorporate a Virginia law that prohibits licensed dealers to sell more than one firearm per month to any single individual.

Firearms Are Frequently Misused

Federal regulation of firearms must be designed not only to limit the access of the wrong people to firearms, but also to keep people who gain possession of firearms from putting them to unlawful or unsafe uses. Such behavior modification can be effected by a multi-layered approach of (1) creating tough penalties for gun-related crimes that are strictly enforced, as well as fiscal disincentives to purchasing particularly dangerous ammunition; (2) requiring that firearms be safely carried and used, and prohibited in certain safe havens; and (3) promoting public education about gun safety.

The Administration should encourage passage of tougher penalties for gun crimes, as in the Senate's Crime Bill, and commit sufficient resources to ensure swift and certain punishment for all such crimes. Further, because the public cost of gunshot

injuries is immense, the excise tax on handguns and particularly lethal ammunition should be increased to help offset the cost of providing medical care to gunshot victims.
[MARK: NEED stuff on number 2 above]

Until now, the federal government has done little to educate the public about the risks of firearm ownership. Campaigns against smoking and drunk driving have been quite successful, and the Administration should help spearhead a widespread public service campaign about the risks of firearm ownership and use. Pending health care legislation and ongoing Health and Human Service's programs should incorporate firearm violence prevention training.

Inherently Unsafe and Excessively Lethal Firearms

Federal law prohibits import of firearms not suitable for sporting purposes and requires imported weapons to adhere to certain safety standards; however, current federal policies do not similarly restrict production of assault weapons or impose the same safety standards on domestic manufactures. It is absurd and tragic that gun manufacturers in the United States have a federally-created monopoly on trafficking in violence.

The recent approval of the Feinstein amendment to the Senate's Crime Bill, which would prohibit new manufacture and sale of 19 specified assault weapon models and any copycat versions, together with the existing ban on production of certain armor-piercing ammunition, demonstrate a willingness to ban the most dangerous types of firearms and ammunition. However, the armor-piercing bullet ban is material-based (prohibiting use of certain dense materials in the bullet's core) and the proposed assault weapon ban is model-by-model (albeit with an inclusion for similar weapons), and this type of narrowly-tailored legislation invariably lags behind the innovative firearm manufacturer, who has always been able to use different materials and develop substantially different weapons to achieve the same deadly effect. Firearm manufacturers ought not to make weapons lacking any legitimate sporting application. To implement this common-sense idea, new legislation should focus on the effect or performance of a firearm or bullet, rather than how the weapon is constructed, and adopt specific performance standards that would prohibit manufacture of firearms capable of firing more than a certain number of rounds or bullets per second as well as ammunition that, under specified firing conditions, pierces armor, expands more than a certain percentage upon impact, or ignites upon contact.

Additionally, the federal government should promote firearm safety by requiring domestically-manufactured firearms to incorporate the same safety features as imported firearms, encouraging or mandating use of trigger locks, and continuing to fund research into "Smart Gun" technologies capable of rendering

a firearm unusable except by its owner (as a method of preventing injuries caused by children and theft of firearms).

Given the dramatic and terrible consequences that firearms have had on our society, it is remarkable that research and development funds in the area of firearm violence prevention amount to a mere seven cents of every \$100 of R&D funds spent by the federal government. At present there is no systematic national data on patterns of firearms ownership, use, supply fatalities and injuries. To inform the public, and to inform new policymaking in firearm violence prevention, the federal government should fund research in these areas, as well as undertake efforts to evaluate the effectiveness of particular laws and strategies designed to limit the supply of firearms, restrict access to firearms, and promote gun safety.

Recommendations

a. Federal Policy

- 1) Curb Production of Assault Weapons and Superlethal Ammunition, and Contain the Existing Stock of Weapons
 - Prohibit manufacture of assault weapons
 - Ban manufacture of superlethal ammunition
 - Freeze manufacture of handguns at current levels, with measured reductions in such levels over time
 - Regulate sale of replacement parts for machine guns
 - Contain the existing stock of weapons, by banning government sale or distribution of seized firearms to civilians and encouraging amnesty and buy-back programs
- 2) Control Access to Firearms
 - Expand the List of Proscribed Purchasers
 - Restrict Restoration of Firearm Possession Rights
 - Require licensing for owners and Registration of Particular Firearms
 - Enhance Enforcement of Firearm Dealers
 - Regulate Secondary Transfers and Multiple Sales of Firearms, and Interstate Sales of Rifles, Shotguns and Ammunition
- 3) Make it Costly to Misuse Firearms
 - Increase the tax on firearms and dangerous ammunition
 - Impose steep penalties on gun crimes

- 4) Encourage People Not to Use Firearms or to Use Them Safely
 - Promote Firearm Safety
 - Regulate Advertising for Firearms and Ammunition
 - Undertake Public Education Efforts

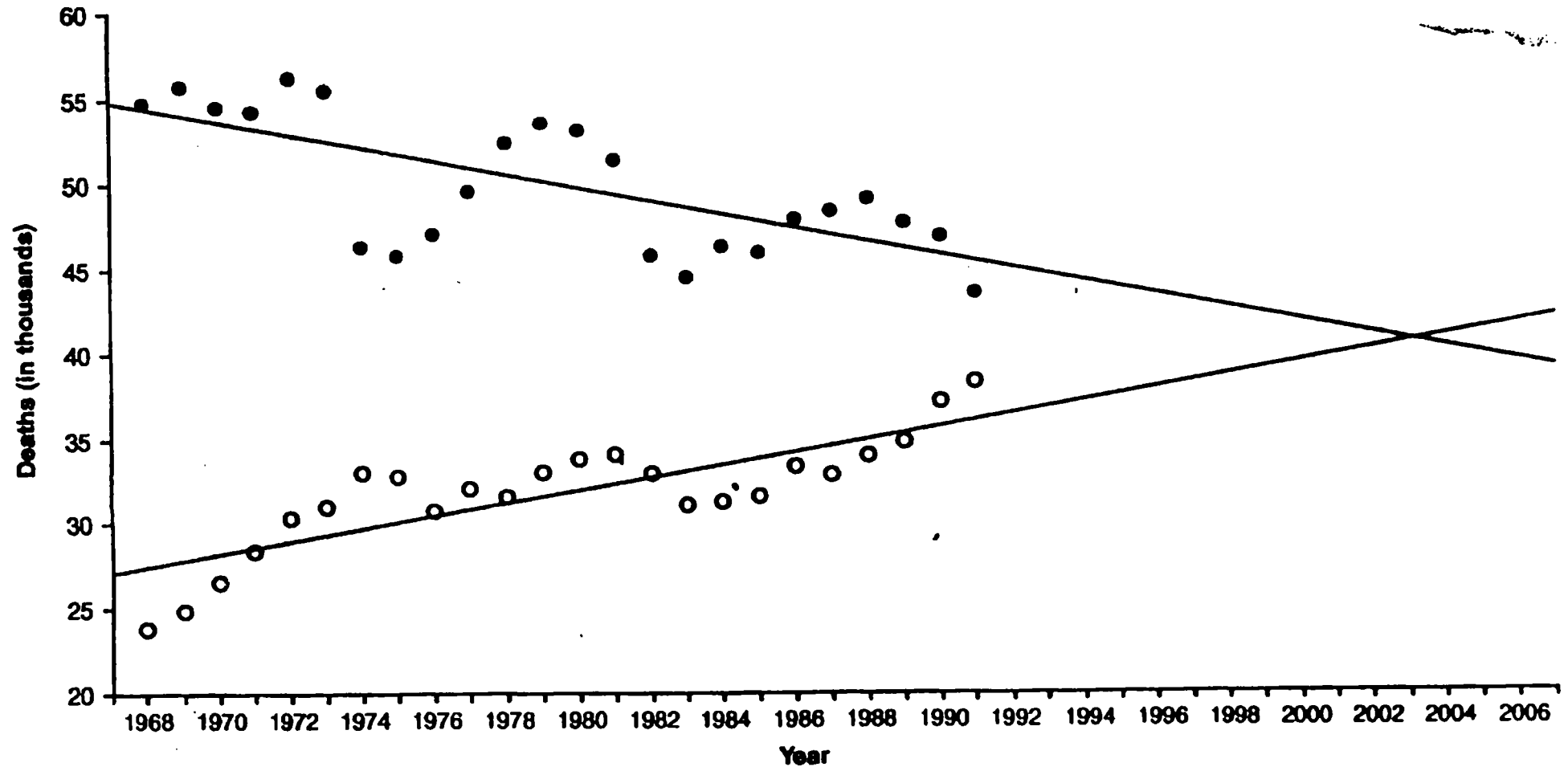
b. Other

- 1) Develop a public information and education campaign
- 2) Focus on keeping guns out of the hands of children

c. Research

- 1) Undertake research through CDC and NIJ to better understand patterns of acquisition, ownership and use of firearms
- 2) Establish a National Firearm Injury Reporting System at CDC
- 3) Evaluate interventions to measure their effectiveness in preventing firearm injuries. Support an accelerated research and demonstration program for this.
- 4) Explore technological innovations which can promote firearm safety
- 5) Support epidemiologic research to better understand the risks and benefits of gun ownership and access

Recent Observed and Projected Firearm- and Motor-Vehicle-Related Injury Deaths United States



● Motor Vehicle
○ Firearms

The solid lines are predicted numbers of deaths based on linear regression. If recent trends continue, firearms will become the leading cause of injury death by the year 2004.

