

Crime - Brady 2

THE WHITE HOUSE

WASHINGTON

September 17, 1996

The Honorable Newt Gingrich
Speaker of the
House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

I am pleased that you have now joined me in supporting legislation to prohibit domestic violence offenders from obtaining firearms. No one who has committed an act of domestic violence against a spouse or child should be able to possess a firearm.

As you know, Senator Lautenberg and Representative Torricelli have introduced legislation that would achieve this objective. The Senate passed the Lautenberg bill for the second time last week by an overwhelming and bipartisan vote of 97-2. It is now time for the House to act on the Torricelli bill and join the Senate in supporting this bipartisan effort.

There were 88,500 incidents of domestic violence where a firearm was present in 1994. I signed the Brady Law in 1993 and to date it has prevented over 60,000 felons, fugitives and others from buying handguns. My 1994 Crime Bill included the historic Violence Against Women Act, which made it a crime for stalkers and harassers under restraining orders to carry a gun. That provision is beginning to take hold -- in Kentucky alone, over 300 stalkers and harassers were prohibited from buying firearms in one year. The legislation that you now support will build upon these important provisions.

I welcome your support and determination to complete this job. Protecting innocent women and children from deadly domestic violence is too important to let anything stand in the way. Bringing this bill to a vote in the House is an important step. But we must see it through to the end. Send it to me for my signature without further delay before Congress adjourns so that keeping guns out of the hands of all domestic violence offenders becomes the law of the land.

Sincerely,

Bill Clinton

THE WHITE HOUSE

Office of the Press Secretary
(Aboard The 21st Century Express)

For Immediate Release

August 26, 1996

REMARKS BY THE PRESIDENT
TO THE PEOPLE OF THE COLUMBUS AREA

Columbus Police Academy
Columbus, Ohio

11:04 A.M. EDT

THE PRESIDENT: Thank you. Thank you so much. I'm glad to see all of you. I thank you for that wonderful introduction. I am delighted to be here. Thank you, Chief Jackson, for being here and for the work you do every day. Thank you, Sheriff Karnes, for being here, for what you do as well. And I'm very grateful to you.

Thank you, Senator Glenn -- (audience interruption.) Wait, wait, wait. No, wait a minute. Okay, wait, wait, wait. I believe in the First Amendment; now you've had your say, may I have mine? (Applause.) Thank you, thank you very much. We'll talk about the record now. (Audience interruption.) You've got to feel sorry for these people. They don't want you to know my record; that's why they have to shout. They'd be in a world of hurt if the American people -- (applause.) You know, if the American people find out the truth, they don't have a chance and they have to try to shout it down. I don't blame them. You got to feel good -- (applause.)

Now, let me say I am delighted to be joined here with Senator John Glenn. He talked about how we'd reduced the government. He didn't tell you that he deserves a lot of the credit for it. (Applause.) Our friends on the other side talked a lot -- like today, you see, they're good at that -- they talked a lot about the government and how it was too big and how terrible it was, you know. But it just got bigger. They didn't do anything about it.

We reduced the size of it. You have the smallest federal government since John Kennedy was President. You have the smallest federal government as a percentage of our work force since Franklin Roosevelt took the oath of office in 1933, before the New Deal. (Applause.)

But the reason you haven't heard about it is we didn't throw those people in the street. Of the 250,000 people smaller the federal government is, fewer than 1,800 were involuntarily separated. I'm proud of that. We treated those people with dignity and helped them to go on to other lives, and said thank you for what they did for your country. (Applause.)

And you haven't heard about it because we continue to do the good work of America, because we have a strong and effective government. We don't have a weak government, it's just leaner and more effective. And that's a big part -- in big part the result of the efforts and the leadership of John Glenn, who saved hundreds of millions of dollars in defense procurement and did so many other things for this country that he will never get adequate credit for. But the people of Ohio should know what he has done. (Applause.)

I also want to thank a daughter of Ohio, your State Treasurer who's now my National Treasurer, Mary Ellen Withrow,

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who's here with me today. I thank her. I thank my friend Gene Branstool. I think he's back here with us today. I went to his farm, as John Glenn said, and Gene came and served with us in the Department of Agriculture until he decided, like any sane person, that he'd rather live in Ohio than Washington, D.C. (Laughter and applause.)

I've got my Ohio Buckeye that I got in Chillicothe last night. (Applause.) When I was on the train yesterday, I noticed the corn crop, and it looks really pretty. But I told Gene, I said, it's not as high as it was in 1992. He said, I know, but the prices are a lot higher and that's even better. (Laughter.)

So I am delighted to be here with you. I thank Senator Jeff Johnson -- State Senator Jeff Johnson -- and Franklin County Democratic Chair Dennis White for being here and all of you for coming out today. I want to say a special thanks to the students of the Police Academy and the men and women who graduated from and the law enforcement officials who are here today. They are here today so that we can express our gratitude to them. (Applause.)

One of the proudest moments of my presidency was to stand with America's police officers and sign, after seven years of long, hard struggle, the Brady Bill. (Applause.) I never thought of public safety as a political issue before. I never thought of it as a Republican issue. When they said they were tough on crime, because I'd been working on it for 20 years it never occurred to me that -- when a person gets mugged, they don't ask if you're a Democrat or a Republican. I thought it was an American issue. And then when we were fighting to pass the Brady Bill I never thought of it as a political issue, even though the NRA had more influence over the other party. There's lots of NRA members in my home state and half the folks have a hunting or a fishing license or both.

But tonight I'm proud to say that the Brady Bill, which was named after Ronald Reagan's press secretary, Jim Brady, and was pushed by his wife, Sarah Brady -- I'm proud to say that at the Democratic Convention in Chicago tonight Sarah Brady will be one of the speakers. It's an American issue to stand up for public safety. (Applause.)

You know, we are living in an age of enormous possibility. You read about it all the time -- the technological changes are staggering. The children in this audience, a lot of them, a lot of the young people 10 years from now will be doing jobs that have not even been invented yet, jobs that have not even been imagined yet. The pace of change is staggering. And I've been doing everything I could to make sure that we are ready for the 21st century -- it starts in just four years. I'm taking a train through the heartland of America because I want to see people like you that I've been fighting for and because I want people like you to know that that train is on the right track to the 21st century. (Applause.)

We spend a lot of time talking about opportunity, and last week was a good week for opportunity. We raised the minimum wage for 10 million people, 440,000 in Ohio. (Applause.) We made it easier for small business people and their employees to take out and keep their pension plans, even when they change jobs, and that's very important. (Applause.) We made it easier for families to adopt children, even across racial lines, and gave them a tax credit to do it and that's very important. (Applause.) We passed the welfare reform law, but we kept guaranteed health care and child care for working women and children, so that when we give people a job they can also take care of their kids. That's what we want for middle class families -- it's what we should want for poor families, as well. (Applause.)

We signed the Kennedy-Kassebaum reform bill to protect 25 million people, to give them a chance to keep their health insurance when they changed jobs and to say you can't be denied health insurance just because somebody in your family gets sick -- that's what insurance is for, people are going to get sick. (Applause.) It was a great thing.

Senator Glenn talked about the deficit. Actually, Senator, the last time a President had the deficit go down in all four years of his presidency was before the Civil War in the 1840s under John Tyler. It's been a long time since we did that. (Applause.)

That's the good news. The bad news is John Tyler was not reelected. (Laughter.) But what you ought to know while you're having that laugh is -- this is the important thing, not how long ago it was -- what you really ought to know is, when you consider the major issues in this election, is that your budget would not only be balanced, there would be a healthy surplus in the federal budget today if it weren't for the interest we have to pay on the debt that was run up in just the 12 years before I took office. (Applause.) And you all remember what that debt meant and what that interest meant.

It meant high interest costs, low investment, slow job growth, nobody getting a raise, homeownership declining because mortgage rates were so high. We cannot afford to blow a hole in this deficit again. We can have a tax cut that's targeted to child rearing, to education, to training of adults, to helping us grow the economy and helping give some income relief to middle class people. But we dare not take one we can't afford, and we don't need to go to the bank and borrow the money. We need to go on and balance this budget, keep the interest rates down, keep homeownership going up, keep business investment going up, keep new jobs going up, keep wages rising. That's what we've got to do. (Applause.)

But this whole agenda -- when you talk about the opportunity agenda in America you can get a lot of applause lines, because we've created a lot of opportunity. But America doesn't work without the other half of the bargain -- responsibility. Without responsibility, opportunity will not flourish. And unless we are committed to that basic bargain, and to the proposition that we have to go forward together across racial lines, across religious lines, across all the lines that divide us -- we need to say, as long as we all believe in the Declaration of Independence, the Constitution, the Bill of Rights, we show up for work every day, we're going arm and arm into the future. We're going to be one community in America and going arm in arm into the future. (Applause.)

Four years ago I really believed after talking to Americans all over this country that the biggest threat to that and the biggest affront to our sense of responsibility was the rising rate of crime and violence all over America. We put into place a tough strategy based on what was working already at the grass-roots level to try to reduce the crime rate, focusing on police, on punishment, on prevention -- 100,000 more police on the street, three strikes and you're out, the assault weapons ban, the Brady Bill, recreational programs for children after school, keeping the schools open more, helping communities to do that, putting those DARE officers in, having a zero-tolerance policy for guns, doing things that would work to help our kids have something to say yes to, not just to say no to. All these things are making a difference. (Applause.)

For two years I've been telling America we were having a terrible dilemma -- the crime rate was going down, but the juvenile crime rate was going up; the drug use rate was going down, but the juvenile drug use rate was going up. Now we know for two years the juvenile murder rate has dropped dramatically and, last year for the first time in a long time, the juvenile

crime rate started to go down. I can only hope that means that we can get the juvenile drug use rate down, too. We have to keep working on that. But the last thing we want to do is to take those DARE officers out of the school. We ought to do more to provide safe and drug-free schools, not less. (Applause.)

What I'd like to talk about today is where we're going from here. I spent a lot of time trying to help schools all over America do things that would save more kids -- to do things like have the option to adopt school uniform policies. I've seen it all over California, where it's become the rage, where you've got lower dropout rates, less violence, higher performance, all the kids feel better -- not just the poor kids, the middle class kids, but the wealthy kids, too. People like being judged by what's on the inside, not what on the outside. It's helping to promote discipline and values in our schools. (Applause.) Tougher truancy laws are doing the same thing; curfew laws are doing the same thing. We ought to be doing more that. (Applause.)

We also, as the Sheriff and the Chief said, did take on the gun issue, and a lot of people thought we had lost our minds. And I'll tell you, we did lose a lot of good congressmen over it. Back in 1994, I remember the other side going around telling everybody in places like Ohio and Arkansas that the Democrats and the President had voted to take your guns away. I didn't know a single deer hunter with an Uzi, not a one. (Laughter and applause.) I've been duck hunting since I was a very young fellow, and it wouldn't have bothered me a lick to wait a few days on the Brady Bill to have my record checked. (Applause.) I just didn't understand it.

But they scared a lot of people. You may know a lot of people they scared. And a lot of people, a lot of good people, a lot of good people gave up their seats in Congress so these people could be safer when they go out to defend you and so you could be safer. (Applause.)

So I hope over the next 70 days or so, you'd talk to your friends and neighbors who felt that way and remind them next time hunting season goes out, unless they decided not to, they're still carrying the same weapon they had in 1994. But there are 60,000 felons, fugitives and stalkers who don't have handguns because of the Brady Bill, and we're better off because of it. (Applause.)

Now, I want to say briefly today where I think we ought to go from here as Americans. And again, I hope they won't be partisan issues. The Brady Bill has plainly worked. It has not imposed undue inconvenience on anybody. It has made our law enforcement officials safer. And it has made our citizens safer. It covers today anyone convicted of a felony. The problem is there is one class of misdemeanors that tend to be particularly violent, where we know there's a potential for future violence, where often there's a plea bargain which goes from a felony to a misdemeanor. And that is the painful area of domestic violence. I believe that the Brady Bill should cover anybody with a domestic violence conviction. I don't believe they should be able to buy a handgun. (Applause.)

Under the current law, thousands of people who are wife beaters or child abusers -- even those who have wielded weapons in their assault, but were convicted of misdemeanors can still buy handguns with potentially deadly consequences.

I believe strongly in the right of Americans to own guns. I have used them as a hunter with great joy. But make no mistake, those who threaten the safety of others do not deserve our trust. If you're convicted of a felony, you shouldn't have one. If you're a fugitive from the law, you shouldn't have a gun. If you're stalking or harassing women or children, you shouldn't have a gun. And if you commit an act of violence against your spouse or your child, you shouldn't have a gun. (Applause.)

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Let me also say, domestic violence is a big threat to law enforcement officers. We're working hard with our new Violence Against Women section and other efforts in the Justice Department to help police officers and prosecutors and judges to understand domestic violence, to recognize it when they see it, to know how to deal with it.

This past February, we launched a 24-hour, seven-day, toll-free hotline so women in trouble can find out about emergency help, get shelter, report abuse to the authorities. I never miss a chance to give out the number. It's 1-800-799-SAFE. And about 7,000 people a month call on that hotline. (Applause.) Extending the Brady Bill to victims of domestic violence, to protect them, will save more lives. It will also save more law enforcement lives.

There are other steps we should take to protect our police officers and our citizens from gun violence. Last summer I sent Congress legislation to ban cop-killer bullets. These bullets are designed to kill police. That's what they do. They're designed to pierce bullet-proof vests. If a bullet can slice through a bullet-proof vest like a hot knife through butter, it should be against the law. (Applause.)

Every major law enforcement official organization supports this bill, and it's time for Congress to support it, too. I want a bill to give prosecutors the power to impose tougher sentences on drug traffickers and gang members who also use a gun when they commit their crimes. We used to have a bill which did that and the courts said, unless they were using the gun -- even if they were carrying the gun in full view -- they couldn't get extra penalties. That's wrong. That's wrong. We need to provide protection against people who are peddling drugs, or doing other things with a gun designed to terrify people. We need to say, if you do that, we're going to punish you more harshly. (Applause.)

Again, I want Congress to pass the bill I sent them nearly a year ago to ban guns anywhere near our schools. (Applause.) That is wrong. We used to have a bill on that, too, and the courts overturned it. So I sent them a bill to fix it and it still hasn't passed. We don't need people wandering around a block from a schoolyard with a gun. We know there are too many kids who've been killed on play yards with guns in this country, and we do not need it. (Applause.)

Now, again, there are people who are against banning cop-killer bullets. They say it's just a slippery slope eroding their right to keep and bear arms. I have never seen a deer in a Kevlar vest. Never. (Laughter and applause.) If somebody can show me a picture of one out there hiding from our hunters, I'll be glad to reassess my position. (Laughter.) But until they do I believe I'll stay with these folks here, I think they're entitled to be safe. (Applause.)

And let me just make one final comment. Usually when people like me give speeches like this we try, and sometimes we're fortunate to succeed, to have folks like this behind us, people in uniform -- because we honor them, we're proud of them, we identify with them and we're glad they're doing something we don't do and taking a risk for us. (Applause.) But I think we should never forget that the ultimate beneficiaries of all these efforts to make our streets safer and our schools safer and our homes safer are you. And I want to introduce you to the two people on the stage that I haven't introduced yet. And I want to tell you a story -- it's one of the most moving stories of my over 20 years in public life.

This man and his son -- this is Dimitrios Theofanis and his son, Nick. I'd like to ask them to stand up. (Applause.) I want to tell you how I met Dimitrios. In early 1972*, about four and a half years ago, just before the New Hampshire primary, I had a fundraiser scheduled in a big hotel in New York. And, frankly, I was having a tough time. I was dropping in the polls and all the press had said I was dead and over, history, finished. I was feeling pretty sorry for myself. All I was thinking about was my politics. I'm ashamed to say it, but that's all I was thinking about.

And I was walking through this kitchen thinking there wasn't even going to be anybody at the fundraiser because everybody said I didn't have a chance anymore. And I'm kind of looking down and just feeling sorry for myself. It was pitiful. (Laughter.) And Dimitrios was working in that hotel, in his uniform.

And I was walking through the kitchen and he came up to me and stopped me in the kitchen and he said, Governor, he said, I want to talk to you a minute. My 10-year-old boy -- his son was 10 then -- he says, my 10-year-old boy, he studies this election in school and he says I should vote for you. He said, but if I vote for you, I want you to do something for me. I said, what. He said, I want you to make my son free.

I said, what do you mean? He said, well, in the country where I came from we were poor, but we were free. I'm an immigrant. Here I'm doing well. I'm working hard, I have more money, but we're not free. He said, just across the street from my apartment there is a park, but my son can't play in it unless I'm there with him. He has a school only two blocks from our home, but my son can't walk there unless I go with him. So if I do what my son wants me to do, I want you to make my boy free.

They made an impression on me that will last for the rest of my life, and they were speaking for all of you. (Applause.) And I wanted you to see them today. They're riding the train with me to Chicago. (Applause.) Thank you and God bless you.

I hope you will support extending the Brady Bill. I hope you will support banning cop-killer bullets. I hope you will support tougher penalties for people who deal drugs with guns. And I hope you will support a good, clean law saying nobody has got any business with a gun anywhere near a school. Help us to keep making America free.

Thank you and God bless you. (Applause.)

END

11:28 A.M. EDT

Keeping Guns out of the Hands of Domestic Violence Offenders

Background:

- In 1994, there were 88,500 incidents of domestic violence where a firearm was present. Responding to these calls is deadly business for law enforcement. From 1985 to 1994, there were 65 law enforcement officers killed when they responded to family quarrels and 9 out of 10 of those deaths resulted from firearms.
- In 1993, President Clinton signed the Brady Law and it has prevented over 60,000 felons, fugitives and others from buying handguns. The 1994 Clinton Crime Bill included the historic Violence Against Women Act, which made it a crime for stalkers and harassers under restraining orders to carry a gun. That provision is beginning to take hold -- in Kentucky alone, over 300 stalkers and harassers were prohibited from buying firearms in one year.
- But many spouse abusers are not covered by this law. Because of plea bargaining or the downgrading of an offense, the overwhelming majority of domestic violence cases are misdemeanors not felonies. The result is that these offenders are still free under federal law to possess a firearm.

Disarming Domestic Violence Offenders:

- Senator Lautenberg and Representative Torricelli have been pushing for legislation that would prohibit those convicted of any offense involving domestic violence -- misdemeanor or felony -- from owning or possessing a firearm. The Lautenberg bill passed the Senate unanimously.
- Under strict orders from the gun lobby, however, the House Republican Leadership has blocked this legislation. That is why President Clinton is calling on Congress to disarm domestic violence offenders and pass legislation like the Lautenberg Bill before the end of the session.
- This bill would amend the 1968 Federal Firearms statute so that if a person is convicted of any crime of domestic violence -- not just a felony -- s/he forfeits the right to possess a firearm.
- To help States in enforcing such a measure, President Clinton's 1994 Crime Bill is already providing funding for States to improve their criminal history record-keeping abilities and in 1996 the Clinton Administration specifically instituted a "National Stalker and Domestic Violence" record-keeping program.

August 26, 1996

Cop Killer Bullets:

"The Saving Law Enforcement Officers' Lives Act of 1995"

- Criminals should not have access to handgun ammunition that can pierce bullet-proof vests worn by law enforcement officers.
- That is why President Clinton sent to Congress last summer the "Saving Law Enforcement Officers' Lives Act of 1995," which would ban cop killer bullets.
- Although current law provides limits on ammunition based on the specific materials from which it is made, it does not address the problem of excessively powerful ammunition based on its performance.
- President Clinton's legislation directs the Secretary of Treasury to promulgate regulations that will prohibit the manufacture, importation, and distribution of handgun ammunition that can pierce standard bullet-proof vests.
- In developing these regulations, the Secretary will consult with law enforcement, body armor and ammunition manufactures, sporting groups, and the academic research community. In addition, Congress is provided a 45-day opportunity to review the regulations and disapprove of them.
- This legislation would limit the availability of this ammunition without affecting the needs of legitimate sporting enthusiasts. Most importantly, it will save police officers' lives.
- Unfortunately, the gun lobby has held this legislation hostage. When Representative Schumer attempted to add a ban on cop-killer bullets to Anti-Terrorism legislation during a committee vote last summer, two Republicans helped kill the measure when they flipped their votes under pressure from the NRA.
- President Clinton is calling on Congress to stop endangering the lives of police officers and send this legislation to him before the end of the session.
- As Dewey Stokes, the former President of the National Fraternal Order of Police so forcefully stated when President Clinton proposed this legislation::

"This is the bill we've been waiting for. One that requires law enforcement, the firearms industry and the Congress to work together to close the book on cop-killer bullets -- and special interests be damned."

Tougher Sentences for Gun-Toting Drug Dealers:

"The Enhanced Prosecution and Punishment of Armed Dangerous Felons Act of 1996."

- Law enforcement needs every tool to prosecute drug dealers and armed gangs. Unfortunately, a recent Supreme Court decision tied the arms of Federal prosecutors in these efforts.
- In Bailey v. United States, the Supreme Court severely restricted Federal prosecutors ability to prosecute drug traffickers and gang members for "using" a weapon in a criminal offense. Under the Federal Firearms law, a defendant receives a five year mandatory enhancement for "using" a firearm in the commission of a drug trafficking crime or a crime of violence.
- In Bailey, the Court held that a defendant in these cases can only be charged with "using" the firearm if s/he is "actively employed" it in connection with the underlying offense.
- Left to stand, the strict interpretation in Bailey will result in lighter sentences for these criminals. Over the last 5 years, the provision in question in Bailey was used 13,424 times by federal prosecutors.
- The Clinton Administration has responded to the Supreme Court's restrictive ruling by proposing the "Enhanced Prosecution and Punishment of Armed Dangerous Felons Act of 1996."
- This bill would legislatively overrule the Bailey decision and return an important prosecutorial tool to law enforcement. The bill would punish "possession" of a firearm in the course of a violent or serious drug felony, rather than merely "use."
- In addition, the bill proposes that there should be a higher, mandatory ten-year penalty under the Federal Firearms statutes if the firearm is discharged or is otherwise employed to inflict serious bodily injury.
- President Clinton believes that gun-toting drug traffickers and gang members should receive the toughest sentence possible, and he is calling on Congress to move forward on this legislation.

August 26, 1996

Providing Safe Learning Environments for our Kids:

"The Gun-Free School Zones Amendments Act of 1995"

- As President Clinton has said, we must do everything in our power "to make schools places where young people can be safe, where they can learn, where parents can be confident that discipline is enforced ... if young people can't learn in safety they can't learn at all."
- Eliminating guns from schools and their surrounding areas are critical steps toward that goal.
- The number of homicides juveniles commit each year with guns has more than doubled between 1985 and 1992, while there has been no change in nongun homicides. A survey conducted earlier this year found that one in eight youths -- two in five in high crime neighborhoods -- reported having carried a gun for protection. One in nine said they had stayed away from school because of fear of violence. That number jumped to one in three in high crime neighborhoods.
- It is for these reasons that last year the President transmitted to Congress the "Gun-Free School Zones Amendments Act of 1995."
- This legislation would revise the Gun-Free School Zones Act of 1990, which was invalidated by the Rehnquist Court in United States v. Lopez.
- The 1990 Act passed through Congress strongly supported by both parties and signed by President Bush. It was a simple but important measure -- it made it illegal to have a gun within 1,000 feet of a school.
- Unfortunately, the Supreme Court held the law unconstitutional ruling that the Federal government could not regulate this activity because it did not have enough to do with interstate commerce.
- As revised by the legislation now before Congress, the Act would require that the government prove in each prosecution that the firearm in question "has moved in or otherwise affects interstate or foreign commerce."
- This legislation would return a badly needed safety zone around schools throughout the country. President Clinton is challenging Congress to move forward on this legislation before end of the session. The safety of our children is too important to delay action for another year.

August 26, 1996

296

TO: BRUCE REED (WHITE HOUSE STAFF)

From: DENNIS BURKE

FBI doesn't break down into DV

Royal Oak MI

2nd largest 185,000 caps

Scapple assault, rape
Nat. Crime Vict. Survey
88,500 firearm 5%
1,770,000 - 1.8m 1.7m 1994
80% misdemeanors

~~614-775-6593~~

436-1208

John B.
483-4215

Reducing Gun Violence in America
Questions and Answers
August 26, 1996

1. Prohibit domestic violence offenders from having firearms

Q: What are you proposing to do?

A. President Clinton is urging Congress to pass legislation that would make it unlawful for a person convicted of a crime of domestic violence to possess a firearm. A version proposed by Senator Lautenberg passed the Senate right before the Congressional summer recess and Congress should pass such a prohibition before they conclude their work for the year.

Q: Didn't the Brady Bill already cover this crime?

A. No. In 1993, President Clinton signed the Brady Law and it has prevented over 60,000 felons, fugitives and others prohibited purchasers buying handguns. The 1994 Clinton Crime Bill effectively extended the Brady Law to stalkers and harassers under restraining orders. That provision is beginning to take hold. In Kentucky alone, over 300 stalkers were prohibited from buying firearms in one year.

But many spouse abusers are not covered by this law. Because of plea bargaining or the downgrading of an offense, the overwhelming majority of domestic violence cases are misdemeanors not felonies. The result is that these offenders are still free under federal law to possess a firearm.

Q: How many crimes will this impact?

A. Domestic violence is a major public health and public safety threat. In 1994, there were 88,500 incidents of domestic violence where a firearm was present. Responding to these calls is deadly business for law enforcement. From 1985 to 1994, there were 65 law enforcement officers killed when they responded to family quarrels and 9 out of 10 of those deaths resulted from firearms.

In addition, in 1994 nearly a third of the women who experienced violence at the hand of intimates were victimized again within six months. And one in five females victimized by their spouse or ex-spouse reported that they had been a victim of three or more assaults in the last six months.

Q: Is it really enforceable or is this just a symbolic political gesture?

A. Fourteen states and territories currently have specific domestic violence misdemeanors. To help States in enforcing this measure, President Clinton's 1994 Crime Bill is providing funding to improve their criminal history record-keeping abilities and in 1996 specifically instituted a "National Stalker and Domestic Violence" record-keeping program

Q: Isn't this non-controversial? If the Senate passed this law by unanimous consent, then why would the House not act upon it when they get back?

A. Senator Lautenberg's version was stalled in the Senate for some time and the Senate only acted upon it because of the efforts of Senator Lautenberg. There are only a few weeks left in this session of Congress and since this bill impacts guns the House Republican Leadership will not allow it to come to a Floor vote on their own accord.

Q: How is this bill different than the provision in the 1994 Crime Bill?

A. The 1994 Crime Bill made it unlawful for any person subject to a court order restraining that person from harassing, stalking, or threatening an intimate partner or child of an intimate partner, to possess, transport, ship, or receive a firearm or ammunition. Many states are moving forward on enforcing this provision. Indeed, Kentucky developed a automated registry of domestic violence protection orders and in 1995 alone they denied over 300 handgun purchases because the prospective purchaser was the subject of a disqualifying restraining order.

As important as that provision is, it unfortunately would not cover a spouse abuser convicted of a misdemeanor and who was not currently subject to a restraining order. That is why President Clinton is calling on Congress to close this loophole in the law.

Q: Are you doing this for political reasons? Why is this law needed?

A. This is another important step in President Clinton's ongoing effort to reduce violence against women in this country. Congress has an opportunity to make this provision the law of the land and there is absolutely no reason whatsoever why Congress go home for the year without passing this measure.

Q: Are you going to just keep adding crimes that require Brady Background checks and fulfill the gun lobby's prophecy?