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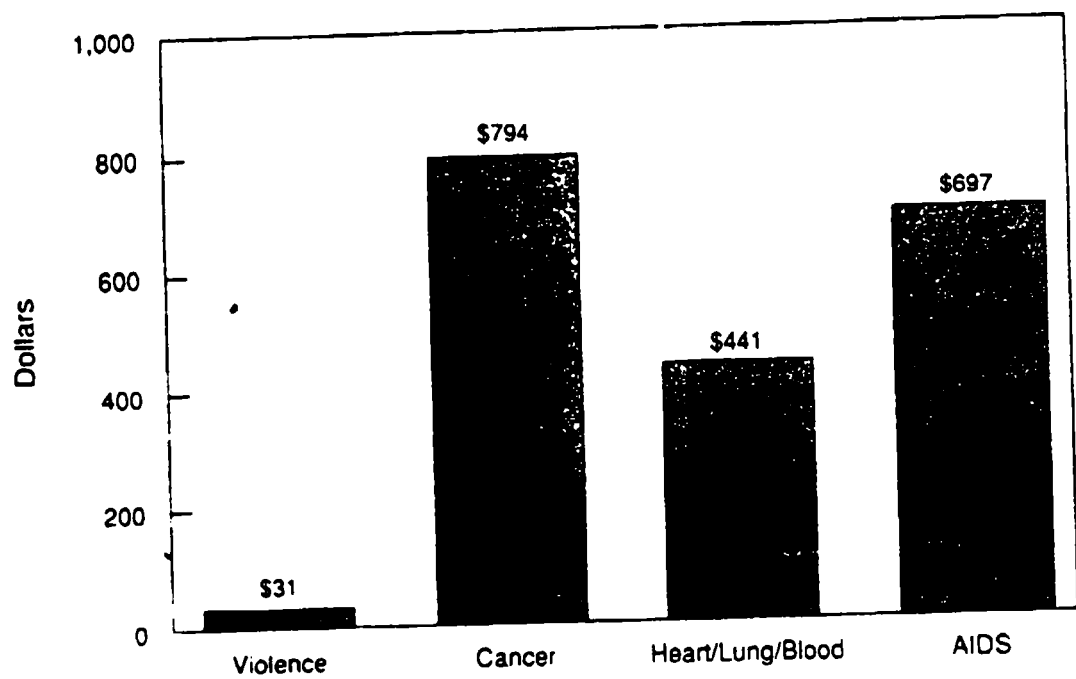


FIGURE 8-1 Research expenditures per year of potential life lost for selected causes of death.

I. Scope of the Problem

The FBI's Uniform Crime Reports for 1992 indicate that firearms were used in 68% of the 22,540 reported homicides 81% of the firearm-related homicides involved handguns, 7% involved shotguns, and 5% involved rifles. Forty percent of the robberies committed in 1992 involved firearms--the only weapon category to show an increase. Nearly one-quarter of the aggravated assaults in 1992 were committed with a firearm. For 1992, the total number of homicides, robberies, and aggravated assaults involving a firearm was about 562,000. [FBI-UCR, 1992]

Although about two-thirds of firearms in circulation are "long guns" (rifles and shotguns) handguns are disproportionately likely to be used in homicides, by a factor of more than 3 to 1. Even though a high proportion of handguns is used in violent crimes, the risk of violent use is not evenly distributed among handguns in circulation. A 1987 study indicated that new handguns (those acquired most recently) are especially likely to be involved in violent crimes. Estimates indicate that 33 violent crimes are committed for every new handgun sold. [need cite--picked up from Mark's comments on first draft]

Black males in their twenties face the greatest risk of death from firearm-related injury for any age-race-sex group. For 1988-1991, the homicide rate (homicides per 100,000 population) for black males, ages 15-24 was xx/100,000; the rate for all males ages 15-24 in the U.S. is 37.2/100,000. Italy, the nation with the second highest homicide rate for males ages 15-24, suffered 4.3 homicides/100,000. Firearm homicide is the leading cause of death among black males, ages 15-24; firearms kill more teenagers than cancer, heart disease, AIDS, and all other "biological" diseases combined. [Any specific data about youthful perpetrators? The CDC Fact Sheet (Prevention of Youth Violence) indicates that young people are disproportionately represented among perpetrators and victims of violent assault]

The Human and Economic Costs Related to Firearms

While firearm-related homicide is fueling the increased public concern about firearm violence, it represents only the tip of the iceberg of all firearm-related deaths and injuries. In 1991, over 38,000 people died from fire-arm related injuries; 49% of these deaths were due to suicide, 46% were due to homicide, and 4% were due to unintentional circumstances. Someone dies from a gunshot wounds America every 14 minutes.

Because no existing data system tracks nonfatal firearms injuries, national estimates of the number of such injuries are

very imprecise. National estimates, developed by combining information from state and national hospital discharge data, indicate that about 65,129 people were hospitalized for firearm-related injuries in 1985; another 171,000 were injured by firearms but not hospitalized. Another study estimates that 5.7 gunshot injuries occur for every homicide. [Cook]

Recent trends in firearm-related fatalities and injuries among adolescents and young adults are particularly troubling. Among 15- to 24-year-olds, firearm-mortality has increased substantially since 1984. Homicide rates for black males in this age group have increased from xx in 19xx to xx in 19 xx; almost all of the increase can be attributed to firearm-related homicide. By 1988, one in five deaths among adolescent and young adults were gun-related. [Fingerhut]

Such significant numbers of fatalities and injuries obviously result in large economic costs. It is estimated that firearms are the third most costly type of injury. The average cost per fatality (\$373,520) is the highest of any cause of injury. For 1985, the lifetime cost of firearm-related injuries is estimated at \$14.4 billion. (Lifetime cost of injuries include treatment costs as costs associated with lost potential earnings). [Rice]

Two studies have examined the question of who pays for the costs of treatment, hospitalization and rehabilitation associated with firearms-related injuries by examining the hospital costs of all firearm-related injuries treated. In these studies researchers found that over 80% of the hospital costs were paid by public sources. [Martin, Wintemute]

The Prevalence of Firearms

The Bureau of Alcohol, Tobacco and Firearms estimates that some 216 million firearms have been produced for sale through 1992. The estimate includes about 73 million handguns, 77 million rifles, and 66 million shotguns. The total number of firearms produced is doubling about every 20 years, from 54 million in 1959 to 104 million in 1970, to the current 216 million. Estimated 1992 firearm production is 5.6 million--2.4 million handguns, 2 million rifles, and 1.2 million shotguns. BATF estimates that between 150 million and 200 million are actually in circulation. [need cite information from Mark's note on first draft]

The proportion of all households owning any type of firearms is estimated at about one-half and has been stable for about three decades; the fraction of households owning a handgun rose from 13% in 1959 to about 24% in 1978, where it has remained. [BJS/Cook] The General Social Survey (NORC) has developed similar

estimates--about 45% of households own a firearm, and about 30% of households own a handgun. [info for reference list?] A recent study, published in the New England Journal of Medicine, found that keeping a firearm at home nearly triples the chances that someone will be killed on the premises.

Surveys generally conclude that the fraction of households owning firearms is greatest in rural areas and small towns; higher for whites than for blacks; highest in the South, lowest in the Northeast; and higher for high-income households than for low income households. [Cook, Wright].

Accessibility of Firearms

Fifty-nine percent of students surveyed in a 1993 Harris poll responded that firearms are "easily obtainable"; 35% maintained that it would take them less than one hour to acquire a firearm. About 4% indicated that they had carried a handgun to school during the last year, and 9% claimed they had (ever) fired a firearm at someone. [Louis Harris poll, 1993] Data from the Center for Disease Control's 1991 Youth Risk Behavior Survey paint a similar picture. About 20% of students have carried a weapon to school on a regular basis, 16% of students were threatened with a weapon at school, and 7% reported being injured with a weapon.

A recent NIJ-sponsored study of students and inmates of juvenile correctional facilities also tend to confirm the results suggested by the Harris poll; 70% of inmates (upon release) and 41% of students felt they could get a firearm with "no trouble at all". Results of this study also indicated that both students or inmates would be most likely to get weapons from family or friends, or "from the street". When taken in combination with how firearms had actually been obtained in the past, the answers point to illegal and fairly close sources of firearms--if family or friends could not supply a firearm, an abundant black market network could be found on the street. [Wright]

BATF records indicate that there are over 287,000 Federal firearms licensees today. This number is an increase of about 200,000 licenses since 1968. There are more Federally licensed firearm dealers in the nation than gas stations [Sugarman; more information for reference list?] and firearm dealers outnumber schools more than two to one.

Based on a survey of a sample of Federal firearms licensees, about three quarters of the licensees conduct their firearms business in their homes; in the twelve months prior to the survey, 45% of dealers acquired no firearms, a little more than one-third of dealers acquired one-ten firearms, 13% of dealers

acquired 11-50 firearms, and 6% of dealers acquired over 50 firearms. Percentages for disposition of firearms were similar to acquisition figures. About 7% of dealers had completed multiple handgun sales (sales of two or more handguns to the same person during a five-day period.) [BATF - operation Snapshot]

According to the National Crime Information Center, 207,481 firearms, including 141,846 handguns were stolen in 1991.

II. Current Policies and Programs

Overview of the Federal Regulatory Scheme

In contrast to other hazardous products, firearms have escaped comprehensive federal regulation. The current regulatory scheme for firearms is essentially piecemeal and haphazard, with the federal government doing little more than attempting to prevent weapons from crossing state lines and seeking to prevent access to firearms by likely misusers. As a result, under the present scheme, the wrong people can get firearms too easily, firearms are frequently used unlawfully or unsafely, and many inherently unsafe or excessively lethal firearms are available.

For most firearms, federal law seeks only to supplement a patchwork of state legislation. The Gun Control Act of 1968 ("GCA") generally prohibits the purchase and sale of firearms across state lines by persons other than licensed dealers or manufacturers, and provides for a comprehensive licensing and recordkeeping scheme for dealers, manufacturers, and importers of all firearms (collectively, "licensed persons"), pursuant to which manufacturers and importers of most firearms have paid an annual licensing fee of \$50 and dealers have paid an annual fee of only \$10 (the Brady Bill increases license fees to \$200 for three years). The GCA further prohibits felons and certain other classes of persons from receiving and possessing any firearm and ammunition, and bans the manufacture, sale, and import of certain types of armor-piercing ammunition. The recently enacted Brady Bill mandates a five-day waiting period and requires background checks for prospective handgun purchasers to ensure that they are not prohibited by federal law from purchasing or possessing firearms. Finally, the GCA restricts the import of firearms, but leaves domestic manufacture of firearms by licensed persons largely unregulated.

For certain classes of "gangster-type firearms," which include machine guns, sawed-off shotguns, and short-barreled rifles, the National Firearms Act of 1935 ("NFA") imposes tax and registration requirements on transfer and possession of the existing stock, and prohibits persons from making or selling such

firearms for civilian purposes without prior approval by the Secretary of Treasury.