A. No. Domestic violence is a serious public health issue that deserves special attention. In 1994, there were 88,500 incidents of domestic violence where a firearm was present. Responding to these calls is deadly business for law enforcement. From 1985 to 1994, there were 65 law enforcement officers killed when they responded to family quarrels and 9 out of 10 of those deaths resulted from firearms.

In addition, in 1994 nearly a third of the women who experienced violence at the hand

of intimates were victimized again within six months. And one in five females victimized by their spouse or ex-spouse reported that they had been a victim of three or more assaults in the last six months.

2. Ban "Cop Killer" Bullets

Q: Didn't Congress already ban these bullets in the 1980s?

A. No. Congress passed a law that provides limits on ammunition based on the specific materials from which it is made. Unfortunately, that law did not address the problem of excessively powerful ammunition based on its performance.

President Clinton's legislation directs the Secretary of Treasury to promulgate regulations that will prohibit the manufacture, importation, and distribution of handgun ammunition that can pierce standard bullet-proof vests.

In developing these regulations, the Secretary will consult with law enforcement, body armor and ammunition manufactures, sporting groups, and the academic research community. In addition, Congress is provided a 45-day opportunity to review the regulations and disapprove of them.

This legislation would limit the availability of this ammunition without affecting the needs of legitimate sporting enthusiasts. Most importantly, it will save police officers' lives.

Q: Isn't this a meaningless and symbolic law?

A. No. A manufacture can easily circumscribe current law by making ammunition with material that is not specifically covered under current law -- ammunition that could rip through a police officer's bullet proof vest.

This bill is very important to law enforcement -- they are the ones who have to go out every day risking their lives and living with the fear that the next criminal who shoots at them might have these type of bullets.

As Dewey Stokes, the former President of the National Fraternal Order of Police so forcefully stated when President Clinton proposed this legislation:

"This is the bill we've been waiting for. One that requires law enforcement, the firearms industry and the Congress to work together to close the book on cop-killer bullets -- and special interests be damned."

Q: How many officers are killed in the line of duty by "cop killer" bullets?

A. This bill prevents the future manufacture of bullets that would not meet a performance

standard that would be developed by the Secretary of Treasury. It would prevent law enforcement officers from being killed in the future by bullets that can rip through a bullet proof vest.

In addition, on average 143 law enforcement officers are killed in the line of duty -- many of those by firearms. We have a duty to provide the safest environment for law enforcement who risk their lives for us every day.

3. Provide stiffer sentences for criminals who use guns

Q: What did the Supreme Court rule in Bailey?

A. The Court considered the current statute, 18 USC 924(c) which provides a mandatory 5-year sentencing enhancement if a defendant uses a firearm during a crime of violence or drug trafficking crime. The Court interpreted the word "use" to require that the defendant must have "actively employed" the firearm in connection with the crime.

Q. What impact does this case have on law enforcement?

A. The Clinton Administration believes that sentencing enhancement should also reach situations in which the defendant has a firearm present or available to him/her in the course of the criminal activity.

Left to stand, the strict interpretation in Bailey will result in lighter sentences for these criminals. Over the last 5 years, the provision in question in Bailey was used 13,424 times by federal prosecutors.

Q. How does this bill rectify the Bailey case?

A. The Clinton Administration has responded to the Supreme Court's restrictive ruling by proposing the "Enhanced Prosecution and Punishment of Armed Dangerous Felons Act of 1996." This bill would legislatively overrule the Bailey decision and return an important prosecutorial tool to law enforcement.

The bill would punish "possession" of a firearm, rather than "use." This would expand the scope of the 5-year sentencing enhancement to reach situations in which the defendant has a firearm present or available to him/her.

We also propose that if the firearm is discharged or is otherwise employed to inflict serious bodily injury, the mandatory sentencing enhancement should be for 10 years.

Q. When was this bill transmitted to the Congress?

A. On June 10, 1996.

4. **Gun Free School Zones -- United States v. Lopez**

Q. **What is the Gun Free Schools Zones Act?**

A. This statute, enacted in 1990, prohibits possession of a firearm in a school zone.

Q. **What did the Supreme Court hold in United States v. Lopez?**

A. The Court held that the Congress had exceeded its authority under the Commerce Clause by enacting the Gun Free School Zones Act of 1990. The Court found that the Act did not contain the jurisdictional element that would ensure that the firearms possession in question has the requisite nexus with interstate commerce.

Q. **How do you propose to fix the Gun Free School Zones Statute in response to Lopez?**

A. In May 1995, we transmitted to Congress a legislative proposal to revise the statute to require that the government prove in each possession that the firearm in question has moved in or otherwise affects interstate or foreign commerce. The addition of this jurisdictional element ensures that the statute will meet the constitutional standards established by the Supreme Court.

FAX TO: Ann Brooks
(202) 456-7028

FROM: Fred Alverson, LECC Manager
Columbus, Ohio
(614) 469-2057, ext. 327



At Christa Robinson's request, Barbara VanArsdall, our Victim-Witness Coordinator, and I have been looking for cases in which an individual, charged or convicted with misdemeanor domestic violence, has purchased a handgun and used it in a violent crime.

We have a couple of possible examples in which an individual has been convicted of misdemeanor domestic violence, then later used a handgun in the commission of the crime. What we have not been able to determine, however, is if the criminal bought the gun before or after the initial domestic violence charge. This is important!

The most recent case comes from Greene County, Ohio. An individual by the name of Darwin Conley was convicted of misdemeanor domestic violence as part of a plea agreement, placed on probation for 2 years, then six months later kidnapped and fatally shot the woman who had charged him with domestic violence. We got this from a conversation with an individual in the victim/witness section of the county prosecutor's office, but she did not have immediate access to details such as when Conley bought the gun. It could have been purchased before he ever committed the initial crime.

The biggest problem we are running into is trying to find out when the criminal bought the gun. We have other examples, including a well-publicized murder-suicide in Summit County last spring, but getting details will take longer than you have given us to make Monday's announcement. Please call and provide further direction, and give us your phone number which was omitted from your message.

If you have further questions, you can beep me at (614) 460-0145 or call me at home at (614) 876-9418.

BE -
doesn't matter;
our bill disables the
individual from owning guns, period.

Comtex/NewsGrid

03:09 PM, Sunday, August 25, 1996

Dole Campaign Statement on Proposed Handgun Ban on Domestic Abusers

Hot News

Keywords: DOLE; CAMPAIGN; CLINTON

Dole Campaign Statement on Proposed Handgun Ban on Domestic Abusers

WASHINGTON, Aug. 25 /U.S. Newswire/ -- Dole/Kemp '96 Deputy Press Secretary Christina Martin released the following statement today:

Bob Dole believes all guns, not just handguns, should be kept out of the hands of domestic abusers. That's why the Dole instant check initiative would prevent anyone under a court order for stalking or harassing their spouse from purchasing any gun -- rifle, shotgun or handgun.

If Bill Clinton is as serious about domestic abuse as he would like for us to believe, why has his Justice Department prosecuted only 18 individuals under the Violence Against Women Act which Bob Dole ushered through the Senate? As long as he is explaining his shortcomings on this issue, Bill Clinton might also explain why, as of last month, his administration had released just \$473,000 of the \$175 million appropriated by Congress for the Department of Justice's Violence Against Women program?

Dealing with America's epidemic of domestic violence will take tough laws and tough prosecutors, not more empty rhetoric.

Categories: !community !crime !federal !government congress epidemic news
newsgrid senate

usa usn women

Retrieval: dole_campaign_statement proposed_handgun_ban domestic_abusers
washington_aug

dole_kemp_deputy_press_secretary_christina_martin bob_dole bill_clinton
justice_department violence_against_women_act department
justice's_violence_against_women dealing_america

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Dole Speech, Chicago, 8/25/96

Attacks

NSC has dropped drugs in priority from #2 to #29 of 29

- drug interdiction cut from FY 92 to FY 96
 - DOD drug interdiction budget down 53%
 - DOD flight hours down 59%
 - use of heavy vessels down 67% (in ship hours)
- proposed to eliminate hundreds of drug enforcement positions
- drug interdiction coordinator office has 6 people to administrate interdiction policy
- federal drug cases prosecuted down 10% from 92 to 95
- during first 9 months of '95, President:
 - 112 interviews with news media, drugs mentioned once
 - 119 statements, drugs mentioned twice
 - 110 meetings with foreign leaders, "drug policy, drug abuse never came up once"

Dole proposal

replace presidential inattention with zero tolerance

restore Office of Drug Czar

redouble efforts to put criminals behind bars

judges

every administration member will hold drugs unacceptable

- protect borders for zero tolerance
- use armed forces to stop drugs before they enter U.S.; cut supply of cheap and illegal drugs
- U.S. has always been skeptical of using military for domestic problems, but this is more than a domestic policy matter
- during first 45 days, convene Secretary of Defense, Joint chiefs, to create plan, especially using technological solutions
 - interdiction will be a priority for intelligence agencies, beefing up both technical and human intelligence
 - increasing use of satellite reconnaissance, listening post surveillance to track drug movements
 - increase air capacity to see where and how drugs reach U.S.
 - use Coast Guard to track drugs along sea routes
 - work with Governors, using National Guard if necessary

Equates drugs to moral equivalent to terrorism



Where Bob Dole Stands on Drugs

Teen Drug Use is Skyrocketing

With Bill Clinton's lack of leadership, we have nearly surrendered in the War on Drugs. A recent report by the National Household Survey on Drug Abuse revealed that:

- Marijuana use among teenagers has nearly doubled since 1992 -- after 13 straight years of decline.
- Cocaine emergency room admissions are at the highest levels ever reported.
- More and more teenagers and young adults are now using heroin and LSD.

Bill Clinton Has Cut Efforts to Fight the War on Drugs

Enforcement of federal drug laws has fallen sharply in recent years.

- Days after taking office, Clinton reduced the staff of the Drug Czar's Office from 146 people to just 24 -- then he cut their budget by 90 percent.
- Since 1992, drug prosecutions by the Justice Department have dropped by more than 10 percent. Since 1994, convictions have fallen after years of steady increases.
- In Clinton's first two years in office, federal spending on drug interdiction fell more than 14 percent, while federal spending on ineffective treatment programs increased 18 percent.
- In Clinton's first year in office, the National Security Council "dropped the drug war from one of three top priorities to No. 29 on a list of 29." (Star Tribune, February 14, 1993)
- Clinton has failed to pressure Mexico to fight drug production and transport into the United States.

find drug mg's anecdotes

It should come as no surprise that President Clinton's former Surgeon General thought the best way to combat drug use was to legalize them.

Even members of President Clinton's own party agree that Clinton has given up the battle. "Rep. Charles Rangel, a New York Democrat, said, 'I've been in Congress for over two decades, and I have never, never, never seen a president who cares less about this issue.'" (Robert Maginnis column, The Washington Times, Sept. 24, 1995)

Today's Increase in Drug Use Comes After Years of Decreases

In the 1980s and early 1990s, illegal drug use declined because strong anti-drug Presidents launched a full-scale attack on drugs. They devoted more resources to enforcing federal drug laws, they created the office of the Drug Czar, and they began successful educational efforts such as the "Just Say No" campaign.

Bob Dole Will Make The War on Drugs a Top Priority Again

As President, Bob Dole will return to these successful programs. He will:

- Make the War on Drugs a national priority once again.
- Step-up federal law enforcement's efforts against drug kingpins and their lieutenants.
- Make drug interdiction a top foreign policy priority. Since 1993, the Clinton Administration has cut funding for interdiction by 16 percent.
- Use the bully pulpit to tell our young people in no uncertain terms that drug use is illegal, dangerous and wrong.

A Better America

With Bob Dole as President, the United States will have a renewed commitment to the War on Drugs. A Dole Administration will devote ample resources to fight illegal drug use. There will be a strong Drug Czar. The United States will not be afraid to get tough with countries that refuse to cooperate with our anti-drug efforts. Most importantly, our President will provide the moral leadership that we need to protect our children from illegal drugs by making it clear that drug use is wrong and will not be tolerated.

On a scale of 1 to 10, (10 being the highest), what priority do you think the Dole Administration should give to this

★ ★ ★

DOLE KEMP

FOR IMMEDIATE RELEASE
AUGUST 26, 1996

CONTACT: JIM LYNCH
(614) 221-0233

CLINTON VISIT TO THE COLUMBUS POLICE ACADEMY RAISES QUESTIONS ABOUT \$2.8 MILLION CHECK PROMISED LAST YEAR FOR COMMUNITY POLICING IN COLUMBUS

COLUMBUS, OH -- Bill Clinton's visit today to the Columbus Police Academy might have been disappointing to city officials hoping he would bring a \$2.8 million check promised by his administration in June 1995. According to Doug Preisse, executive director of the Ohio Dole-Kemp campaign, the Clinton Administration publicly presented a fake check to city officials more than 450 days ago to fulfill Clinton's plan to put 100,000 extra police on the streets of America. As of today, Columbus has not received a dollar of the promised money and Clinton's plan has only added 17,000 police nationwide, said Preisse.

"Bill Clinton should not continue to play politics with the Columbus Police Department," said Preisse. "Bill Clinton has come to the Columbus Police Academy to stage a public event on crime after failing to deliver on his promise to help fund more community police in Columbus."

Preisse referred to a May 30, 1995 publicity stunt where Bill Clinton's local U.S. Attorney presented the City of Columbus with a fake check for \$2.8 million as part of the president's COPS AHEAD program. The federal money was to pay for 38 community police officers in Columbus. Twenty-nine other Ohio cities were also promised more than \$13 million to hire a total of 178 officers statewide.

"It is typical of Bill Clinton to bask in publicity then turn his back on his promise," Preisse said. "You have to think you're pretty slick to visit the police academy in the same city you have stiffed for more than one year," he said.

"As President Clinton visits Columbus today, we must ask 'Where's the check?'," said Preisse. According to Preisse, the \$2.8 million is most likely being held up through big-government bureaucracy even though U.S. Attorney General Janet Reno promised to be flexible in working with the cities that want to use the money (*Columbus Dispatch*, September 9, 1994).

Clinton's proposal to add 100,000 community police has also fallen short of its goal. According to Janet Reno (5/19/96) only 17,000 officers are actually "on the street."

Authorized and paid for by Dole/Kemp '96, Robert E. Lighthizer, Treasurer

810 First Street, Northeast • Suite 300 • Washington, DC 20002 • (202) 414-6400

296

To: BRUCE REED (WHITE HOUSE STAFF)

From: DENNIS BURKE

at

~~614-775-6593~~
436-1208

Date: 08/25/96 Time: 19:16

Anti-Handgun Group Says Brady Law Keeps Guns From Criminals

WASHINGTON (AP) Handguns were kept out of the hands of 102,822 people the past two years because of the Brady law, which requires a five-day waiting period and background check before a sale, a handgun control group says.

Previous studies have underestimated the impact of the law because they did not include states that set up their own background check since the law was enacted, says Sarah Brady, the chairwoman of the group who is expected to address the Democratic National Convention Monday.

The Brady Handgun Violence Prevention Act, implemented in February 1994, was named after her husband, James Brady, President Reagan's press secretary who was seriously wounded in an assassination attempt on the president.

The study estimates the number of retail handgun purchase attempts that have been stopped because the background check revealed that the prospective buyer is a convicted felon, found by a court to be mentally defective or subject to a restraining order.

When the law took effect, 32 states had not passed legislation requiring a background check and had to institute a waiting period. In estimating the number of denials for all 32 states, the study uses results from nine of the states that have statewide reporting systems.

In February, Clinton released a Bureau of Alcohol, Tobacco and Firearms study of 30 law enforcement agencies that reported that more than 15,500 people were denied guns under the Brady law between March 1994 and January 1995, or 3.5 percent of the people who applied.

Extrapolating the figures from its unscientific study, the administration argues that some 40,000 applications were turned away nationwide.

"What the (new study) results show very clearly is that the denial rate is staying very constant at 3 percent," Bob Walker, a spokesman for the handgun control group. "Having more than 100,000 denials is a very significant number."

APNP-08-25-96 1925EDT

NRA-ILA FAX ALERT

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Vol. 3, No. 34

8/16/96

REPUBLICANS MAKE DOLE/KEMP TICKET OFFICIAL

Republicans from across the country met this week in San Diego, California to make official what we all have known for the past several months: that former Kansas Senator Bob Dole is the party's nominee for President of the United States. And after months of speculation, Republican presidential nominee Bob Dole tapped former Secretary of the Department of Housing and Urban Development and nine-term Congressman Jack Kemp as his running mate. As a Congressman, Jack Kemp had a 100% voting record on Second Amendment issues that stretched back 18 years. He cast votes in favor of the 1986 Firearms Owners' Protection Act and against the Brady Bill in 1988. He has spoken at two NRA Annual Meetings. And he is strongly disliked by Handgun Control, Inc. In a recent statement, HCI called the candidate "an enormous disappointment ... an avowed supporter and member of the [NRA]." HCI also complained that Kemp "made public statements about being 'proud to be called a friend, an ally and, most important, a fellow-member of the NRA.'" Kemp made those statements at the Members' Banquet of the 1987 Annual Meetings & Exhibits of the NRA. In 1993, Kemp made a misstatement on a national news show regarding semiautomatic firearms. In a meeting with NRA Executive Vice President Wayne LaPierre soon after the TV program, Kemp clarified his position on semiautos. Clarification is again in order. In light of recent statements by Senator Dole that he would "probably veto" a repeal of the Clinton Gun Ban, a clear Dole-Kemp position on this pressing Second Amendment issue is appropriate -- and remains the unfinished business of the GOP presidential campaign. We'll keep you posted!

NEW "RIGHT TO CARRY" STUDY HAS ANTI-GUNNERS RUNNING SCARED: The results of a landmark study released last week of "right to carry" laws have the anti-gunners running for political cover. In recent days, the author of the study, University of Chicago School of Law Professor John Lott, has become the target of a vicious smear campaign by members of the anti-gun establishment aimed at discrediting his research. At the heart of their criticism is the fact that Lott is currently the John M. Olin Fellow at the University of Chicago Law School, a fellowship funded by the John M. Olin Foundation, which got its money from the Olin Corporation. The Olin Corp. happens to own Winchester Ammunition, and that alone is enough "to call into question the study's legitimacy," according to the Illinois Council Against Handgun Violence. However, writer Stephen Chapman points out in his commentary in the Chicago Tribune, there are many serious flaws in that reasoning. For instance, the Olin Foundation was created with money from John Olin's personal wealth, not by the Olin Corp., and has no corporate parent. Furthermore, the foundation played no role in choosing Lott for the fellowship, did not give Lott any money, and did not approve his topic.

NEW POLL SHOWS STRONG SUPPORT FOR "RIGHT TO CARRY": The findings of the Lott study are backed up by the results of a poll released this week by the Tarrance Group. The study showed that by a wide margin, Americans believe that law-abiding citizens should be able to carry a firearm for self-defense should they choose to do so. The poll showed that 59% of voters support the right of the law-abiding to obtain permits to carry concealed firearms, compared to only 36% who don't. The survey also revealed that 84% of American voters believe that

Rebuttal Points on Guns and Domestic Violence

Bob Dole Opposed the Brady Bill

- On November 20, 1993, Dole voted against passage of the Brady Bill. Upon voting against final passage, Dole stated: "We lost one." Dole had also led a GOP filibuster of the Brady Bill, voting twice against cloture, despite the fact that the bill represented a compromise measure that he helped draft. [1993 CO Almanac, p. 302; p. 51-S, vote # 394; Houston Chronicle, 11/25/93; 1993 CO Almanac, p. 302; votes #387, #390, 11/19/93, p. 50-S]
- Dole has called the Brady Bill, "totally symbolic" and has said, "...[W]ill [the Brady bill] make much difference? Probably not." ["Meet the Press," 1/2/94; "CBS Evening News," 11/27/93]

Bob Dole Voted Against the Violence Against Women Act

- On August 25, 1994, after filibustering and threatening to kill the bill, Dole voted against the Clinton Crime Bill and its \$1.6 billion in funding for the Violence Against Women Act. [Los Angeles Times, 8/24/94; 1994 CO Almanac, p. 50-S, Vote # 293-295; HHS, 2/21/96]
- During debate on the crime bill, Dole criticized the bill for containing "\$10 billion worth of pork." Included in the \$10 billion of so-called "pork" that Dole cited was \$1.8 billion in funding for the Violence Against Women Act. [Dole speech, Denver, CO, C-SPAN, Campaign '94; Los Angeles Times, 8/15/94; Washington Post, 8/15/94]

Dole Domestic Violence Stance Already Enacted by President -- While Dole Voted Against It

- In response to news reports about President Clinton's new proposal to deny guns to domestic abusers, Bob Dole released a statement saying, "Bob Dole believes all guns, not just handguns, should be kept out of the hands of domestic abusers. That's why the Dole Instant check initiative would prevent anyone under a court order for stalking or harassing their spouse from purchasing any gun -- rifle, shot gun, or handgun." [Dole release, 8/25/96]
- What Dole neglected to mention was that the Violence Against Women Act -- signed by President Clinton and voted against by Dole -- includes a "firearms disability provision" that makes it a federal offense for any person subject to a court order restraining that person from harassing, stalking, or threatening an intimate partner or the child of an intimate partner, to possess firearms or ammunition. [DOI, Violence Against Women Office, "Violence Against Women Act: Breaking the Cycle of Violence"]

Bob Dole is Wrong on the Funding Provided Under the Violence Against Women Act

- In an August 25th press release, Dole attacked the Clinton Administration for releasing "just \$473,000 of the \$175 million appropriated by Congress for the Department of Justice's Violence Against Women program." [Dole release, 8/25/96]

In fact, since the FY 96 budget was passed and signed into law, the Clinton Administration has announced that more than \$77 million in STOP grants to combat domestic violence and sexual assault have gone to 30 states and five territories. These grants will be used to train police, hire new prosecutors and provide assistance to victims. [Department of Justice, Violence Against Women Office release, 8/9/96]

Violence Against Women Prosecutions Are Effective

- In an August 25th press release, Dole attacked the Clinton Administration for prosecuting "only 18 individuals under the Violence Against Women Act." [Dole release, 8/25/96]

The vast majority of domestic violence cases are brought at the state and local levels, which is exactly why the Administration fought to ensure appropriate funding of the VAWA grants to

support state and local law enforcement activity -- \$26 million in FY 95 and \$120 million in FY 96. In the instances where domestic abusers do travel across state lines, the federal government will use its jurisdiction. Already under VAWA, a domestic abuser was sentenced to life in prison for interstate domestic violence and kidnapping. [Statement of Janet Reno, before the Senate Judiciary Committee, 5/15/96; Violence Against Women Act: News, 7/96]

Bob Dole Has a History of Opposing Measures to Combat Domestic Violence

- On September 4, 1980, Dole voted against the Domestic Violence Prevention and Services Act (S 1843), which established a \$65 million grant program for state, local and private efforts to prevent domestic violence and provide emergency shelter to battered women. [1980 CQ Almanac, p. 443-445, vote #332, 9/4/80; Facts on File, 12/31/80]
- In Senate debate over whether to pass the bill or adopt an amendment to block grant the program, thereby removing the assurance that the funding would be used for battered women's shelters, Dole said: "***The Federal Government has no business getting into the treatment of domestic ills of this nature in any event...***" [Congressional Record, p. 23,199, 9/26/80]
- The bill -- a major target of the right-wing and the Moral Majority, which viewed it as a federal threat to the family -- was later killed by Republican senators who threatened to filibuster it. The bill was supported by the U.S. Civil Rights Commission, women's groups and social services groups. [Washington Post, 11/26/80; 1980 CQ Almanac, p. 443; Washington Post, 10/15/80; 1980 CQ Almanac, p. 443, 1980]

The Violence Against Women Act: Working in Ohio

- The Violence Against Women Act created a tough new federal offense for domestic abusers who cross state lines to violate a protection order or injure, harass, or intimidate a spouse or partner.
- On November 9, 1995, Derek Duane Page, of Columbus, Ohio, was charged under the Violence Against Women Act, when a federal grand jury indicted him.
- Page had been arrested after severely beating his former girlfriend, stabbing her with the claw end of a hammer several times, breaking her femur bone, punching her with his fists until her eyes were shut, and injuring her feet so that she could not walk.
- After the beating, Page took his victim, who was close to death, 150 miles to a hospital in Pennsylvania in order to avoid prosecution in Ohio. Local prosecutors in Ohio faced difficult evidentiary problems, and in Pennsylvania, authorities could not proceed because no criminal conduct had occurred in the state.
- Officials in Ohio turned to federal prosecutors who prosecuted the case and obtained a conviction. Page has been held in custody without bond since his arrest and is awaiting sentencing.

REPUBLICAN GOVERNOR GEORGE VOINOVICH
Criticized Dole/Gingrich Budget On Education, Safe & Drug Free Schools Cuts

**In 1996 Voinovich Criticized The Huge Education
Cuts In The Dole/Gingrich Budget.**

During his 1996 State of the State address, Ohio Governor George Voinovich said:

“One last major concern impacting our urban schools is the fact that the *current federal budget reduces funding for several Ohio education programs*. For example, cuts in both the Title I program for disadvantaged students and the Safe and Drug-Free Schools program would undermine our efforts to assist thousands of low-income children in our urban school districts. If we really care about making a difference in the lives of our at-risk kids, we cannot let this happen.” [Voinovich State of the State Address, 2/13/96]

**Voinovich Said Ohio Should Use Rainy Day Fund To Make Up For
Dole/Gingrich Education Cuts.**

Voinovich continued, “If funding cannot be found in the current budget, I am recommending that we look hard at using rainy day fund money to guarantee that these programs continue next school year, and then put them into the education mix when we develop our next biennial budget.” [Voinovich State of the State Address, 2/13/96]

grams, turning social decisions back to levels of government better equipped to handle them and reigning in the Federal bureaucracy; this amendment gives us the opportunity to put our votes where our mouths are.

The Federal Government has no business getting into the treatment of domestic violence in any event, and we already have a social services mechanism for putting funds in the hands of the States to deal with these problems; we should use that flexible mechanism rather than create another program with its own bureaucracy which puts unnecessary limits on the States.

It makes no sense to spend months trying to balance the budget and then turn around and create a program with built-in increases in funding and the potential for extraordinary growth; instead we should use the existing title XX program and the appropriations process to decide if more Federal money should be funneled into social services to help solve the domestic violence problem.

As Senator DANFORTH has said, this is a very simple issue: either the Senate prefers categorical grants to States which limit their ability to determine what is best for their citizens or we prefer block grants which give the States the flexibility to make their own choices based on the needs of their citizens as they see them.

The Senator from Kansas believes we should opt for the latter approach, and I strongly urge my colleagues to support the amendment. ©

• Mr. DOLE. Mr. President, the purpose of the Danforth amendment is to preserve the block grant concept rather than allow categorical grants to proliferate.

The amendment would strike title I of the domestic violence bill which provides Federal matching funds to States for establishing and running shelters for battered spouses.

Authorize Federal matching funds over and above the statutory ceiling for social services under title XX of the Social Security Act in the amounts which would have been available under title I of the domestic violence bill—\$15 million in fiscal year 1981, \$20 million in fiscal year 1982, and \$30 million in fiscal year 1983.

Provide that the additional funds for title XX must go through the appropriations process and, like most other title XX funds, will be available to the States at a 75 to 25 match to be used for any social services the States determine are appropriate.

Title XX was established to financially aid the States to provide social services to help individuals to become or remain self-sufficient; the States have always been free to decide what services to provide to whom.