Current Policies and Programs in Particular Areas

Access to Firearms by Dangerous Persons

The GCA prohibits certain persons from receiving or possessing any firearm or ammunition, including persons who have been convicted of a crime punishable by imprisonment for a term exceeding one year (or, if the crime is a misdemeanor, punishable by more than two years); unlawful drug users or persons addicted to any controlled substance; persons who have been adjudicated mentally defective or who have been committed to a mental institution; and aliens unlawfully in the United States. The GCA also authorizes the Secretary of the Treasury to reinstate firearm possession rights to members of these excluded classes upon application of the individual, if the applicant is not dangerous and the public interest would not be compromised.

The GCA further prohibits dealers from selling or delivering firearms or ammunition to any individual under eighteen years of age and, in the case of firearms other than shotguns or rifles or ammunition for firearms other than shotguns or rifles, to any individual less than 21 years of age. Underage persons are not, however, in the class of persons proscribed from receiving or possessing firearms and so may receive firearms purchased, for example, by a parent or other adult. The Senate's pending anti-crime bill would ban juvenile receipt or possession of handguns.

Notwithstanding these provisions, federal firearms laws have not achieved their aim of keeping firearms out of the hands of persons most likely to misuse them. This is in part because of the huge supply of firearms and ammunition, which makes access to them readily available. Furthermore, all persons who should be prohibited from purchasing and possessing firearms are not so prohibited under current law. For example, courts have interpreted "mentally defective" extremely narrowly--to embrace only persons who are adjudicated to have impaired intellectual abilities from birth (i.e. idiots or imbeciles), not mentally ill or insane persons. See United States v. Hansel, 474 F.2d 1120 (8th Cir. 1973). Similarly, tourists, asylum-seekers and other non-resident aliens legally in this country, who would be more difficult to screen under the Brady check, may purchase and possess firearms as long as they have resided in a particular State for at least 90 days or have received authorization from their consulate or embassy. Persons convicted of misdemeanors, most of which are punishable by a term of imprisonment of less than two years (and, hence, not a prohibiting offense under the GCA), also are not proscribed from possessing firearms, even if

the misdemeanors constitute crimes of violence or are drug-related. Finally, juveniles, domestic abusers, and persons subject to restraining orders may lawfully possess firearms, including handguns, although the Senate's pending anti-crime bill would deny or restrict possession by these individuals.

In addition to being too sparing in its list of proscribed purchasers, present law is too lenient in allowing proscribed purchasers to obtain "relief from disabilities" and thereby have their firearm possession rights restored. Currently, all proscribed persons may apply for, and receive, restoration of their firearm possession rights by the Bureau of Alcohol, Tobacco and Firearms ("ATF")--including persons who have been convicted of violent or drug-related crimes. Under the GCA, any person whose civil rights with respect to a state conviction have been restored is entitled also to have his or her federal firearms rights restored, and many states automatically restore a convict's civil rights after he or she has served the sentence, without application to or approval by ATF.

Furthermore, in part because the annual dealer licensing fee has been only \$10, there are a huge number of licensed dealers, which frustrates federal efforts to ensure that these dealers comply with federal firearm laws. ATF estimates that over 70% of these licensed dealers conduct no regular business operations and primarily use the license to obtain the benefits of trading interstate, avoiding waiting periods in their community, and buying firearms at wholesale. Because the federal statute creates no minimum level of business activity to qualify for a license, and federal resources for monitoring the large number of licensees are limited, many dealers are able to continue to operate in violation of federal firearm laws governing proscribed purchasers, not to mention state and local licensing, taxing, and other business-related laws.

Persons likely to misuse firearms are able to obtain firearms not only through undermonitored licensed dealers, but also through unregulated private, secondary transfers of firearms. Neither the GCA nor any other provision of federal law regulates intrastate transfers of non-NFA firearms by unlicensed persons; such secondary transfers are lawful provided the purchaser is not prohibited by any provision of the GCA from acquiring or possessing a firearm, which is effectively unenforceable. The GCA also does not regulate multiple sales of firearms to the same person (except that the Brady Bill requires notification of local police of multiple handgun sales).

Regulation of Unsafe or Unlawful Uses of Firearms

The GCA authorizes a five-year sentence for any person who makes a false statement in connection with the acquisition or attempted

acquisition of a firearm, ammunition or dealer license, and a ten-year sentence for any person who knowingly sells a firearm or ammunition to a proscribed purchaser and for any such proscribed person who possesses or receives a firearm or ammunition. Furthermore, the GCA permits penalties of up to ten years for any person who ships or receives a firearm or ammunition intending to use it (or knowing that it will be used) to commit a felony, as well as for any person who transfers a firearm or ammunition with knowledge that it will be used to commit a drug trafficking crime or violent crime. Finally, the GCA currently imposes several mandatory minimum sentences for firearms offenses: for instance, a five-year mandatory minimum sentence enhancement for persons carrying a firearm during a federal drug trafficking crime or crime of violence (over and above the sentence imposed for the crime of violence or drug trafficking crime).

The Senate's anti-crime package, if passed in current form, would increase the penalties for a wide range of federal gun crimes and create several broad, new federal gun crimes, accompanied by stiff penalties. For instance, the Senate's Bill would create federal jurisdiction over state crimes of violence and state drug trafficking crimes involving firearms that had crossed state lines, and impose mandatory minimum sentence enhancements for crimes of violence or drug trafficking crimes involving use of a firearm (over and above the sentence imposed for the underlying crime). Finally, the Senate's package would make any murder involving a firearm that had moved in interstate commerce a federal offense, punishable by death.

In addition to penalizing illegal use, federal attempts to regulate the use of firearms by imposing a federal excise tax on the sale of pistols and revolvers, as well as on all other firearms, shells and cartridges sold by firearms manufacturers, producers, and importers. The excise tax is currently 10% on sales of pistols and revolvers, 11% on sales of firearms other than pistols and revolvers, and 11% on sales of shells and cartridges. Revenues from this excise tax presently are used to fund wetlands preservation efforts.

The federal government lacks a comprehensive scheme for promoting safety in firearm use. The federal government does not currently fund any public education programs designed to prevent firearm violence (although the federal government has funded some general violence prevention initiatives). Education programs dealing with firearms violence prevention have, however, made a start in some schools and community centers. Most of these programs are in nascent stages, and evaluation and effectiveness data are only now being prepared. The following programs merit further exploration:

- *School-based anti-gun campaigns:* Straight Talk About Risks--a

pre-K through 12 curriculum designed by the Center to Prevent Handgun Violence--aims to decrease firearm violence among youth by showing them nonviolent ways of coping with anger and resolving conflicts. Public schools in New York, New Jersey, Dade County (Florida), San Diego, Oakland, and Los Angeles have used STAR.

- *Health Practitioner Training in Firearm Injury Prevention:* The American Academy of Pediatrics and the Center to Prevent Handgun Violence jointly conduct a campaign to provide pediatricians with materials and guidelines for counseling parents on the risks of keeping firearms in the home. The University of New Mexico School of Medicine recently implemented a more integrated gunshot injury-prevention program (with NRA cooperation) that strove to promote firearm safety awareness among health-care professionals and firearm owners.

- *Community-based campaigns:* In 1985, the Charlotte, North Carolina Police Department, assisted by the Police Executive Research Forum and the Handgun Information Center, launched a community-wide awareness program, "Handgun Safety Month," during which local police made numerous television and radio appearances and public service announcements, made presentations to neighborhood watch groups, schools, and public housing sites, distributed brochures, and conducted demonstrations concerning safe firearm use and storage. This program had some success in persuading members of the community to lock away their handguns. See Ronald E. Vogel and Charles Dean, "The Effectiveness of a Handgun Safety Education Program," 14 Journal of Police Science and Administration 242 (1986).

Regulation of Inherently Unsafe or Excessively Lethal Firearms

Although federal law requires certain safety features on imported firearms (such as a requirement that handguns not fire if dropped, and size restrictions to minimize easy concealability), it does not mandate similar safety features on domestically manufactured firearms. As a result, ATF estimated that, in the mid-1970's, over half of the handguns produced domestically would fail the import criteria. Moreover, except for banning production and sale of machine guns, sawed-off shotguns, short-barreled rifles, and certain armor-piercing ammunition, federal law does not restrict the domestic manufacture of inherently unsafe or excessively lethal firearms, such as semiautomatic weapons and handguns.

Additional elements of the anti-crime package pending in Congress would stop production of some of the most dangerous weapons and ammunition. Specifically, the Senate's Bill would place a qualified ban on future manufacture and sale of 19 specified assault weapons and copycat versions of the prohibited models,

and ban manufacture and possession of high-volume, detachable ammunition magazines (those capable of holding more than 10 rounds of ammunition) and steel-covered armor-piercing bullets, such as the M-39B bullet.

Interaction of State Laws

Where federal law has left firearm ownership unregulated (as it has in most respects), many states have filled some of those gaps through their own gun control measures. Most of these state measures are not preempted by federal law, and further federal firearm regulatory efforts should expressly allow more restrictive state regulation to continue in force (unless in direct conflict with federal law).

As of 1989, 21 states had imposed waiting periods on prospective purchasers of at least some types of firearms; 27 states had required prospective purchasers of certain firearms to first obtain a license or permit to possess the particular firearm sought to be purchased; 23 states had required persons dealing in firearms to have both a federal and state license, with some states imposing recordkeeping requirements upon state licensees that extended beyond those imposed as a condition of a federal license; and six states had restricted the sale or possession of assault weapons. See ATF, State Laws and Published Ordinances: Firearms (19th ed. 1989).

Additionally, several states regulate secondary transfers of firearms. For example, Illinois forbids transfer unless the transferee displays a currently valid license to purchase a firearm, and requires the transferor to maintain records of such transfer for ten years. Indiana and Minnesota go further, generally requiring even the occasional, private transferor of a handgun (Indiana) or pistol (Minnesota) to forward a transfer application or report to the local police; unless waived, a seven-day waiting period is required for the police to conduct a background check on the transferee before the firearm may be transferred.

III. Proposed Remedies and Solutions

Given the tremendous social and public health costs associated with unsafe and illegal use of firearms, the federal government must undertake a coordinated, national policy to curb such misuse. Firearm misuse may be curbed through simultaneous pursuit of three comprehensive strategies: (1) further restricting access to firearms by those most likely to misuse them; (2) better regulating the use, and penalizing the misuse,

of firearms; and (3) restricting or banning inherently unsafe and excessively lethal firearms.