Categorical programs, such as that created under the domestic violence bill, establish Federal rather than State priorities for providing services.

Under title XX, States already provide protective services to adults, counseling, alcohol and drug abuse treatment, day care, and other services not only directed at the immediate problems suffered by victims of domestic violence but also directed at the root causes of such violence.

The Congress has given a lot of lip service recently to cutting Federal pro-

16 Years Ago Today, on August 26, 1980:

“The Federal Government has no business getting into the treatment of domestic ills of this nature in any event...”

-- **Senator Bob Dole**, during Senate debate over whether to pass the Domestic Violence Prevention and Services Act of 1980 (S. 1843), which established a \$65 million grant program for state, local and private efforts to prevent domestic violence and provide emergency shelter to battered women. Dole supported adoption of an amendment to block grant the program, thereby removing the assurance that the funding would be used for battered women's shelters. Dole subsequently voted against the bill, which was killed by a threatened veto by conservative Republican senators. [Congressional Record, 8/26/80; 1980 CQ Almanac, p. 443, vote #390]

~~Reed~~
Reed

TO: Travelling Staff

FR: Phil Caplan

SUB: Briefing book items for Monday, August 27

Attached are memos that are not in your staff book.

8/26/96 12:30am

**PRESIDENT WILLIAM J. CLINTON
BRADY BILL EXTENSION
COLUMBUS, OHIO
AUGUST 26, 1996**

Acknowledgments: Sen. Glenn, Chief James Jackson, Sheriff Jim Karnes. I am honored to be here today. The students of the Police Academy and the brave men and women who have graduated from it deserve our enduring gratitude. You risk your lives to make us safer, and America thanks you for it. One of the proudest moments of my Presidency was to stand with America's police officers and sign the Brady Bill. It's based on a simple idea that seems obvious to most Americans but took Congress seven years to understand: Criminals should not have guns.

As you know, it's named after Ronald Reagan's Press Secretary Jim Brady. His wife, Sarah is speaking at our convention tonight. We fought long and hard for the Brady Bill, and we have proof it was worth it. Our police officers, our children, and our country are safer because of it. Today, I want to talk about how to take the proven protection of the Brady Bill and extend it to make our families safer.

We are living in an age where more Americans than ever before have a chance to build the future of their dreams. But we have to press forward in our fight to make our neighborhoods safe. I am taking this train trip through our heartland, because I want all Americans to see . . . America is on the right track to the 21st century!

I want to prepare all Americans for the 21st century, and I have a simple strategy to do it. We have to come together to meet our challenges and protect our values. Opportunity for all, and responsibility from all. That's the basic bargain of America. We renew it when we go forward together as a community.

Just last week, we made major progress as a nation. We gave a raise to 10 million Americans, including 440,000 here in Ohio, when we raised the minimum wage. And we made it easier for small businesses to provide pensions in that bill. I signed a law to end welfare as we know it -- but we insisted on health care and child care for families because we want to move people from welfare to work. I signed the Kassebaum-Kennedy health reform bill so families are never again denied insurance because of a sick family member, and people keep their health insurance when they change jobs.

Four years ago, unemployment was nearly eight percent, the deficit was out of control, new jobs were scarce. Today, 4.4 million more Americans own their own home. The combined rate of inflation, unemployment, and mortgages is the lowest in 30 years. We have cut the deficit by 60 percent. America has created more than 10 million new jobs. Unemployment is down to 4.9 percent in Ohio. We cut taxes for 15 million working families, including more than 500,000 families in Ohio.

As we create more opportunity, we must take more responsibility as well. The first responsibility of government is law and order. Over the past four years, we have worked hard to give you power to take responsibility for the safety of your neighborhoods. We are putting more police on the streets and tougher penalties on the books. We are taking guns off the streets and working to steer young people away from crime and gangs and drugs in the first place. It is making a difference. In city after city and town after town, crime rates are finally coming down. Right here in Columbus, the murder rate dropped 22 percent from 1994 to 1995.

The key to our strategy wears a badge and walks a beat. Our Crime Bill is putting 100,000 new police officers on our streets. Community policing is the single most effective way to fight crime. These officers walk the beat, and get to know you and your neighborhoods. They know when something looks suspicious, and they know what to do about it. They stop crime before it happens, and they set a good role model for our kids. I am proud that we have already funded 1,400 new police officers in Ohio.

Police officers who risk their lives to protect us deserve to know that the criminals who threaten us -- and them -- will get the punishment they deserve. People who break the law should be punished, and people who commit violent crimes should be punished severely. We made three-strikes-you're-out the law of the land so the most dangerous criminals go to jail for life, with no chance of parole. Anyone who murders a police officer should know the penalty they face is death. We ended parole at the federal level, and I call on every state to guarantee that serious violent criminals serve at least 85 percent of their sentence. The American people deserve a criminal justice system in which criminals are caught, the guilty are convicted, and the convicted serve their time.

But we also must pay attention to what the police have been saying for years: the best way to fight crime is to prevent it in the first place. The first place to start is our children. We have to give them something to say yes to, to steer them away from crime and gangs and drugs in the first place. We fought for drug-education and gang-prevention programs in our schools, and the Republicans opposed us. We beat their attempt to stop Safe and Drug Free Schools in 1994, and they came right back and tried to repeal it in 1995. We need drug-education programs in our schools. They work, we all know it, and we should all oppose any attempt to undermine them.

I want to do more to make it easier for parents to bring order to their children's lives and to teach them right from wrong. I support school uniform policies, because they promote discipline and respect. I support community-based curfews to keep kids off the street after a certain time. And I urge communities in the strongest possible terms: Enforce your truancy laws. Young people belong in school, not on the street.

My Administration did something never done before: we took on the tough issue of guns. We banned 19 deadly assault weapons. These aren't hunting rifles; these are Uzis, Street Sweepers, guns designed for one purpose only -- to kill human beings. They are the guns of choice for gang members and drug dealers, and we were right to ban them. The gun lobby tried to scare a lot of law-abiding citizens into thinking they would lose their guns. Two hunting seasons have come and gone since then, and not one hunter or sportsman in Ohio or anywhere else lost

his gun.

But more than 60,000 felons, fugitives, and stalkers have been blocked from buying a handgun because we passed the Brady Bill after years of partisan politics and special interest pressure. The Brady Bill is working, and we should take the next step. Today, I challenge Congress to extend the Brady Bill to protect women and children from anyone with a domestic violence record. The Brady Bill prevents convicted felons from buying handguns. We extended it to prevent stalkers under restraining orders from buying guns. But the vast majority of domestic violence cases end up as misdemeanors. And that means, under current law, thousands of wife-beaters and child-abusers are free to buy handguns, with potentially deadly consequences.

I believe in the right of Americans to own guns -- but make no mistake: those who threaten the safety of others do not deserve our trust. If you're a convicted felon, you should not have a gun. If you're a fugitive from the law, you should not have a gun. If you are stalking or harassing women and children, you should not have a gun. And if you raise your hand against your wife or child, then we certainly should not trust you with a gun.

When it rears its ugly head, there is no greater threat to the safety of our families than domestic violence, because it is a threat from within. We are helping police officers, prosecutors, and judges to understand domestic violence, recognize it when they see it, and know how to deal with it. This past February we launched a 24-hour, seven day, toll-free hotline so women in trouble can find out how to get emergency help, find shelter, and report abuse to the authorities. I never miss a chance to give it out, because I know that one call can save lives: 1-800-799-SAFE. And extending the Brady Bill to protect the victims of domestic violence from the criminals who hurt them will save more lives.

There are other steps we should take to protect our police officers and our citizens from gun violence. Last summer, I sent Congress legislation to ban cop-killer bullets. These bullets are designed for one reason only -- to kill police. If a bullet can slice through a bulletproof vest like a hot knife through butter, it should be against the law. Our police officers put their lives on the line every day, and we ought to stand up for their safety. Every major law enforcement organization supports this bill, and it's high time for this Congress to pass it. I want Congress a bill to give prosecutors the power to impose tougher sentences on drug traffickers and gang members who use a gun when they commit their crimes. And I want Congress to pass the bill I sent them well over a year ago to ban guns anywhere near our schools.

Stop domestic violence offenders from buying guns, ban cop-killer bullets, keep guns away from schools, and punish drug dealers and gang members who use guns harder. We will make people safer if we do, we should do it for our children, and we should do it without delay.

Four years ago, when I was running for President, I met a man who had recently come to America. He was a waiter, working hard to build a better life for his family. He pulled me aside to say, "My 10 year old boy studies this election in school, and he says I should vote for you. But if I vote for you, I want you to do something for me. In the country I came from, we were very poor, but we were free. Here we have a park my boy cannot play in alone. We have a good

school, but my boy can't walk there alone. Will you make my boy free?" Demetrios Theofanis and his son Nick are here today. I want to make you the same promise I made to them four years ago: We will not stop until you and your families are truly free.

That's what we're fighting for, that's what we're going to do together, and that's why I need your help. Let's stay on the right track to the 21st century! Thank you, God bless you, and God bless America.

Keeping Guns out of the Hands of Domestic Violence Offenders

Background:

- In 1994, there were 88,500 incidents of domestic violence where a firearm was present. Responding to these calls is deadly business for law enforcement. From 1985 to 1994, there were 65 law enforcement officers killed when they responded to family quarrels and 9 out of 10 of those deaths resulted from firearms.
- In 1993, President Clinton signed the Brady Law and it has prevented over 60,000 felons, fugitives and others from buying handguns. The 1994 Clinton Crime Bill included the historic Violence Against Women Act, which made it a crime for stalkers and harassers under restraining orders to carry a gun. That provision is beginning to take hold -- in Kentucky alone, over 300 stalkers and harassers were prohibited from buying firearms in one year.
- But many spouse abusers are not covered by this law. Because of plea bargaining or the downgrading of an offense, the overwhelming majority of domestic violence cases are misdemeanors not felonies. The result is that these offenders are still free under federal law to possess a firearm.

Disarming Domestic Violence Offenders:

- Senator Lautenberg and Representative Torricelli have been pushing for legislation that would prohibit those convicted of any offense involving domestic violence -- misdemeanor or felony -- from owning or possessing a firearm. The Lautenberg bill passed the Senate unanimously.
- Under strict orders from the gun lobby, however, the House Republican Leadership has blocked this legislation. That is why President Clinton is calling on Congress to disarm domestic violence offenders and pass legislation like the Lautenberg Bill before the end of the session.
- This bill would amend the 1968 Federal Firearms statute so that if a person is convicted of any crime of domestic violence -- not just a felony -- s/he forfeits the right to possess a firearm.
- To help States in enforcing such a measure, President Clinton's 1994 Crime Bill is already providing funding for States to improve their criminal history record-keeping abilities and in 1996 the Clinton Administration specifically instituted a "National Stalker and Domestic Violence" record-keeping program.

August 26, 1996

Cop Killer Bullets:

"The Saving Law Enforcement Officers' Lives Act of 1995"

- Criminals should not have access to handgun ammunition that can pierce bullet-proof vests worn by law enforcement officers.
- That is why President Clinton sent to Congress last summer the "Saving Law Enforcement Officers' Lives Act of 1995," which would ban cop killer bullets.
- Although current law provides limits on ammunition based on the specific materials from which it is made, it does not address the problem of excessively powerful ammunition based on its performance.
- President Clinton's legislation directs the Secretary of Treasury to promulgate regulations that will prohibit the manufacture, importation, and distribution of handgun ammunition that can pierce standard bullet-proof vests.
- In developing these regulations, the Secretary will consult with law enforcement, body armor and ammunition manufactures, sporting groups, and the academic research community. In addition, Congress is provided a 45-day opportunity to review the regulations and disapprove of them.
- This legislation would limit the availability of this ammunition without affecting the needs of legitimate sporting enthusiasts. Most importantly, it will save police officers' lives.
- Unfortunately, the gun lobby has held this legislation hostage. When Representative Schumer attempted to add a ban on cop-killer bullets to Anti-Terrorism legislation during a committee vote last summer, two Republicans helped kill the measure when they flipped their votes under pressure from the NRA.
- President Clinton is calling on Congress to stop endangering the lives of police officers and send this legislation to him before the end of the session.
- As Dewey Stokes, the former President of the National Fraternal Order of Police so forcefully stated when President Clinton proposed this legislation::

"This is the bill we've been waiting for. One that requires law enforcement, the firearms industry and the Congress to work together to close the book on cop-killer bullets -- and special interests be damned."

Tougher Sentences for Gun-Toting Drug Dealers:

"The Enhanced Prosecution and Punishment of Armed Dangerous Felons Act of 1996."

- Law enforcement needs every tool to prosecute drug dealers and armed gangs. Unfortunately, a recent Supreme Court decision tied the arms of Federal prosecutors in these efforts.
- In Bailey v. United States, the Supreme Court severely restricted Federal prosecutors ability to prosecute drug traffickers and gang members for "using" a weapon in a criminal offense. Under the Federal Firearms law, a defendant receives a five year mandatory enhancement for "using" a firearm in the commission of a drug trafficking crime or a crime of violence.
- In Bailey, the Court held that a defendant in these cases can only be charged with "using" the firearm if s/he is "actively employed" it in connection with the underlying offense.
- Left to stand, the strict interpretation in Bailey will result in lighter sentences for these criminals. Over the last 5 years, the provision in question in Bailey was used 13,424 times by federal prosecutors.
- The Clinton Administration has responded to the Supreme Court's restrictive ruling by proposing the "Enhanced Prosecution and Punishment of Armed Dangerous Felons Act of 1996."
- This bill would legislatively overrule the Bailey decision and return an important prosecutorial tool to law enforcement. The bill would punish "possession" of a firearm in the course of a violent or serious drug felony, rather than merely "use."
- In addition, the bill proposes that there should be a higher, mandatory ten-year penalty under the Federal Firearms statutes if the firearm is discharged or is otherwise employed to inflict serious bodily injury.
- President Clinton believes that gun-toting drug traffickers and gang members should receive the toughest sentence possible, and he is calling on Congress to move forward on this legislation.

August 26, 1996

Providing Safe Learning Environments for our Kids:

"The Gun-Free School Zones Amendments Act of 1995"

- As President Clinton has said, we must do everything in our power "to make schools places where young people can be safe, where they can learn, where parents can be confident that discipline is enforced ... if young people can't learn in safety they can't learn at all."
- Eliminating guns from schools and their surrounding areas are critical steps toward that goal.
- The number of homicides juveniles commit each year with guns has more than doubled between 1985 and 1992, while there has been no change in nongun homicides. A survey conducted earlier this year found that one in eight youths -- two in five in high crime neighborhoods -- reported having carried a gun for protection. One in nine said they had stayed away from school because of fear of violence. That number jumped to one in three in high crime neighborhoods.
- It is for these reasons that last year the President transmitted to Congress the "Gun-Free School Zones Amendments Act of 1995."
- This legislation would revise the Gun-Free School Zones Act of 1990, which was invalidated by the Rehnquist Court in United States v. Lopez.
- The 1990 Act passed through Congress strongly supported by both parties and signed by President Bush. It was a simple but important measure -- it made it illegal to have a gun within 1,000 feet of a school.
- Unfortunately, the Supreme Court held the law unconstitutional ruling that the Federal government could not regulate this activity because it did not have enough to do with interstate commerce.
- As revised by the legislation now before Congress, the Act would require that the government prove in each prosecution that the firearm in question "has moved in or otherwise affects interstate or foreign commerce."
- This legislation would return a badly needed safety zone around schools throughout the country. President Clinton is challenging Congress to move forward on this legislation before end of the session. The safety of our children is too important to delay action for another year.

August 26, 1996

BIOGRAPHY OF REVEREND DAVID BROWN

(Local Hero for Arlington, OH stop, Monday, August 26, 1996)

Reverend Brown, a current resident of Findlay, Ohio, was born in Lakewood, Ohio in 1960 and graduated from Lakewood High School in 1978. Dave attended Wittenberg College in Springfield, Ohio graduating Summa Cum Laude from Wittenberg College receiving a Bachelor of Arts degree. He attended the Lexington Theological Seminary in Kentucky where he met his wife, Rebecca, whom he married in 1985.

Dave and Rebecca, also an ordained minister, are pastors at the First Christian Church of Findlay where they have served since 1990. They are members of the Christian Church Disciples of Christ -- the church of Presidents Garfield, Johnson, and Reagan. Dave and Rebecca have three sons, Adam, 7, Daniel, 6, and Benjamin, 4.

In addition to being an anti-teen smoking activist, Dave also volunteer tutors at his sons' Elementary School and started a Parent Involvement Team after hearing Secretary of Education Richard Riley in Columbus about 2 years ago at the Parent Involvement Summit.

Dave got involved in the anti-teen smoking movement when in 1993 he heard disturbing reports about regional police Sting operations which revealed that over 50% of the vendors were selling to minors.

August 25, 1996

MEET AND GREET

Date: August 26, 1996
Location: Presidential Car
Time: TBD -- Upon arrival in Bowling Green.
From: Joe Trahern

I. PURPOSE AND BACKGROUND

Photo op with five citizens of Bowling Green.

II. PARTICIPANTS

Three of the people you will greet are winners of the Wood County Democratic Party's poster contest. **Brian Williams**, a young man in his twenties, won the 12 and over competition with a large poster that reads "B.G. (Heart) Clinton" that is posted outside the train at the Bowling Green stop. **Kalley and Hannah Bostdorff** won the under 12 competition.

Lacey MacDonald, age 11, will show you a replica of a train she made that includes figures of you and Chelsea Clinton inside.

On behalf of the city of Bowling Green, **City Council President Joyce Kepke (D)** will present you with a quilt. On behalf of Bowling Green State University, she will present you with a Bowling Green State jogging jacket and pants.

III. PRESS PLAN

Local photographer only.

IV. SEQUENCE OF EVENTS

Meet and greet with photo.

V. REMARKS

None required.

August 24, 1996

MEET AND GREET

Date: August 26, 1996
Location: Guest Car
Time: TBD -- Prior to arrival in Bowling Green
From: Joe Trahern

I. PURPOSE AND BACKGROUND

Meet and greet with Democratic activists and political supporters. The list was put together by the Clinton-Gore staff in Ohio in consultation with our key contacts there.

II. PARTICIPANTS

Lists attached of guests who have joined the train for this leg (Columbus to Toledo) and of guests who are on the train for all stops in Ohio.

III. PRESS PLAN

Closed press.

IV. SEQUENCE OF EVENTS

Meet and greet.

V. REMARKS

None required.

**21ST CENTURY EXPRESS
OHIO STOPS**

COLUMBUS TO TOLEDO

- Jane Campbell** Serving her sixth term as State Representative representing the 15th district. Assistant Minority leader. Currently running for County Commissioner in Cuyahoga County. Extremely active in mobilizing Democratic Women's organizations statewide.
- Mac Fleming** President, Brotherhood of Maintenance of Way Employees since 1990. AFL-CIO Executive Council member since 1995. Began career on tracks. Maintenance of Way Employees build and maintain railroads.
- Carty Finkbeiner** Mayor of Toledo, strong labor ties although he has current troubles with municipal unions. Does not see eye to eye with Congresswoman Kaptur. Strong vocal supporter of the President. Former republican congressional candidate. Working hard to be accepted by the democratic structure and heal old wounds.
- Gary Haines** Candidate for State Senate. Currently Bellview City Treasurer. Member of Transportation Communications Union and deacon in southern baptist church. Concerned about education. Has been married 24 years.
- Clarence Monin** Recently elected President of Brotherhood of Locomotive Engineers (1 month). National Chairman of the Safety Task Force. Married to Lyra, 3 children.
- Dave Muller** President of Ohio College Democrats . Actively involved in Ohio C/G campaign. 21 years old.
- Jim Ruvolo** Former Ohio Democratic Party State Chairman. He has been extremely active in Ohio politics in Ohio for last twenty five years. Principal Clinton/Gore advisor in Ohio.
- Peter Ujvagi** Active urban ethnic leader, Toledo City Council, Small Businessman, Member of the National Democratic Ethnic Coordinating Committee. Hungarian American decent.
- Dr. Tony Yap** Candidate for State Representative. Has been a practicing physician in the Wood/Lucas county areas for thirty years. Extremely active in the movement for the Free Phillippines which is the organization which helped overthrow President Marcos and elect Corazon Aquino. His daughter, Antoinette Wilson, is the political director for C/G in Ohio.

**21ST CENTURY EXPRESS
OHIO STOPS**

ASHLAND TO TOLEDO [ALL STOPS]

- Gene Branstool** Former Assistant Secretary of Agriculture. Former Ohio Democratic Party Chairman. Former Lieutenant Governor Candidate and Former State Senator. Very active in agricultural issues. Chairman Farmer MAC Board.
- Jerry Hultin** Consultant, Jefferson Group in Washington. Longtime Clinton friend and former classmate. Organizer of National Democratic Policy Council which is Ohio arm of DLC.
- Joel Hyatt** Chief Executive Officer of Hyatt Legal Services. Candidate for Senate in 1994. Wife, Susan, is the daughter of former Ohio US Senator Howard Metzenbaum. Speculation has another statewide run in the future for Joel Hyatt.
- John Glenn** United States Senator. Only major statewide elected official in the state. Clinton/Gore staff working diligently to take benefit of Sen. Glenn's knowledge and popularity.
- Jeffrey Johnson** State Senator. Active in statewide politics. Heads the Ohio Legislative Black Caucus. Joined the coordinated campaign as Constituency Outreach Coordinator. Interested in succeeding Congressman Louis Stokes in Congress.
- Marcy Kaptur** Member of Congress, extremely popular in Toledo area. Critical of the President on NAFTA. Very active in congressional races around the country, committed to regaining control of the House.
- Jolene Molitoris** Current Administrator of the Federal Railroad Administration. Also, she is the first woman to hold the position. 1996 WTS Transportation Woman of the Year. Former Deputy Director of the Ohio Department of Transportation.
- Jim Traficant** Member of Congress, representing the Mahoning Valley.

**21ST CENTURY EXPRESS
OHIO STOPS**

ASHLAND TO TOLEDO [ALL STOPS] - Continued

**Mary Ellen
Withrow**

US Treasurer. Former Ohio State Treasurer. Former Marion County
Treasurer. Very popular in Kenton, Arlington area. Led the ticket in Ohio
the last time she ran.

Keeping Guns out of the Hands of Domestic Violence Offenders

Background:

- In 1994, there were 88,500 incidents of domestic violence where a firearm was present. Responding to these calls is deadly business for law enforcement. From 1985 to 1994, there were 65 law enforcement officers killed when they responded to family quarrels and 9 out of 10 of those deaths resulted from firearms.
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- But many spouse abusers are not covered by this law. Because of plea bargaining or the downgrading of an offense, the overwhelming majority of domestic violence cases are misdemeanors not felonies. The result is that these offenders are still free under federal law to possess a firearm.

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August 26, 1996

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August 26, 1996

Providing Safe Learning Environments for our Kids:

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August 26, 1996

Rebuttal Points on Guns and Domestic Violence

Bob Dole Opposed the Brady Bill

- On November 20, 1993, Dole voted against passage of the Brady Bill. Upon voting against final passage, Dole stated: "We lost one." Dole had also led a GOP filibuster of the Brady Bill, voting twice against cloture, despite the fact that the bill represented a compromise measure that he helped draft. [1993 CO Almanac, p. 302; p. 51-S, vote # 394; Houston Chronicle, 11/25/93; 1993 CO Almanac, p. 302; votes #387, #390, 11/19/93, p. 50-S]
- Dole has called the Brady Bill, "totally symbolic" and has said, "...[W]ill [the Brady bill] make much difference? Probably not." ["Meet the Press," 1/2/94; "CBS Evening News," 1/27/93]

Bob Dole Voted Against the Violence Against Women Act

- On August 25, 1994, after filibustering and threatening to kill the bill, Dole voted against the Clinton Crime Bill and its \$1.6 billion in funding for the Violence Against Women Act. [Los Angeles Times, 8/24/94; 1994 CO Almanac, p. 50-S, Vote # 293-295; HHS, 2/21/96]
- During debate on the crime bill, Dole criticized the bill for containing "\$10 billion worth of pork." Included in the \$10 billion of so-called "pork" that Dole cited was \$1.8 billion in funding for the Violence Against Women Act. [Dole speech, Denver, CO, C-SPAN, Campaign '94; Los Angeles Times, 8/12/94; Washington Post, 8/13/94]

Dole Domestic Violence Stance Already Enacted by President -- While Dole Voted Against It

- In response to news reports about President Clinton's new proposal to deny guns to domestic abusers, Bob Dole released a statement saying, "Bob Dole believes all guns, not just handguns, should be kept out of the hands of domestic abusers. That's why the Dole Instant check initiative would prevent anyone under a court order for stalking or harassing their spouse from purchasing any gun -- rifle, shot gun, or handgun." [Dole release, 8/25/96]
- What Dole neglected to mention was that the Violence Against Women Act -- signed by President Clinton and voted against by Dole -- includes a "firearms disability provision" that makes it a federal offense for any person subject to a court order restraining that person from harassing, stalking, or threatening an intimate partner or the child of an intimate partner, to possess firearms or ammunition. [DOI, Violence Against Women Office, "Violence Against Women Act: Breaking the Cycle of Violence"]

Bob Dole is Wrong on the Funding Provided Under the Violence Against Women Act

- In an August 25th press release, Dole attacked the Clinton Administration for releasing "just \$473,000 of the \$175 million appropriated by Congress for the Department of Justice's Violence Against Women program." [Dole release, 8/25/96]

In fact, since the FY 96 budget was passed and signed into law, the Clinton Administration has announced that more than \$77 million in STOP grants to combat domestic violence and sexual assault have gone to 30 states and five territories. These grants will be used to train police, hire new prosecutors and provide assistance to victims. [Department of Justice, Violence Against Women Office release, 8/9/96]

Violence Against Women Prosecutions Are Effective

- In an August 25th press release, Dole attacked the Clinton Administration for prosecuting "only 18 individuals under the Violence Against Women Act." [Dole release, 8/25/96]

The vast majority of domestic violence cases are brought at the state and local levels, which is exactly why the Administration fought to ensure appropriate funding of the VAWA grants to

support state and local law enforcement activity -- \$26 million in FY 95 and \$120 million in FY 96. In the instances where domestic abusers do travel across state lines, the federal government will use its jurisdiction. Already under VAWA, a domestic abuser was sentenced to life in prison for interstate domestic violence and kidnapping. [Statement of Janet Reno, before the Senate Judiciary Committee, 5/15/96, Violence Against Women Act: News, 7/96]

Bob Dole Has a History of Opposing Measures to Combat Domestic Violence

- On September 4, 1980, Dole voted against the Domestic Violence Prevention and Services Act (S 1843), which established a \$65 million grant program for state, local and private efforts to prevent domestic violence and provide emergency shelter to battered women. [1980 CQ Almanac, p. 443-445, vote #332, 9/4/80; Facts on File, 12/31/80]
- In Senate debate over whether to pass the bill or adopt an amendment to block grant the program, thereby removing the assurance that the funding would be used for battered women's shelters, Dole said: "*The Federal Government has no business getting into the treatment of domestic ills of this nature in any event....*" [Congressional Record, p. 23,199, 8/26/80]
- The bill -- a major target of the right-wing and the Moral Majority, which viewed it as a federal threat to the family -- was later killed by Republican senators who threatened to filibuster it. The bill was supported by the U.S. Civil Rights Commission, women's groups and social services groups. [Washington Post, 11/26/80; 1980 CQ Almanac, p. 443; Washington Post, 10/15/80; 1980 CQ Almanac, p. 443, 1980]

The Violence Against Women Act: Working in Ohio

- The Violence Against Women Act created a tough new federal offense for domestic abusers who cross state lines to violate a protection order or injure, harass, or intimidate a spouse or partner.
- On November 9, 1995, Derek Duane Page, of Columbus, Ohio, was charged under the Violence Against Women Act, when a federal grand jury indicted him.
- Page had been arrested after severely beating his former girlfriend, stabbing her with the claw end of a hammer several times, breaking her femur bone, punching her with his fists until her eyes were shut, and injuring her feet so that she could not walk.
- After the beating, Page took his victim, who was close to death, 150 miles to a hospital in Pennsylvania in order to avoid prosecution in Ohio. Local prosecutors in Ohio faced difficult evidentiary problems, and in Pennsylvania, authorities could not proceed because no criminal conduct had occurred in the state.
- Officials in Ohio turned to federal prosecutors who prosecuted the case and obtained a conviction. Page has been held in custody without bond since his arrest and is awaiting sentencing.