Strategy 1: Keeping Firearms Out of the Wrong Hands

Current federal policies aim to curb firearm misuse by proscribing certain classes of persons from possessing firearms. These policies must be supplemented by limiting the supply of new firearms and ammunition, expanding the list of proscribed purchasers, preventing certain classes of proscribed purchasers from having their firearm possession rights restored, enhancing existing enforcement of dealers to ensure that they comply with federal laws governing purchase and receipt of firearms, and regulating secondary transfers of firearms and other modes of sale that currently escape regulation and that make it easier for proscribed purchasers to get their hands on firearms.

Limiting the Supply of Firearms and Ammunition

- Freeze manufacture of handguns at current levels through imposition of quotas, with measured reductions in production levels over time, perhaps leading toward a total, or near-total, ban on production of handguns for civilian use. Handguns are the weapons of choice among criminals and, although there are some legitimate uses for handguns (e.g., self-defense), that legitimate demand is currently being met by the more than 70 million handguns presently in circulation.
- Pursue Strategy 3 (outlined below) for banning inherently unsafe or excessively legal firearms and ammunition, which will contribute to limiting the overall supply of firearms and ammunition.
- Contain the existing stock of weapons, by banning government sale or distribution to civilians of firearms seized in crime, discontinuing civilian marksmanship programs (under which the federal government distributes free ammunition to civilians), encouraging state and local amnesty or buy-back programs under which civilians turn in firearms, and perhaps confiscating all firearms possessed by prohibited or unlicensed persons.

Expanding the List of Proscribed Purchasers

- **Juveniles.** Ban transfer to and possession of all firearms and ammunition by persons under 18, with appropriate exception for sporting activities. Even if the

Senate's Bill were enacted, juveniles could possess firearms other than handguns without restriction.

- *Domestic Violence/Stalking.* Encourage passage of the amendment to the Senate's pending Crime Bill that would preclude those convicted of domestic violence offenses and those under restraining orders from possessing or receiving firearms.
- *Persons in mental institutions.* Prohibit possession of firearms by all persons presently or previously confined involuntarily to mental institutions for treatment of mental disorders regardless of length of confinement or formalities of the detention process. Current law has been read to deny firearm rights only to those who have been judicially committed or committed under a nonjudicial process expressly substituting for judicial commitment; thus, under present law, a person remains free to possess firearms even though he had been temporarily, involuntarily detained in a mental hospital for treatment of a mental disorder based on a physician's determination that he was dangerous to himself and others. See United States v. Giardina, 861 F.2d 1334, 1335 (5th Cir. 1988); cf. United States v. Hansel, 474 F.2d 1120 (8th Cir. 1973).
- *Persons with mental disorders.* Expand the prohibited class of "mentally defective" person to include the mentally ill; new legislation might prohibit persons from possessing firearms who have been adjudicated "mentally defective or mentally ill."
- *Legal Aliens.* Prohibit all persons lawfully in the United States who are neither resident aliens nor U.S. citizens from transferring, receiving, or possessing firearms and ammunition, except that such aliens may possess (but not purchase or transfer) firearms and ammunition upon receiving written authorization from their consulates or embassies that they have legitimate use for such firearms (e.g., foreign skeet-shooting sport teams).
- *Violent/Drug-related Misdemeanors.* Bar persons convicted of any crime of violence or drug-related crime (including misdemeanors) from transferring, receiving, or possessing firearms and ammunition. Many misdemeanors are punishable by a term of imprisonment of less than two years, and thus under current law do not disqualify convicted persons from possessing firearms, even if the misdemeanors constitute crimes of violence or are drug-related. Currently, eight states prohibit the sale of

firearms to, or receipt or possession of firearms by, persons convicted of at least some violent misdemeanors, variously defined.

Restricting Restoration of Firearm Possession Rights

- ***States' restoration of civil rights.*** Eliminate language from the 1986 amendment to the GCA allowing states to restore firearm rights automatically, without approval from the Secretary of Treasury.
- ***Relief from disabilities for violent or drug offenders.*** Disallow proscribed persons convicted of crimes of violence, and of drug-related crimes that involve the use, attempted use or threatened use of a weapon or explosive, from applying for or receiving relief from disabilities.
- ***Cost for relief from disabilities.*** Impose "user fees" on applicants for relief from disabilities (as well as on applicants for dealer, manufacturer, or importer licenses) which would cover the government's cost of background checks. The federal government currently spends approximately \$20,000-\$25,000 for each background check it conducts on persons applying for relief from disabilities (as well as substantial amounts for persons applying for manufacturer, importer, or dealer licenses).

Controlling Access to Particular Firearms

- ***Handguns and semiautomatic long guns.*** Create, as Canada has, a class of "restricted weapons," to include all handguns and semi-automatic long guns that are otherwise lawful. Such restricted weapons would be able to be purchased or carried only by a person holding a valid registration certificate for that firearm issued by the local police, and possession of an unregistered, restricted firearm or unlawful public carrying of a restricted firearm would be made a punishable federal offense. Under Canadian law, an applicant for a restricted weapon certificate must not only pass a background check, but also has the burden of proving that the firearm will be used for one of several, specified legitimate purposes: (1) protection of life where other protection is inadequate; (2) conduct of a lawful profession or occupation; (3) use in target practice under the auspices of a shooting club; and (4) as part of a gun collection by a "bona fide gun collector." Restricted weapons can be possessed only in one's home or place of business or on the premises

of a target range (depending on the terms of the registration certificate), or while transported to or from any of the above. Permits to transport restricted weapons to target ranges must be carried with the weapon whenever it is transported.

- *Existing stock of newly banned assault weapons.* Add whatever assault weapons are banned by the Senate's crime Bill to the list of firearms regulated by the NFA, so that such newly-banned assault weapons already in existence must be registered, and transfers must be approved by the Secretary of Treasury.

Enforcing Compliance of Firearm Dealers

Considering the significant responsibility and powers given licensees under the federal firearm laws, the exponential increase in the number of licensees in recent years, and the significant public cost of caring for gunshot victims, existing license fees remain quite low, even though they were recently raised from \$10 annually to \$200 for three years. The new fee amounts do not even begin to cover the public cost of monitoring and enforcing compliance with federal firearm laws by licensees (which is estimated by ATF to be approximately \$650 annually per dealer). Moreover, low licensing fees have resulted in a proliferation in the number of licensees, many of which conduct no regular business operations and are inadequately monitored due to diminished federal resources. Many of these dealers fail to comply with federal laws restricting to whom they may sell.

ATF estimates that an increase in the dealer licensing fee to \$500 annually would result in a reduction of the number of licensed dealers from 246,000 to somewhere between 50,000 and 70,000. Also necessary are stricter enforcement efforts and tougher application standards for existing licensees.

- *License fees.* Further increase license fees, and place all or some of the revenues from the increased fees into a Health Care Trust Fund which would be available to help offset the public cost of providing medical care to gunshot victims. ATF has proposed that the annual dealer licensing fee be raised to \$500 annually to help cover the costs of compliance and to reduce the number of licensees who have no interest in conducting regular business operations; we recommend an increase to at least \$650 annually to cover existing costs.
- *Engaged in the business.* Refine the definition of "engaged in the business" and require applicants to provide proof of intent to engage in actual business operations during the term of their licenses.

- *Identification.* Encourage passage of the requirement in the Senate's Crime Bill that would require submission of fingerprints for persons listed on applications for licenses, to assist in identifying an applicant's criminal or other disqualifying history.
- *Employee checks.* Require an applicant's employees to undergo background checks, the cost of which would be paid for by the applicant. No background checks are currently conducted on applicants' employees.
- *Convicted licensees.* Require immediate suspension/revocation of a license and cessation of business operations when a dealer is convicted of a disqualifying crime. Currently, licensees convicted of crimes punishable by imprisonment for a term exceeding one year are allowed to continue operations pursuant to an existing license until their convictions become final and during the pendency of any appeals.
- *Licensees seeking relief.* Require suspension of license when a licensee's application for relief from disabilities is pending. Currently, a licensee conducting operations who makes application for relief from disabilities is not barred from further operations under his or her license while the application for relief from disabilities is pending.
- *Gun shows.* Provide resources to ATF to inspect gun shows and flea markets to prevent illegal firearm sales. Under current law, licensees may display and take orders for firearms at gun shows located outside the State in which they are licensed to do business, and out-of-state orders may be filled at the dealer's licensed premises.
- *Inspections.* Restore ATF's authority to inspect dealers more frequently than once a year (as provided for in the Senate's pending anti-crime package) and remove the requirement for "inspection warrants," and mandate ATF to provide for the inspection of every licensee at least once every three years.
- *Lost/Stolen Firearms.* Require dealers to report lost/stolen firearms to ATF within 24 hours, and encourage security inspections by local law enforcement agencies of dealers premises to ensure that firearms and ammunition are adequately stored. The Senate's pending anti-crime package would require dealers to report lost or stolen firearms to ATF within 48 hours.

- *Develop model coordinated enforcement efforts.* Expand the Firearms Trafficking Control Program initiated in FY 1993 by the Bureau of Justice Assistance (BJA), under direction and request by President Clinton, to include at least six new projects that will be capable of replication in other jurisdictions. BJA is currently developing and implementing programs designed to coordinate the enforcement efforts of ATF and state and local law enforcement. These programs are in three areas: conducting background investigations on applicants for new dealer licenses and license renewals; targeting and prosecuting individuals and organizations involved in the unlawful use, sale or acquisition of firearms; and identifying and prosecuting violent career criminals using firearms.

Regulating Currently Unregulated Modes of Transfer

Regulating particular modes of selling firearms could significantly contribute to efforts to keep firearms out of the hands of proscribed persons, and facilitate efforts to trace ownership and possession of firearms used in crime.

- *Secondary transfers.* Regulate secondary transfers of all firearms not already restricted by the NFA by requiring the transferor and transferee of the firearm to go to the premises of a licensed dealer and document the transfer in the licensee's records. This would involve having the dealer (a) record the firearm in the dealer's acquisition records, and (b) record the firearm in its disposition records. This would, in effect, require transferees to go through the same requirements as initial purchasers of firearms (e.g. 4473 forms, etc.), and would help prevent private transfers to prohibited persons. In the wake of the Brady Bill, it would also be possible to impose a waiting period on secondary transfers of handguns (as some states have done) and to require dealers to forward the transfer information to the local police for background checks. The transferor and transferee could also be allowed to complete a transfer application and mail it directly to the local police for the requisite background checks. Both the transferor and transferee would receive a record of the transaction.

Transferors and transferees who violated these procedures would be guilty of a federal offense, and any person in possession of a firearm who could not produce the original bill of sale or official record of transfer could be sanctioned, as could the person on

record as the original owner of the firearm or as the last official transferee (if he or she could not prove that the firearm was lost or stolen). Additionally, an unlawful transferor, as the person on record as the original owner or as the last official transferee of a firearm, could be held strictly liable for all injuries inflicted by the firearm or criminally liable as an abettor to the crime, if that person lacked proof the firearm was stolen.

- *Multiple sales.* Limit the number of firearms that a licensee may sell to a single unlicensed individual within a given time period, e.g., prohibit sales of more than one firearm per 30-day period per person (as provided for under Virginia and South Carolina law), and limit the number of firearms that an unlicensed person may purchase within a given time period. Also, expand the regulation requiring licensees to report multiple sales so that firearms other than handguns are included and so that multiple sales reports include a description of the firearm by make, model, serial number, and caliber.
- *Interstate sales.* Prohibit interstate sales of all firearms and ammunition to unlicensed persons, including interstate sales of rifles and shotguns and of ammunition.

Strategy 2: Regulating Use, and Penalizing Misuse, of Firearms

Penalizing Illegal or Unsafe Use of Firearms

For the most part, penalties currently authorized for various federal firearms offenses, as enhanced by the Senate's current anti-crime package, are more than sufficient. However, certain additional measures could be helpful:

- Improve enforcement of existing laws.
- Make it a felony, rather than a simple misdemeanor, for a dealer knowingly to fail to maintain required records, to falsify records, or to fail to surrender records upon going out of business.
- Increase the statute of limitations for violations of the NFA from three to five years. Currently, federal jeopardy under the GCA for criminal possession of a conventional rifle is longer than for criminal

possession of a machine gun.

- Consider enacting penalties for negligent firearm storage. In 1989, Florida authorized misdemeanor penalties for negligent domestic firearm storage that results in a minor's improper or threatening exhibition of a firearm, and authorized felony penalties for persons storing or leaving a loaded firearm within the reach or easy access of a minor who uses the firearm to injure or kill someone.

Taxing Firearms and Ammunition

Revenue raised by the tax on firearms and ammunition has been insufficient to cover the public cost of injuries resulting from firearm and ammunition sales. Recommended legislative actions include:

- Increase the amount of the tax on handguns; it makes no sense that handguns are taxed at 10% while rifles are taxed at 11%.
- As an alternative to an outright ban on particularly lethal ammunition (such as Black Talon and 50-caliber ammunition), such ammunition could be taxed punitively.
- Place some or all of the revenue from the excise tax into a Health Care Trust Fund which would be available to help offset the public cost of providing medical care to gunshot victims.

Regulating Places and Conditions of Carrying Firearms

[To Be Filled In]

Promoting Public Education about Firearm Safety

Public education efforts have proven successful in reducing smoking and rates of drunk driving by changing the public's general attitude toward the risks involved. Although the effectiveness of public education efforts in the firearms context has yet to be evaluated, the Administration should undertake a widespread public service announcement campaign using high-level Administration personnel, television, movie and sports stars, and other publicly known Americans to advise about the havoc caused by firearms. Such a proposal could involve some rudimentary training in how to deal safely with firearms (e.g., how to take the firearm away from a sibling who has picked it up). In addition, pending federal legislation and existing federally-funded prevention programs could assist in firearm violence prevention.

Promoting Firearms Prevention Through the Health Security Act

The President's Health Security Act contains several provisions that could support violence prevention in general, and firearm violence prevention in particular.

- Title III, Subtitle C authorizes an expanded biomedical and behavioral research program at the National Institutes of Health. Violence is not listed explicitly among the Bill's research priorities; however, firearms prevention could be addressed through several identified priority areas. Additionally, the Health Services Research Initiative, to be carried out by the Agency for Health Care Policy and Research, could increase research efforts relating to identification and treatment of victims and perpetrators of violence.
- Title III, Subtitle D would give grants to States to strengthen their core public health functions, including activities to reduce violence. Subtitle D would also make additional funds available to state and local agencies and private nonprofit organizations for priority health problems. The Secretary of HHS could designate violence as a priority under this program.
- Title III, Subtitle G would make funds available to support health education programs in schools; among the targeted areas are intentional and unintentional injuries. The Bill would also fund school-related health services provided by local community partnerships, with a preferences for communities with high levels of poverty and high rates of health- risk indicators among children and youth, including intentional and unintentional injuries and gang violence.
- Title I, Subtitle B permits health plans to offer education and training to encourage patients to reduce risky health behaviors. Such training could include classes in firearm injury prevention and safety.

Seeking Passage of the Safe Schools Act

If passed, the Safe Schools Act would authorize grants to local education agencies for a variety of violence-prevention activities. The activities authorized to be funded include educating students and parents about the danger of firearms, supporting weapon-free schools, and installing metal detectors.

Seeking Reauthorization of Drug-Free Schools and Communities Act

The Administration's reauthorization proposal for the Drug-Free Schools and Communities Act would expand the program to include various initiatives designed to prevent school violence. The proposal is much broader in scope than Safe Schools and is likely to reach virtually all school districts (the current Act serves 90+% of local educational agencies).

Building Upon Existing Community-Based Youth Violence Prevention Programs

The Federal Government already funds and oversees a number of community-based programs for general violence prevention that could incorporate specific firearm components. For example, the Public Health Service--through the Centers for Disease Control and Prevention and the Office of Minority Health (OMH)--support community-based efforts aimed at youth, particularly minority youth, and the Administration for Children and Families funds community-based efforts at gang prevention.

Integrating Firearms Prevention Activities Into Ongoing Federal Programs

Many existing federal health and human services programs could incorporate firearm violence prevention activities into other services offered. For example, HHS could establish protocols for health providers in Community and Migrant Health Centers, the Indian Health Service, Health Care for the Homeless, and Title X family planning clinics to provide firearm prevention screening and education. Issues about firearm ownership could be added to the list of other health issues raised in clinical settings (such as tobacco use, drug and alcohol use, and sexual activity).

Federal agencies could be asked to examine existing programs for opportunities to incorporate firearms violence prevention. For example, prevention messages could be distributed through the Department of Housing and Urban Development's public housing programs or through the Department of Agriculture's Food Stamps and Women, Infants and Children programs.

Strategy 3: Regulating Inherently Unsafe and Excessively Lethal Firearms

Banning Assault Weapons And Superlethal Ammunition

- Expand the current list of 19 assault weapons banned under the Feinstein Amendment to the current Senate anti-crime Bill or, better yet, urge development of a performance standard ban on firearms that fire more than a specified number of bullets per ten seconds.

The Feinstein Amendment would ban the new manufacture and sale of 19 specified assault weapons and copycat versions of those models. Such a model-by-model ban, although designed also to prohibit production of firearms with certain generic features similar to the banned models, invariably lags beyond the innovative firearm manufacturer who can produce substantially different weapons with the same deadly effect. Therefore, it is desirable to enact legislation that would prohibit new manufacture of any firearms, regardless of how constructed, that fire bullets more rapidly than any legitimate sportsman could desire. Manufacturers would then be required to test the firing speed of firearms they produce to conform to federal standards before those products could be sold to dealers or to the public.

- Ban flame-throwing, 50-caliber, and Black Talon ammunition (a hollow-point handgun bullet that expands upon impact, exposing sharp edges), or preferably, adopt performance standard legislation that would ban new manufacture and sale of bullets that, under specified firing conditions, expand more than a specified percent upon impact, ignite upon contact, pierce armor (current law, even as it would be revised by the Senate's pending anti-crime package, covers only armor-piercing ammunition with specified materials in the core or jacket of the bullet), or that are 50 calibers or more in size. Further, ammunition manufacturers should be encouraged, in the interim, to cease production of such particularly lethal ammunition, as Winchester recently did by withdrawing the Black Talon cartridge from the market. There are still 20-25 other similar types of high-performance handgun ammunition on the market.
- Prevent the conversion of existing semiautomatic weapons into illegal machine guns, or the assembly of new machine guns, by requiring all purchases of accessory and replacement parts for automatic weapons to be made through licensed dealers, who in turn would be required to verify legal ownership of automatic weapons before completing sales transactions for automatic weapons parts.

Making Firearms Inherently Safer

- Encourage research into new firearm safety technology.
- Require domestically-manufactured firearms to incorporate the same design safety features required

for imported firearms.

IV. Research and Technology

In our efforts to combat the crisis of firearms violence, we are impeded by what we do not know. Presently, for example, there is no way for authorities systematically to collect national data on firearms fatalities and injuries. We know little about the type of handguns used in most homicides, about the circumstances surrounding such shootings, or about how the risks of firearms violence vary by socioeconomic status or gender. By providing data about the scope of the problem, the effectiveness of initiatives now underway, and the problem-solving potential of new technologies, firearms violence research will enable us to craft intelligent and effective policy solutions.

Controlling Access to Firearms

Evaluating the Effect of Restrictive Policies Already In Place

In states across the country, as well as on the federal level, a broad array of restrictive gun control policies are currently being implemented. They include:

- laws holding an owner liable for injuries caused by the use of his or her firearm;
- metal detectors in schools;
- educational efforts to teach firearm safety;
- waiting periods;
- firearm buy-back programs;
- increasing firearm and ammunition taxes to discourage demand;
- restricting firearm imports; and
- tighter federal regulation on initial firearm transfers, as well as on the interstate movement of firearms.

Few of these initiatives have been fully evaluated.¹ Therefore, we must assess these efforts, using an approach which accurately measures intervention success. Such measurements might include the following:

- the cost-effectiveness of the program;
- the decrease in monthly homicides from firearms violence; and
- any differential and unintended effects such policy interventions have on specific populations.

Any analysis must account for the unique circumstances and needs of the community in which the initiative was implemented.