Date: 08/24/96 Time: 15:37

BBuying Handguns -- Including 85 Felons Per Day

To: National Desk

Contact: Bob Walker or Wendy Adler of the Center to Prevent Handgun Violence, 202-289-7319, or on Sunday Walker can be paged at 1-800-465-0332

ADVANCE for release at 11:59 p.m. Sunday, Aug. 25:

/ADVANCE/ WASHINGTON, Aug. 25 /U.S. Newswire/ -- A new study released today by the Center to Prevent Handgun Violence (CPHV) shows that, since implementation of the Brady Law, an estimated 102,822 criminals and other prohibited purchasers -- including 72,325 felons, or 85 felons per day -- have been stopped from buying a handgun. The Brady Handgun Violence Prevention Act (Brady or Brady Law) requires a five-day waiting period and background check before completion of the sale of a handgun.

"The Brady Law has worked to keep handguns out of the hands of 102,822 criminals and other prohibited purchasers," said Sarah Brady, chair of CPHV, and who worked hard to pass the Brady bill. Her husband, former presidential press secretary James S. Brady, was seriously wounded during an assassination attempt on President Ronald Reagan.

The study quantifies the impact of Brady in the 32 states which had to begin complying with the law when it was implemented on Feb. 28, 1994. The study estimates the number of retail handgun purchase attempts which have been stopped because the background check revealed the prospective purchaser to be ineligible by law (i.e., convicted felon, individuals adjudicated mentally defective or subject to a restraining order).

"Previous studies underestimated the impact of Brady's effectiveness by not including those states which have established their own background check since the Brady Law was enacted," said Mrs. Brady.

Examples of the Brady Law's effectiveness can be shown in the following anecdotes collected during the research:

-- In 1995, the Kentucky State Police denied 323 individuals under domestic violence restraining orders from purchasing a handgun.

-- In 1994, the Brady Law stopped a handgun sale to a Colorado man who had been convicted for sexually assaulting his daughter and battering his wife.

-- In April 1995, a Brady background check helped Bureau of Alcohol, Tobacco and Firearms (ATF) agents and local police apprehend a convicted heroin dealer and fugitive as he attempted to buy a handgun in Blair County, Pa. Prior to the enactment of the Brady Law, he had bought at least seven other guns without challenge and traded them to support his crack addiction. He is now serving two years in prison on various charges.

-- In Utah, an individual trying to purchase a handgun from a pawn dealer was arrested by the Salt Lake City Police Department on a felony warrant held by the state of Colorado for aggravated sexual abuse of a child. The pawn dealer stalled the individual until the police arrived.

-- When he applied to buy a handgun, a New Orleans man was arrested in 1995 for falsifying his application, reporting that he was not a fugitive from justice and was not under indictment. A Brady background check revealed two felony arrest warrants for him from the state of Texas. The man was arrested and later indicted on three counts.

-- In 1996, the Brady Law stopped a handgun sale in Colorado to a man who was wanted for armed robbery in the state of Washington.

Due to the Brady background check he was arrested in Colorado and extradited back to Washington state.

"Jim and I are gratified that the law we worked so hard to pass is helping to catch criminals and put them behind bars," said Mrs. Brady. "But, most importantly, the background checks are working to keep handguns out of the hands of fugitives, thieves, wife beaters, drug addicts, gun traffickers, stalkers, kidnappers, child abusers and convicted murderers."

"The background check and waiting period of the Brady Law are working well," added Mrs. Brady. "Any attempt to move up the implementation of the 'instant check' provision -- and eliminate the waiting period -- before all states' criminal records are adequately computerized would undermine the effectiveness of the Brady Law."

Under the Brady Law, there is no national, centralized reporting of "denials" made by state and local law enforcement officials, but this study examined nine of the original 32 Brady states where state level statistics were available. Data from the nine states were used to estimate the percentage of all retail gun sales that were stopped in the original Brady states. The nine states from which the data were collected are: Arizona, Arkansas, Colorado, Idaho, Kentucky, Nevada, South Carolina, Utah and West Virginia. Through the end of June 1996, these states were responsible for approximately 27 percent of all handgun background checks initiated in the original Brady states.

Editors: The study is available from CPHV by calling 202-289-7319, or by paging Walker at 800-465-0332.

-0-

/U.S. Newswire 202-347-2770/
APNP-08-24-96 1546EDT

FAX

REP. ROBERT TORRICELLI

1026 Longworth HOB Washington, DC 20515

Phone Numbers:

202-225-5061 (Voice)

202-225-0745 (Fax)

TO: Leon Panetta

FROM: _____

DATE: _____

Bob Torricelli

Steve Fisher

Ross Gallin

Jamie Fox

Rebecca Dishotsky

Marilyn Davis

Scott Wilson

Erio Shuffler

Mara Cleary

Number of Pages that Follow: 1

Notes: _____

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MEMORANDUM

TO: Leon Panetta
FROM: Scott Wilson, Legislative Director, Office of Rep. Torricelli
DATE: August 19, 1996
RE: Torricelli Legislation on Guns and Taxes

TORRICELLI

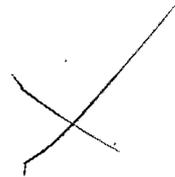

Congressman Torricelli has asked me to give you a brief summary of the two legislative initiatives you discussed with him today.

Tax-Free Severance Packages:

- ▶ H.R. 2999 would allow an employee who is laid-off as a part of a reduction in a company's workforce, and who receives a severance payment, to deduct from his taxes the first \$50,000 of his severance package from his income taxes.

Gun Ban for Spouse Abusers:

- ▶ H.R. 3455 would prohibit any person convicted of a crime involving domestic violence from owning or possessing firearms. The term "domestic violence" is defined as a felony or misdemeanor crime of violence committed by a former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has chohabitated with the victim as a spouse, parent, or guardian.
- ▶ Senator Frank Lautenberg introduced companion legislation in the Senate (S 1632). On July 25, Senator Lautenberg successfully attached S 1632 to the Anti-Interstate Stalking Bill by unanimous consent. The bill passed the Senate with the Lautenberg amendment.
- ▶ The House passed by the Anti-Interstate Stalking bill in May without the domestic violence provision. The House-Senate Conference is set to meet in September.



Domestic Violence and Firearms

Background:

- In 1994, there were 88,500 incidents of domestic violence where a firearm was present. Responding to these calls is deadly business for law enforcement. From 1985 to 1994, there were 65 law enforcement officers killed when they responded to family quarrels and 9 out of 10 of those deaths resulted from firearms.
- In 1993, President Clinton signed the Brady Law and it has prevented over 60,000 felons, fugitives and others from buying handguns. The 1994 Clinton Crime Bill included the historic Violence Against Women Act, which made it a crime for stalkers and harassers under restraining orders to carry a gun. That provision is beginning to take hold -- in Kentucky alone, over 300 stalkers were prohibited from buying firearms in one year.
- But many spouse abusers are not covered by this law. Because of plea bargaining or the downgrading of an offense, the overwhelming majority of domestic violence cases are misdemeanors not felonies. The result is that these offenders are still free under federal law to possess a firearm.

Disarming Domestic Violence Offenders:

- Senator Lautenberg and Representative Torricelli have been pushing for legislation that would prohibit those convicted of any offense involving domestic violence -- misdemeanor or felony -- from owning or possessing a firearm. The Lautenberg bill passed the Senate unanimously.
- Under strict orders from the gun lobby, however, the House Republican Leadership has blocked this legislation. That is why President Clinton is calling on Congress to disarm domestic violence offenders and pass legislation like the Lautenberg Bill before the end of the session.
- This bill would amend the 1968 Federal Firearms statute so that if a person is convicted of any crime of domestic violence -- not just a felony -- s/he forfeits the right to possess a firearm.
- To help States in enforcing such a measure, President Clinton's 1994 Crime Bill is already providing funding for States to improve their criminal history record-keeping abilities and in 1996 the Clinton Administration specifically instituted a "National Stalker and Domestic Violence" record-keeping program

Cop Killer Bullets: "The Saving Law Enforcement Officers' Lives Act of 1995"

- Criminals should not have access to handgun ammunition that can pierce bullet-proof vests worn by law enforcement officers.
- That is why President Clinton sent to Congress last summer the "Saving Law Enforcement Officers' Lives Act of 1995," which would ban cop killer bullets.
- Although current law provides limits on ammunition based on the specific materials from which it is made, it does not address the problem of excessively powerful ammunition based on its performance.
- President Clinton's legislation directs the Secretary of Treasury to promulgate regulations that will prohibit the manufacture, importation, and distribution of handgun ammunition that can pierce standard bullet-proof vests.
- In developing these regulations, the Secretary will consult with law enforcement, body armor and ammunition manufactures, sporting groups, and the academic research community. In addition, Congress is provided a 45-day opportunity to review the regulations and disapprove of them.
- This legislation would limit the availability of this ammunition without affecting the needs of legitimate sporting enthusiasts. Most importantly, it will save police officers' lives.
- Unfortunately, the gun lobby has held this legislation hostage. When Representative Schumer attempted to add it to Anti-Terrorism legislation during a committee vote last summer, two Republicans helped kill the measure when they flipped their votes under pressure from the NRA.
- President Clinton is calling on Congress to stop endangering the lives of police officers and send this legislation to him before the end of the session.
- As Dewey Stokes, the former President of the National Fraternal Order of Police so forcefully stated when President Clinton proposed this legislation::

"This is the bill we've been waiting for. One that requires law enforcement, the firearms industry and the Congress to work together to close the book on cop-killer bullets -- and special interests be damned."

Tougher Sentences for Gun-Toting Drug Dealers

- Law enforcement needs every tool to prosecute these armed gangs. Unfortunately, a recent Supreme Court decision tied the arms of Federal prosecutors in their efforts to prosecute violent gangs.
- In Bailey v. United States, the Supreme Court severely restricted Federal prosecutors ability to prosecute drug traffickers and gang members for "using" a weapon in a criminal offense. Left to stand, Bailey will result in lighter sentences for these criminals.
- Over the last 5 years, the provision in question in Bailey was used 13,424 times by federal prosecutors.

- The Clinton Administration has responded to the Supreme Court's restrictive ruling by proposing the "Enhanced Prosecution and Punishment of Armed Dangerous Felons Act of 1996."
- This bill would legislatively overrule the Bailey decision and return an important prosecutorial tool to law enforcement.
- President Clinton believes that drug traffickers and gang members who use firearms in criminal offenses should receive the toughest sentence possible, and he is calling on Congress to move forward on this legislation.

Gun-Free School Zones Amendments Act of 1995

- As President Clinton has said, we must do everything in our power "to make schools places where young people can be safe, where they can learn, where parents can be confident that discipline is enforced ... if young people can't learn in safety they can't learn at all."
- Eliminating guns from schools is a critical step toward that goal.
- The number of homicides juveniles commit each year with guns has more than doubled between 1985 and 1992, while there has been no change in nongun homicides. {another gun stat -- kids, schools, guns related}

- It is for these reasons that last year the President transmitted to Congress the "Gun-Free School Zones Amendments Act of 1995."
- This legislation would revise the Gun-Free School Zones Act of 1990, which was invalidated by the Rehnquist Court in United States v. Lopez.
- The 1990 Act passed through Congress strongly supported by both parties and signed by President Bush. It was a simple but important measure -- it made it illegal to have a gun within 1,000 feet of a school.
- Unfortunately, the Supreme Court held the law unconstitutional ruling that the Federal government could not regulate this activity because it did not have enough to do with interstate commerce.
- As revised by the legislation now before Congress, the Act would require that the government prove in each prosecution that the firearm in question "has moved in or otherwise affects interstate or foreign commerce."
- President Clinton is challenging Congress to move forward on this legislation before they recess for the end of the session. The safety of our children is too important to delay for another year.

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

of pages ▶

To <i>Bruce Reed</i>	From <i>Grace Mastall</i>
Dept./Agency	Phone #
Fax # <i>456-5557</i>	Fax #

J.S. Department of Justice
Office of Intergovernmental Affairs

NSN 7540-01-317-7368

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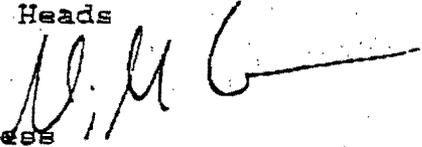
GENERAL SERVICES ADMINISTRATION

Director

Washington, D.C. 20530

August 21, 1996

MEMORANDUM FOR: All Component Heads

FROM: 
Nicholas M. Gess
Director of Intergovernmental Affairs

SUBJECT: Possible amendments to the Youth Handgun Safety Act

Pursuant to the request of the Associate Attorney General, we have been asked to circulate for your comment the following series of proposals relating to the Youth Handgun Safety Act, 18 U.S.C. Sec. 922(x), which the Administration may offer. Please note that these are not necessarily Department of Justice proposals and that these are merely ideas.