Kids and Guns

Our efforts at controlling firearms access should be primarily focused on keeping firearms out of the hands of young people. We can begin to do this by taking four steps:

1. Determine which kids mostly carry firearms and why.

Despite the fact that it is illegal for licensed dealers to sell firearms to minors, surveys and the experiences of police and school officials suggest that adolescent access to firearms is a growing problem. In order to design programs to reduce such access we need to better understand where kids get firearms and what motivates them to want them. Present research on youth at high-risk for violence against others needs to be expanded to include youth at high-risk of using firearms to inflict self-harm.

¹ Some restrictive firearms initiatives have been evaluated, however. For example, laws which prohibit carrying guns in public and laws which impose a mandatory sentence for crimes perpetrated with a firearm have been found to produce modest reductions in firearms fatalities. See C. Loftin, D. McDowall, B. Wiersema, & T.J. Cottey, Effects of Restrictive Licensing of Handguns on Homicide and Suicide in the District of Columbia, 325 New England Journal of Medicine 1615-20 (December 5). Moreover, an evaluation of the 1977 Washington D.C. restrictive licensing law which prohibited handgun ownership by everyone but police officers, security guards and previous gun owners found that firearm suicides and homicides declined by 25% after passage of the law. See *id.* Recent increases in the D.C. homicide rate may have been even higher in the absence of this law.

2. *Evaluate the effectiveness of current intervention strategies.*

We must also know whether providing kids a corridor of safe passage between school and home and other intervention strategies actually reduce the fear level of kids. Do kids stop carrying firearms as a result of such efforts?

3. *Evaluate effect of enhanced penalties.*

For example, do stiffer penalties (from suspension to jail time) work to deter firearm incidents at school?

4. *Develop technology to make schools safer.*

Finally, we must continue to research and develop technologies such as a sophisticated electromagnetic device used in schools to detect weapons.

Disrupting Illegal Firearm Markets

If we are to stem the flow of firearms into our neighborhoods, we must first understand from where they originate and how they get to the streets. This requires rigorous efforts to illuminate the structure and operation of illegal firearm markets.²

Intuition suggests that the illegal markets in drugs and firearms are linked, but we have little data on the intricacies of illegal firearm markets and the patterns of firearm acquisition by criminals, juveniles, and other prohibited groups. To effectively disrupt illegal trafficking in firearms, therefore, we must take three initial steps:

1. *Acquire more data.*

We need more data on the structure of illegal firearms markets, as well as research into how weapons "leak" from legitimate channels into illicit ones.

2. *Evaluate and expand current firearm-tracing efforts.*

Firearms policies are most likely to be effective when directed against possession and the illegal use of firearms: phenomena about which we have the greatest knowledge. Therefore, we must look closely at what is happening at the levels of possession and

² "Illegal gun markets" are those firearms transactions which are unlawful, including: stolen weapons transfers, interstate transfers by an unlicensed person, transfers to prohibited persons (such as juveniles or felons), and transfers which are an adjunct to an illegal enterprise.

illegal use. Programs that attempt to trace confiscated weapons should be evaluated and, provided they are effective, expanded. In addition, because illegal firearm trafficking often occurs across state lines, information gathered from tracing efforts should be systematically collected and made available to state and local officials to assist them in their firearm control efforts.

3. *Apply resources already being used in the fight against drugs to the illegal firearm markets.*

We should be sure to use anti-drug resources, both investigative and prosecutorial, in the fight against illegal firearms.

As with anti-drug efforts, local authorities are likely to find that breaking up illegal firearm markets is much more easily achieved with direct community involvement. Local residents can help authorities with intelligence and, through social and peer pressure, enforcement. Communities must, therefore, be encouraged to become full partners with law enforcement officials in the effort to eliminate firearms from their streets. Experiments involving the community in drug law enforcement should be studied and evaluated.

Firearm Misuse: Understanding the Risks and Costs of Firearms

Seeing the "Whole Picture" Through Routine Data Collection

Information on the magnitude, characteristics and costs of mortality, morbidity, and disability caused by firearms and their distribution should be monitored systematically and on a continuing basis. We should take the following four steps in an effort to acquire a more complete picture of the problem of firearm violence.

1. *Establish a National Firearm Fatality Reporting System³*

Current systems for collecting information on fatal firearm injuries (e.g., vital statistics or the Uniform Crime Reporting System (UCR)), while providing some information on homicides, fail to provide key data on the type of firearm used, the location of the fatal injury, and the surrounding circumstances. Indeed, ten percent of all homicides are not recorded in the UCR. At a minimum, a firearm fatality reporting system is needed to provide sufficient data on the firearm itself (type, make, model, caliber, serial number), the type of death (homicide, suicide,

³ See Tared et al., The Firearm Fatality Reporting System: A Proposal, 267 JAMA 3073, 3073-74 (June 10, 1992).

unintended or undetermined), the victim (age, race, sex, drug/alcohol involvement), the shooter, the circumstances of the shooting, and the involvement of emergency medical services.

2. *Create a Nonfatal Firearm Injury Reporting System*

Our inability to estimate the number of nonfatal firearm injuries occurring throughout the country makes it impossible to quantify accurately the national health impact of firearms. Over the past four years, CDC has been testing the use of the National Electronic Injury Surveillance System (NEISS) to obtain national estimates of the number of nonfatal firearm injuries treated in hospital emergency departments. NEISS, which consists of a national probability sample of 91 acute care hospitals with emergency departments, is operated by the U.S. Consumer Product Safety Commission (CPSC). The CPSC uses the data obtained to track product-related injuries.

The NEISS system can be used to identify and obtain information about the nature and surrounding circumstances of firearm injury. Such data can be supplemented with information from police departments and other sources.

3. *Modify Existing Surveys to Improve Available Information on Firearm Injuries.*

In addition to implementing new data collection systems, modifications to the National Crime Victimization Survey (NCS) and the National Health Interview Survey (NHIS) may help improve the availability of information on firearms and firearms injury.

4. *Support and Expand Systems for Routinely Collecting Information on Firearms Injuries at the State and Local Level.*

National data collection systems are often of limited use to state or local agencies and communities where localities lack the resources to analyze adequately the collected information. Therefore, there is also a need to support the development of data collection systems that can be used to guide and support local prevention efforts. Certain states and localities such as Massachusetts and Harlem, New York are already piloting emergency department-based firearm injury surveillance systems. Support should be provided for maintaining and expanding such systems, as well as establishing similar operations in other localities.

Understanding Patterns of Firearm Acquisition, Ownership and Use

Each year, thousands of Americans decide whether to acquire a firearm with little, if any, knowledge of whether firearm ownership increases or decreases the risk of injury to them or their families.

We must ascertain the assumptions and motivations underlying firearm ownership and use in order to help individuals make informed decisions about firearms. Four research inquiries will help us begin to understand both the risks and true costs of firearm possession.

- How frequently are firearms used to successfully ward off potentially violent attacks?
- Do the risks, benefits and costs of firearm possession vary according to where you live, who you are, or what you do?
- How do the risks, benefits and costs of firearm possession vary according to gender?
- What are the risks, benefits and costs associated with keeping a firearm in the home, storing a loaded or unlocked firearm, or carrying a concealed firearm in public?

Monitoring the True Cost of Firearms Injuries

In addition, we need a fuller understanding of how firearms injuries contribute to long-term disabilities and, more generally, how much such disabilities add to the nation's annual health care costs.

Evaluating the Effectiveness of Harsher Penalties

Finally, we must ascertain whether various punitive measures, such as stiffer sentences for using a firearm while committing a crime, actually deter firearm misuse.

Promoting Inherently Safer Firearms

We should move forward with technological research and other efforts which promote firearms safety. Three areas show promise in this regard.

- ***"Safe Guns."*** Using defense technology, "safe" or "smart" firearms are rendered useless if used by anyone other than the owner. One device would recognize the owner's palm, making use by another impossible. Another would be proximity-based, allowing the firearm to be fired only when within a certain proximity to the owner's holster.
- ***Ammunition.*** We must establish handgun ammunition

performance standards that are linked to the ability of the bullet to pierce body armor. If the ammunition penetrates a body armor vest, it should be disallowed for manufacture and use.

- *Advanced Weapons Detection.* A system combining advanced electromagnetic technology and a firearms database is being currently being developed. Such a device would be highly accurate in detecting concealed firearms while minimizing privacy intrusions. The goal is to develop a hand-held version of such a device, usable by police officers on the street.
- *Less-than-lethal Technologies.* To provide law enforcement with effective, safer incapacitating alternatives to firearms, we should continue to research methods of developing products such as "pepper" mace. If effective, these technologies may later be transferred to civilian use.
- *Education.* We should implement/identify and evaluate public education efforts, such as a public awareness campaign on firearms safety (covering issues such as safe storage, safe use, etc.).

12/21/93

Bruce -

Poling information from
a meeting last week.

Mason

Study #3805B--page 1

PETER D. HART RESEARCH ASSOCIATES, INC.
AMERICAN VIEWPOINT

Interviews: 1020 Respondents

Dates: November 12-15, 1993

FINAL

Study #3805B
Income Security
November 1993

48 Male
52 Female
[5]

AREA		STATE		TYPE	SAMPLE POINT			FORM	DATE		
[6]	[7]	[8]	[9]	[10]	[11]	[12]	[13]	[14]	November	[15]	[16]
											1993

I'm calling from Peter Hart Research, the national public opinion polling firm. We are conducting a national survey and I'd really appreciate the chance to get your opinions on some important issues facing the country today. (CHECK BELOW FOR THE CATEGORY OF RESPONDENT YOU ARE SUPPOSED TO ASK FOR, THEN SAY:) Your number was selected at random, and in this household, I am supposed to speak with the (youngest/oldest) (man/woman) age 18 or over who is at home now.

PERSON TO ASK FOR

___ ASK FOR YOUNGEST

___ ASK FOR OLDEST

(REPEAT INTRODUCTION IF RESPONDENT IS NOT THE PERSON WHO FIRST ANSWERED THE PHONE.)

1. Are you currently registered to vote in the precinct or election district where you now live, or haven't you had a chance to register yet?

Registered	100	CONTINUE	[17]
Not registered	-	TERMINATE	
Not sure	.		

- 2a. All in all, do you think things in the nation are generally headed in the right direction, or do you feel that things are off on the wrong track?

Right direction	29	[18]
Wrong track	50	
Mixed (VOL)	15	
Not sure	6	

Study #38068--page 2

- 2b. For each of the following areas, please tell me how well you feel things are working now in this country--very well, fairly well, not that well, or not well at all. First, (READ ITEM) is this working very well, fairly well, not that well, or not well at all? (ROTATE ORDER.)

	<u>Very Well</u>	<u>Fairly Well</u>	<u>Not That Well</u>	<u>Not Well At All</u>	<u>Not Sure</u>	
The criminal justice system	1	19	31	47	2	[16]
The Social Security system	9	48	22	14	6	[20]
The tax system	3	38	27	30	4	[21]
The educational system	5	34	28	30	3	[22]
The health care system	4	32	31	30	3	[23]
The welfare system	2	14	30	48	5	[24]

- 3a. In your opinion, which is the bigger cause of poverty and people being poor today--people not doing enough to help themselves out of poverty, or circumstances beyond people's control that cause them to be poor?

People not doing enough	48	[25]
Circumstances beyond people's control	33	
Some of both (VOL)	17	
Not sure	2	

- 3b. In your view, is the problem of continuing poverty mostly a result of government not having the right policies or of people not having the right values?

Government not having right policies	24	[26]
People not having the right values	44	
Both equally (VOL)	28	
Not sure	4	

4. For each of the following, tell me how big a factor it is in causing poverty, on a scale from 1 to 10. A rating of "1" means the item is not a cause at all, a "10" means it is a top cause of poverty, and a "5" is somewhere in the middle. Remember, you may use any number between 1 and 10, depending on how you feel. First, (READ ITEM)--how big a cause of poverty is this on a scale from 1 to 10? (ROTATE ITEMS EVERY OTHER INTERVIEW. IF "NOT SURE" RECORD A "5".)

	<u>Mean</u>	<u>(10-5)</u>	<u>(7-5)</u>	<u>(4-1)</u>	<u>Not Sure</u>	
Poor people lacking motivation	6.1	29	32	18	1	[27]
Absent parents not paying child support	7.0	49	35	15	1	[28]
Increased immigration	6.3	39	35	23	3	[29]
A shortage of jobs	6.7	42	39	18	1	[30]
The welfare system	6.9	45	38	15	2	[31]
The breakdown of families and family values	7.6	60	29	10	1	[32]
Poor people receiving inadequate education	6.9	46	36	16	2	[33]
Too many jobs being part time or low wage	6.8	42	37	20	1	[34]

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FROM 202 232 8134

TO 4061056

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Study #38058--page 3

5. Do you think government is currently spending too little, about the right amount, or too much on (READ ITEM)? (ROTATE FIRST TWO ITEMS, THEN ROTATE THIRD AND FOURTH ITEMS.)

	Spending Too Little	Spending The Right Amount	Spending Too Much	Not Sure	
Poor people	38	29	26	8	[38,38]
People on welfare	14	24	56	7	[36,40]
Unemployed people	28	44	20	8	[37,41]
(FORM A)					
Poor families with children	47	30	15	8	[38]
(FORM B)					
Poor children	64	22	6	8	[42]

- 6a. How would you complete this sentence: "A family of three living in my area is poor if they make less than BLANK dollars a year"? How many dollars a year would you say? (PROBE:) Just give me your best guess. (READ CATEGORIES IF NECESSARY, SAYING "SOMEWHERE BETWEEN 5,000 AND 10,000 DOLLARS, SOMEWHERE BETWEEN 10,000 DOLLARS AND....")

\$5,000-\$10,000	13	[43]
\$10,001-\$15,000	29	
\$15,001-\$20,000	30	
\$20,001-\$25,000	11	
\$25,001-\$30,000	8	
Over \$30,000	5	
Not sure	4	

- 6b. Of the people currently on welfare in the United States, how many would you say deserve to be receiving welfare benefits--nearly all, most but not all, about half, less than half, or almost none at all?

Nearly all	4	[44]
Most, but not all	14	
About half	42	
Less than half	32	
Almost none at all	5	
Not sure	3	

- 6c. About how much would you say the average family of three on welfare in your area receives in cash benefits and food stamps each month? (PROBE:) Just your best guess. (READ CATEGORIES IF NECESSARY.)

\$100-200 a month	3	[45]
\$201-300 a month	8	
\$301-400 a month	10	
\$401-500 a month	18	
\$501-\$600 a month	13	
\$601-\$1,000 a month	7	
\$1,001-\$1,500 a month	5	
\$1,501-\$2,000 a month	2	
\$2,001 or more a month	1	
Not sure	33	

Study #38058--page 4

6d. Do you think that people on welfare generally live fairly comfortably or that they can barely get by?

Live fairly comfortably	34	[46]
Can barely get by	59	
Not sure	7	

(FORM A)

7. For each of the following, tell me if you strongly agree, somewhat agree, somewhat disagree, or strongly disagree with the statement. First, (READ ITEM), do you strongly agree, somewhat agree, somewhat disagree, or strongly disagree? (ROTATE ITEMS.)

	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Not Sure	
(FORM A)						
Many working people are just a paycheck away from poverty	48	35	16	3	1	[47]
The majority of welfare recipients never get off of welfare	47	35	11	3	4	[48,55]
Welfare provides a crucial safety net for poor children, who are not responsible for their poverty	40	40	10	7	3	[48,52]
Many welfare recipients collect payments they are not legally entitled to	53	30	9	8	3	[50,53]
(FORM A)						
Many people on welfare would like to work, but cannot find a job	25	38	21	15	1	[51]
(FORM B)						
Most welfare mothers would take jobs if they could find child care	34	32	17	13	4	[54]
(FORM B)						
The majority of welfare recipients never get off of welfare	44	36	13	3	4	[55]
(FORM B)						
It's harder today than it used to be for people to work their way out of poverty	47	28	13	10	2	[56]

8. Which would you say is the bigger problem with the welfare system today--it spends too much money, it spends money in the wrong way, or is neither one a problem?

Spends too much money	4	[57]
Spends money the wrong way	65	
Neither one is a problem	6	
Not sure	5	

Study #38058--page 6

(READ:) Now I have some questions about possible changes in the welfare system. By welfare, we mean only programs intended specifically for poor people and poor families--not those for the elderly or the disabled.

- 9a. If the government was going to reform the welfare system, what would you say should be its most important goal? (PROBE:) What would you most like to see changed about the system? [58-61]

Make recipients more accountable, make sure they are eligible, check, monitor them, curtail abuse, make sure money goes to people that really need it	23%
Provide more job training	17
More restrictions on who gets welfare, stop making it so easy to get welfare	14
Educate people, more money for education	14
More jobs are needed, there aren't enough jobs	10
Make recipients work, no money if they don't, shouldn't be giving money to people that can't work and won't work	7
Don't know no response	7

- 9b. Here are some possible goals for reforming the welfare system. Which one or two would you say are the most important? (ROTATE ORDER EVERY OTHER INTERVIEW. ACCEPT UP TO TWO RESPONSES.)

Strengthening families and family values	32	[62]
Helping people get off the welfare rolls and into the work force	52	>
Making sure poor children get the support they need	22	
Eliminating fraud and abuse	28	
Ending long-term dependence on welfare as a way of life	29	
Saving taxpayers money by reducing spending on welfare	7	
Not sure	1	

10. The following are some proposals related to poverty and welfare. For each one, tell me if you would strongly favor, somewhat favor, somewhat oppose, or strongly oppose the proposal? (ROTATE ORDER EVERY OTHER INTERVIEW.)

	Strongly Favor	Somewhat Favor	Somewhat Oppose	Strongly Oppose	Not Sure	
A two-year limit on welfare benefits	35	30	19	12	4	[63]
Tougher measures to collect child support from absentee fathers	81	14	2	2	1	[64]
Guaranteeing that no one would lose their health insurance because they left welfare and got a job	68	21	6	3	2	[65]
Allowing welfare recipients to earn wages up to the poverty level without losing all their welfare benefits	48	35	8	7	2	[66]
Requiring welfare recipients to work in return for their welfare checks	71	22	3	3	1	[67]
Providing subsidized child care to poor mothers who want to work	71	24	3	1	1	[68]

Study #3806B--page 6

(FORM A)

11a. Which of the following do you think is the single best approach to reforming the welfare system? (ACCEPT ONLY ONE RESPONSE.)

Improving and expanding education and job training programs	40	[69]
Requiring recipients to take a public service job if they cannot find other employment	35	
Tougher measures to collect child support from absentee fathers of poor children	13	
Ending benefits for all families after they have been on welfare for two years	9	
None of these (VOL)	1	
Not sure	2	

(FORM B)

11a. Which of the following do you think is the single best approach to reforming the welfare system? (ACCEPT ONLY ONE RESPONSE.)

Improving and expanding education and job training programs	46	[70]
Requiring recipients to take a public service job if they cannot find other employment	32	
Tougher measures to collect child support from absentee fathers of poor children	10	
Ending benefits for all recipients after they have been on welfare for two years	9	
None of these (VOL)	1	
Not sure	2	

11b. Suppose it turns out that welfare reform actually costs a lot more money in the short run than the current welfare system, because of the costs of child care, job training, and other programs that help more people to leave welfare. Would you favor or oppose such a welfare reform plan, even if it cost more money in the short run?

Favor plan	77	[71]
Oppose plan	18	
Not sure	8	

Study #3805B—page 7

11c. Now, here are some additional proposals related to poverty and welfare. For each one, please tell me if you would strongly favor, somewhat favor, somewhat oppose, or strongly oppose the proposal? (ROTATE ORDER EVERY OTHER INTERVIEW.)

	Strongly Favor	Somewhat Favor	Somewhat Oppose	Strongly Oppose	Not Sure	
Stop giving extra money to mothers if they have another child after they go on welfare	46	20	17	14	1	[72]
Pay for transportation for welfare recipients to get to their jobs	25	42	18	12	3	[73]
Require fathers of children on welfare to work at public service jobs if they do not pay their child support	70	21	3	4	2	[74]
Have the government provide public service jobs to poor people who want to work but can't find private-sector jobs	57	30	8	4	3	[75]
Raise the minimum wage from \$4.25 an hour to \$5.00 an hour	54	21	13	10	2	[76]

(FORM A)

12a. Should mothers who have preschool children and who are on welfare be required to work? (IF YES:) Should they be required to work full time or part time?