We are using this expedited process because of the very short deadlines which have been imposed upon us. Please respond no later than Thursday, August 22, 1996 at 5:00 P.M. via facsimile on (202) 514-2504.

1. Raise the age for the definition of "juvenile" for purposes of Section 922(x) from 18 to 21.
2. Repeal the prohibition on imprisonment for juvenile violators of Section 922(x).
3. Increase from 1 to 5 years the maximum period of imprisonment for adults who violate Section 922(x) by transferring handguns to juveniles.
4. Establish a minimum mandatory penalty for adults who violate Section 922(x) by transferring handguns to juveniles.
5. Establish a minimum mandatory penalty for adults who violate Section 922(x) by transferring handguns to juveniles with the knowledge that the firearms will be used for certain serious crimes (currently a maximum penalty of imprisonment for 10 years).
6. Consider whether your recommendations for items 2-5 are different dependent on whether item 1 is adopted.

We appreciate your quick turnaround and apologize for the short time-frame.

Reducing Gun Violence in America: The Clinton Administration's Strategy to Disarm Spouse Abusers and Felons and Ban "Cop Killer" Bullets

Announcement:

In several important steps to reduce gun violence in America, President Clinton is calling on Congress to pass -- before they adjourn for the year -- a Brady Law extension to cover domestic violence offenders, his "Cop Killer" Bullets bill that has been blocked by the gun lobby for over a year, and his legislation that will keep firearms out of the hands of felons and provide stiffer penalties for gun-toting drug dealers.

The Strategy:

1. Prohibit spouse abusers from having firearms
2. Enact a ban on "Cop Killer" Bullets
3. Permanently disarm felons by passing President Clinton's legislation
4. Enact legislation that will overcome Bailey v. United States

Background:

Spouse Abusers and Firearms

In 1993, President Clinton signed the Brady Law and it has resulted in preventing over 60,000 felons, fugitives and others from buying a handgun. The 1994 Clinton Crime Bill extended the Brady Law to stalkers and harassers under a restraining orders to stay away. That provision is beginning to take hold and in Kentucky, alone, over 300 stalkers were prohibited from buying a firearm in one year. But many spousal abusers are not covered by this law. Because of plea bargaining or the downgrading of an offense, the overwhelming majority of domestic violence cases are misdemeanors instead of felonies. The result is that these offenders are still free under federal law to possess a firearm.

Senator Lautenberg has been pushing for legislation that would prohibit those convicted of any offense involving domestic violence from owning or possessing a firearm. His bill passed the Senate unanimously, but under strict orders from the gun lobby the House Republican Leadership has blocked this legislation. That is why President Clinton is calling on Congress to disarm spousal abusers and pass legislation like the Lautenberg Bill before the end of the session.

Cop Killer Bullets

Criminals should not have access to handgun ammunition which can pierce bullet-proof vests worn by law enforcement officers.

Last summer, President Clinton transmitted to Congress the "Saving Law Enforcement Officers' Lives Act of 1995," which would ban cop killer bullets. Although current law provides limits on ammunition based on the specific materials from which it is made, it does not address the problem of excessively powerful ammunition based on its performance. This legislation would limit the availability of this ammunition and save police officers' lives.

Unfortunately, the gun lobby has held this legislation hostage. When Representative Schumer attempted to add it to Anti-Terrorism legislation during a committee vote last summer, two Republicans flipped their votes under pressure from the NRA. President Clinton is calling on Congress to stop endangering the lives of police officers and send this legislation to him before the end of the session.

Disarming Felons

Current law prohibits felons from possessing firearms. However, a NRA-sponsored amendment enacted in 1986 permits states to overrule Federal law and restore firearm rights to convicted felons. This "restoration of rights" law has greatly hampered Federal prosecutors' ability to prosecute armed felons in many states.

President Clinton believes that if you are convicted for a violent offense, you should not be carrying a gun. That is why he submitted legislation to Congress that would prohibit felons from having their rights restored but Congress has yet to move on it. Under the Clinton bill, a criminal previously convicted of a state crime constituting a violent felony or a serious drug offense cannot have his/her federal rights pertaining to a firearm restored under state law.

Tougher Sentences for Gun-Toting Drug Dealers

A recent Supreme Court decision (Bailey v. United States) severely restricts Federal prosecutors ability to prosecute drug traffickers and gang members for "using" a weapon in a criminal offense. This Court decision is resulting in lighter sentences for these criminals.

Over the last 5 years, the law weakened by Bailey was used 13,424 times by federal prosecutors. The Clinton Administration responded to the Supreme Court's restrictive ruling by proposing the "Enhanced Prosecution and Punishment of Armed Dangerous Felons Act of 1996." This bill would legislatively overrule the Bailey decision and return an important prosecutorial tool to law enforcement. President Clinton believes that drug traffickers and gang members who use firearms in criminal offenses should receive the toughest sentence possible and he is calling on Congress to move forward on this legislation.

*Notax 69-23 72-22
*IRS 71-27 74-21
*Fed reg. 77-20

Ljutic LTX Super Deluxe Mono Gun
 Ljutic Recoilless Space Gun Shotgun
 Marlin Model 55 Goose Gun Bolt Action
 New England Firearms Turkey and Goose Gun
 New England Firearms N.W.T.F. Shotgun
 New England Firearms Tracker Slug Gun
 New England Firearms Standard Pardner
 New England Firearms Survival Gun
 Perazzi TM1 Special Single Trap
 Remington 90-T Super Single Shotgun
 Snake Charmer II Shotgun
 Stoeger/IGA Reuna Single Barrel Shotgun
 Thompson/Center TCR '87 Hunter Shotgun."

1994
 CRIME
 BILL

Subtitle B—Youth Handgun Safety

SEC. 110201. PROHIBITION OF THE POSSESSION OF A HANDGUN OR AMMUNITION BY, OR THE PRIVATE TRANSFER OF A HANDGUN OR AMMUNITION TO, A JUVENILE.

(a) OFFENSE.—Section 922 of title 18, United States Code, as amended by section 110103(a), is amended by adding at the end the following new subsection:

“(x)(1) It shall be unlawful for a person to sell, deliver, or otherwise transfer to a person who the transferor knows or has reasonable cause to believe is a juvenile—

“(A) a handgun; or

“(B) ammunition that is suitable for use only in a handgun.

“(2) It shall be unlawful for any person who is a juvenile to knowingly possess—

“(A) a handgun; or

“(B) ammunition that is suitable for use only in a handgun.

“(3) This subsection does not apply to—

“(A) a temporary transfer of a handgun or ammunition to a juvenile or to the possession or use of a handgun or ammunition by a juvenile if the handgun and ammunition are possessed and used by the juvenile—

“(i) in the course of employment, in the course of ranching or farming related to activities at the residence of the juvenile (or on property used for ranching or farming at which the juvenile, with the permission of the property owner or lessee, is performing activities related to the operation of the farm or ranch), target practice, hunting, or a course of instruction in the safe and lawful use of a handgun;

“(ii) with the prior written consent of the juvenile's parent or guardian who is not prohibited by Federal, State, or local law from possessing a firearm, except—

“(I) during transportation by the juvenile of an unloaded handgun in a locked container directly from the place of transfer to a place at which an activity described in clause (i) is to take place and transportation by the juvenile of that handgun, unloaded and in a locked container, directly from the place at which such an activity took place to the transferor; or

“(II) with respect to ranching or farming activities as described in clause (i), a juvenile may possess and use a handgun or ammunition with the prior written approval of the juvenile's parent or legal guardian and at the direction of an adult who is not prohibited

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Handgun Safety

POSSESSION OF A HANDGUN OR THE PRIVATE TRANSFER OF A GUN TO A JUVENILE.

Section 922(x) of title 18, United States Code, is amended by adding at the end thereof the following:

(1) a person to sell, deliver, or otherwise transfer to a juvenile, if the transferor knows or has reason to know that the person is a juvenile,

(2) a person to use a handgun or ammunition for use only in a handgun or target practice, hunting, or other lawful use of a handgun or ammunition,

(3) a person to use a handgun or ammunition for use only in a handgun or target practice, hunting, or other lawful use of a handgun or ammunition,

(4) a person to use a handgun or ammunition for use only in a handgun or target practice, hunting, or other lawful use of a handgun or ammunition,

(5) a person to use a handgun or ammunition for use only in a handgun or target practice, hunting, or other lawful use of a handgun or ammunition,

(6) a person to use a handgun or ammunition for use only in a handgun or target practice, hunting, or other lawful use of a handgun or ammunition,

(7) a person to use a handgun or ammunition for use only in a handgun or target practice, hunting, or other lawful use of a handgun or ammunition,

(8) a person to use a handgun or ammunition for use only in a handgun or target practice, hunting, or other lawful use of a handgun or ammunition,

(9) a person to use a handgun or ammunition for use only in a handgun or target practice, hunting, or other lawful use of a handgun or ammunition,

(10) a person to use a handgun or ammunition for use only in a handgun or target practice, hunting, or other lawful use of a handgun or ammunition,

by Federal, State or local law from possessing a firearm;

"(iii) the juvenile has the prior written consent in the juvenile's possession at all times when a handgun is in the possession of the juvenile; and

"(iv) in accordance with State and local law;

"(B) a juvenile who is a member of the Armed Forces of the United States or the National Guard who possesses or is armed with a handgun in the line of duty;

"(C) a transfer by inheritance of title (but not possession) of a handgun or ammunition to a juvenile; or

"(D) the possession of a handgun or ammunition by a juvenile taken in defense of the juvenile or other persons against an intruder into the residence of the juvenile or a residence in which the juvenile is an invited guest.

"(4) A handgun or ammunition, the possession of which is transferred to a juvenile in circumstances in which the transferor is not in violation of this subsection shall not be subject to permanent confiscation by the Government if its possession by the juvenile subsequently becomes unlawful because of the conduct of the juvenile, but shall be returned to the lawful owner when such handgun or ammunition is no longer required by the Government for the purposes of investigation or prosecution.

"(5) For purposes of this subsection, the term 'juvenile' means a person who is less than 18 years of age.

"(6)(A) In a prosecution of a violation of this subsection, the court shall require the presence of a juvenile defendant's parent or legal guardian at all proceedings.

"(B) The court may use the contempt power to enforce subparagraph (A).

"(C) The court may excuse attendance of a parent or legal guardian of a juvenile defendant at a proceeding in a prosecution of a violation of this subsection for good cause shown."

(b) PENALTIES.—Section 924(a) of title 18, United States Code, is amended—

(1) in paragraph (1) by striking "paragraph (2) or (3) of"; and

(2) by adding at the end the following new paragraph:

"(5)(A)(i) A juvenile who violates section 922(x) shall be fined under this title, imprisoned not more than 1 year, or both, except that a juvenile described in clause (ii) shall be sentenced to probation on appropriate conditions and shall not be incarcerated unless the juvenile fails to comply with a condition of probation.

"(ii) A juvenile is described in this clause if—

"(I) the offense of which the juvenile is charged is possession of a handgun or ammunition in violation of section 922(x)(2); and

"(II) the juvenile has not been convicted in any court of an offense (including an offense under section 922(x) or a similar State law, but not including any other offense consisting of conduct that if engaged in by an adult would not constitute an offense) or adjudicated as a juvenile delinquent for conduct that if engaged in by an adult would constitute an offense.

"(B) A person other than a juvenile who knowingly violates section 922(x)—

"(i) shall be fined under this title, imprisoned not more than 1 year, or both; and

NOTE - military exemption

21

Delete

"(ii) if the person sold, delivered, or otherwise transferred a handgun or ammunition to a juvenile knowing or having reasonable cause to know that the juvenile intended to carry or otherwise possess or discharge or otherwise use the handgun or ammunition in the commission of a crime of violence, shall be fined under this title, imprisoned not more than 10 years, or both."

no less than 5 years and

(c) TECHNICAL AMENDMENT OF JUVENILE DELINQUENCY PROVISIONS IN TITLE 18, UNITED STATES CODE.—

(1) SECTION 5031.—Section 5031 of title 18, United States Code, is amended by inserting "or a violation by such a person of section 922(x)" before the period at the end.

(2) SECTION 5032.—Section 5032 of title 18, United States Code, is amended—

(A) in the first undesignated paragraph by inserting "or (x)" after "922(p)"; and

(B) in the fourth undesignated paragraph by inserting "or section 922(x) of this title," before "criminal prosecution on the basis".

(d) TECHNICAL AMENDMENT OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974.—Section 223(a)(12)(A) of the Juvenile Justice and Delinquency Prevention Act of 1974. (42 U.S.C. 5633(a)(12)(A)) is amended by striking "which do not constitute violations of valid court orders" and inserting "(other than an offense that constitutes a violation of a valid court order or a violation of section 922(x) of title 18, United States Code, or a similar State law)."

42 USC 5653 note.

(e) MODEL LAW.—The Attorney General, acting through the Director of the National Institute for Juvenile Justice and Delinquency Prevention, shall—

(1) evaluate existing and proposed juvenile handgun legislation in each State;

(2) develop model juvenile handgun legislation that is constitutional and enforceable;

(3) prepare and disseminate to State authorities the findings made as the result of the evaluation; and

(4) report to Congress by December 31, 1995, findings and recommendations concerning the need or appropriateness of further action by the Federal Government.

Reports.

Subtitle C—Licensure

SEC. 110301. FIREARMS LICENSURE AND REGISTRATION TO REQUIRE A PHOTOGRAPH AND FINGERPRINTS.

(a) FIREARMS LICENSURE.—Section 923(a) of title 18, United States Code, is amended in the second sentence by inserting "and shall include a photograph and fingerprints of the applicant" before the period.

26 USC 5802.

(b) REGISTRATION.—Section 5802 of the Internal Revenue Code of 1986 is amended by inserting after the first sentence the following: "An individual required to register under this section shall include a photograph and fingerprints of the individual with the initial application."

SEC. 110302.

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SEC. 110303.

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SEC. 1103

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