Yes, Should Work		
Full time	17	[77]
Part time	38	
Not sure how many hours	5	
No, Should Not Work		SKIP TO Q.12c
Not Sure	6	

(FORM A)

(ASK ONLY OF RESPONDENTS WHO ANSWERED "YES, SHOULD WORK" IN 12a.)

12b. And should mothers who have preschool children and who are on welfare be required to work only if child care is provided, or should they be required to work even if child care is not provided?

Only if child care provided	36	[78]
Even if child care not provided	19	
Not sure	5	
Do not think should work (from Q.12a)	40	

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TO 4081056

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Study #38058--page 8

(FORM B)

12a. Should mothers who have infants and who are on welfare be required to work? (IF YES:) Should they be required to work full time or part time?

Yes, Should Work:		
Full time	14	[79]
Part time	27	
Not sure how many hours	6	
No, Should Not Work	47	SKIP TO Q.12c
Not Sure	6	

(FORM B)

(ASK ONLY OF RESPONDENTS WHO ANSWERED "YES, SHOULD WORK" IN 12a.)

12b. And should mothers who have infants and who are on welfare be required to work only if child care is provided, or should they be required to work even if child care is not provided?

Only if child care provided	27	[80]
Even if child care not provided	16	
Not sure	4	
Do not think should work (from Q.12a)	53	

(ASK EVERYONE)

12c. Do you think a single mother working at a part-time, minimum-wage job should be permitted to receive welfare benefits, for as long as she earns less than the poverty level, or do you think she should not be permitted to do so?

Should be permitted	88	[81]
Should not be permitted	9	
Not sure	5	

(READ:) Now, I have a few questions about two different welfare reform plans.

13a. One welfare reform proposal places a two-year limit on welfare benefits. After two years, benefits would be ended for all able-bodied recipients, and the government would not provide a job. Would you strongly favor, somewhat favor, somewhat oppose, or strongly oppose such a two-year limit?

Strongly favor	26	[82]
Somewhat favor	30	
Somewhat oppose	24	
Strongly oppose	18	
Not sure	3	

13b. An alternative welfare reform proposal would require welfare recipients to attend job training sessions as soon as they start receiving welfare. After two years, if they have not found employment, welfare recipients would be required to work at a public service job. Would you strongly favor, somewhat favor, somewhat oppose, or strongly oppose this proposal?

Strongly favor	64	[83]
Somewhat favor	26	
Somewhat oppose	4	
Strongly oppose	3	
Not sure	1	

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13c. Why do you feel that way about this proposal? (PROBE) What are some of the things you particularly like or dislike about this proposal? [84-91]

Net Positive Comments	57%	Net Negative Comments	11%
Plan gives a chance to be educated, gives them job training, a skill	28	Government can't guarantee everyone a job, if they can't find a job they shouldn't be penalized	3
Makes recipients work, trains them to and makes them work for what they get, if they are able they should work	26	Most of them don't have job skills	3
Plan gives them a chance to survive, gives them a chance to get off welfare, an incentive to make them feel better, more self worth	15	Government will be using public funds to create jobs, disagree with concept of government funding jobs	1
Two years is enough time for people to find jobs	12	Why does government have to find them jobs?	1
Teaches people that welfare is not a free ride, will get people used to working instead of collecting, decrease dependency on welfare	7	Welfare recipients should be taught self-motivation first, if individuals are not motivated to work and get off welfare, plan will not work	1
		Don't know, no response	5

13d. Which one of these two approaches to welfare reform would you say is better--1) after two years, benefits would be ended for all able-bodied recipients, and the government would not provide any job; or, 2) after two years, welfare recipients who have not found other employment would be required to work at a public service job?

Cutting off benefits after two years	12	[92]
Requiring recipients to work at public service job	83	
Both the same (VOL)	2	
Neither (VOL)	1	
Not sure	2	

(READ:) Now, I have some questions specifically about the first proposal that provides for a two-year limit on welfare benefits, without any guarantee of a job.

14a. If there were a two-year limit on welfare benefits, would you favor a hard-and-fast cutoff for all able-bodied recipients after two years, or do you think the limit should be applied on a case-by-case basis?

Hard-and-fast cutoff	19	[93]
Case-by-case basis	79	
Not sure	2	

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Study #3805B—page 10

- 14b. For each of the following cases, please tell me if the cutoff should apply to this person after two years on welfare, or if an exception should be made in this case. First, (READ ITEM), should the two-year limit apply in this case, or should this be an exception? (ROTATE ORDER ON EVERY OTHER INTERVIEW.)

	Apply Limit	Make Exception	Not Sure	
A mother with preschool children	21	72	7	[94]
Someone who has worked for many years and is on welfare for the first time	36	59	6	[95]
A teenage mother who has not completed high school ...	43	50	7	[98]
Someone who lives in an area where the unemployment rate is more than ten percent	36	56	8	[97]
Someone who is in a job-training program but still reads at the seventh grade level	41	53	6	[96]
A mother on welfare who works part time at a low-wage job	18	77	5	[99]

- 14c. In one version of the two-year limit, able-bodied recipients who reached the limit would lose their benefits and would not be allowed to receive welfare for the next three years under any circumstances. Would you say this plan is too harsh, too lenient, or about right?

Too harsh	51	[100]
Too lenient	3	
About right	42	
Not sure	4	

- 14d. How many of the people who lose their welfare benefits under this plan do you think will be able to find jobs—nearly all of them, most but not all, some but not most, or only a few?

Nearly all will find jobs	8	[101]
Most but not all will find jobs	34	
Some but not most will find jobs	38	
Only a few will find jobs	16	
Not sure	4	

Study #38058—page 11

- 14a. Here are some concerns people have regarding a two-year limit on welfare benefits. For each one, tell me if you strongly agree, somewhat agree, somewhat disagree, or strongly disagree with the concern. (READ FIRST ITEM) Do you strongly agree, somewhat agree, somewhat disagree, or strongly disagree with this concern?

	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Not Sure	
Many poor children will be hurt by the cutoff, through no fault of their own	54	34	7	4	1	[102]
A two-year limit is too rigid because some poor people need more time than others to become self-sufficient . .	30	33	19	16	2	[103]
It's not fair to cut off benefits without guaranteeing a job	21	23	27	28	3	[104]
More children would be placed in foster care if welfare for their families is ended	23	32	23	15	7	[105]
With the economy in trouble the way it is, this is a bad time to start cutting families off from welfare	29	29	22	17	3	[106]
There aren't enough jobs for all the people who will be cut off under the two-year limit	29	31	22	13	6	[107]
The limit will just increase crime and disorder in poor neighborhoods, without really solving the welfare problem	31	28	23	16	4	[108]
More families with children will be homeless	29	33	23	11	4	[109]

15. Finally, I'm going to read you two statements that might be made by people running for public office. Based just on these statements, tell me which candidate you would be more likely to vote for.

Candidate A believes the best way to get people off the welfare rolls is to require people to get the education and training they need, and then to require those who are employable to take jobs. Able-bodied adults should support their children, and the government should help them meet their obligations.

Candidate B believes the best way to get people off the welfare rolls is to cut off benefits after two years, so that recipients will have to go out and find jobs and support themselves. The government should not guarantee jobs for welfare recipients at taxpayer expense because it does not guarantee a job for anybody else.

For which candidate would you most likely vote—Candidate A or Candidate B?

Candidate A/Require training and work	54	[110]
Candidate B/Cut off benefits	31	
Neither (VOL)	2	
Not sure	3	

Study #38058--page 12

FACTUALS: Now I am going to ask you a few questions for statistical purposes only.

F1a. Did you happen to vote in the 1992 presidential election?

(If "YES," ASK:) For whom did you vote--George Bush, the Republican, Bill Clinton, the Democrat, or Ross Perot, the Independent?

Voted for George Bush	30	[111]
Voted for Bill Clinton	38	
Voted for Ross Perot	15	
Other candidate (VOL)	-	
Too young (VOL)	1	
Not sure/refused/didn't vote	16	

F1b. Regardless of how you may be registered, how would you describe your overall point of view in terms of the political parties? Would you say you are mostly Democratic, leaning Democratic, completely independent, leaning Republican, or mostly Republican?

Musly Democratic	25	[112]
Leaning Democratic	11	
Completely Independent	30	
Leaning Republican	12	
Musly Republican	19	
Not sure	3	

F2. In politics today, do you generally consider yourself to be liberal, moderate, or conservative?

Liberal	20	[113]
Moderate	41	
Conservative	32	
Not sure	7	

F3. What is the last grade you completed in school? (DO NOT READ CHOICES.)

Some high school or less	8	[114]
High school graduate	34	
Some college, no degree	20	
Vocational training, 2-year college	8	
4-year college/Bachelor's degree	18	
Postgraduate work or degree	12	
Not sure	-	

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F8. Are you white, black, Hispanic, Asian, or something else?

White	83	[121]
Black	10	
Hispanic	4	
Asian	-	
Other	2	
Not sure/refused	1	

F10. If you added together the yearly income of all the members of your family who were living at home last year, would the total be less than \$10,000, between \$10,000 and \$20,000, between \$20,000 and \$30,000, between \$30,000 and \$40,000, between \$40,000 and \$50,000, between \$50,000 and \$75,000, or would the total be more than that?

Less than \$10,000	6	[122]
Between \$10,000 and \$20,000	18	
Between \$20,000 and \$30,000	18	
Between \$30,000 and \$40,000	17	
Between \$40,000 and \$50,000	11	
Between \$50,000 and \$75,000	15	
More than \$75,000	8	
Not sure/refused	9	

F11a. Have you or anyone in your immediate family ever received welfare benefits?

Yes, have received	20	[123]
No, have not received	78	
Not sure	2	

F11b. Have you or anyone in your immediate family ever received food stamps?

Yes, have received	25	[124]
No, have not received	73	
Not sure	2	

F11c. When you were growing up, would you say your family was poor, working class, middle class, or well-to-do?

Family was poor	21	[125]
Family was working class	44	
Family was middle class	31	
Family was well-to-do	3	
Not sure/refused	1	