

Nov. 7 / Administration of William J. Clinton, 1998

Memorandum on Preventing Firearms Sales to Prohibited Purchasers November 6, 1998

*Memorandum for the Secretary of the Treasury,
the Attorney General*

Subject: Preventing Firearms Sales to Prohibited Purchasers

Since 1993, my Administration has worked hand-in-hand with State and local law enforcement agencies and the communities they serve to rid our neighborhoods of gangs, guns, and drugs—and by doing so to reduce crime and the fear of crime throughout the country. Our strategy is working. Through the historic Violent Crime Control and Law Enforcement Act of 1994, we have given communities the tools and resources they need to help drive down the crime rate to its lowest point in a generation. Keeping guns out of the hands of criminals through the Brady Handgun Violence Prevention Act's background checks has also been a key part of this strategy. Over the past 5 years, Brady background checks have helped prevent a quarter of a million handgun sales to felons, fugitives, domestic violence abusers, and other prohibited purchasers—saving countless lives and preventing needless injuries.

On November 30, 1998, the permanent provisions of the Brady Law will take effect, and the Department of Justice will implement the National Instant Criminal Background Check System (NICS). The NICS will allow law enforcement officials access to a more inclusive set of records than is now available and will—for the first time—extend the Brady Law's background check requirement to long guns and firearms transfers at pawnshops. Under the NICS, the overall number of background checks con-

ducted before the purchase of a firearm will increase from an estimated 4 million annually to as many as 12 million.

We can, however, take additional steps to strengthen the Brady Law and help keep our streets safe from gun-carrying criminals. Under current law, firearms can be—and an untold number are—bought and sold entirely without background checks, at the estimated 5,000 private gun shows that take place across the country. This loophole makes gun shows prime targets for criminals and gun traffickers, and we have good reason to believe that firearms sold in this way have been used in serious crimes. In addition, the failure to maintain records at gun shows often thwarts needed law enforcement efforts to trace firearms. Just days ago, Florida voters overwhelmingly passed a ballot initiative designed to facilitate background checks at gun shows. It is now time for the Federal Government to take appropriate action, on a national basis, to close this loophole in the law.

Therefore, I request that, within 60 days, you recommend to me what actions our Administration can take—including proposed legislation—to ensure that firearms sales at gun shows are not exempt from Brady background checks or other provisions of our Federal gun laws.

WILLIAM J. CLINTON

NOTE: This memorandum was made available by the Office of the Press Secretary on November 6 but was embargoed for release until 10:06 a.m. on November 7.

The President's Radio Address November 7, 1998

Good morning. This week the American people sent a clear message to Washington that we must put politics aside and take real action on the real challenges facing our Nation: saving Social Security for the 21st century, passing a Patients' Bill of Rights, strengthening our

schools by finishing the job of hiring 100,000 teachers, and passing my plan to build or modernize 5,000 schools across our country.

Over the past 6 years, we have taken real action to address another important challenge, making our communities safe for our families.

For too long it seemed that rising crime was a frightening fact of life in America. In too many communities, children could not play on the street or walk to school in safety, older Americans locked themselves in their homes with fear, and gangs armed with illegal guns boldly roamed our streets and schools. I took office determined to change this, committed to a comprehensive anticrime strategy based on more community policing, tougher penalties, and better prevention.

Today our strategy is showing remarkable results. We're ahead of schedule and under budget in meeting our goal of putting 100,000 police on the street. And all across America, crime rates have fallen to a 25-year low, respect for the law is on the rise, families are beginning to feel safe in their communities again.

Keeping guns out of the hands of criminals has been at the center of our strategy and an essential part of our success. Since I signed the Brady law, after a big debate in Congress which was led in the House of Representatives by now Senator-elect Charles Schumer of New York, background checks have put a stop to nearly a quarter of a million handgun purchases by fugitives or felons. Law enforcement officers from around the country have told us that fewer guns on the street have made a huge difference in the lives of families they serve.

At the end of this month, we will make the Brady law even stronger. For the first time ever, we will require background checks for the purchase of any firearm, whether purchased from a licensed gun dealer or a pawnshop. But under this new insta-check system, as it's called, we'll be able to run nearly twice as many background checks, and most of them in just a matter of minutes.

We've spent 5 years working with State and local law enforcement to put this system in place, but when it comes to our families' safety, we must take another important step. Every year, an untold number of firearms are bought and sold at an estimated 5,000 gun shows around our country. I come from a State where

these shows are very popular. I have visited and enjoyed them over the years. They're often the first place parents teach their children how to handle firearms safely. I know most gun dealers and owners are dedicated to promoting safe and legal gun use. But at too many gun shows, a different, dangerous trend is emerging. Because the law permits some firearms to be sold without background checks, some of these gun shows have become illegal arms bazaars for criminals and gun traffickers looking to buy and sell guns on a cash-and-carry, no-questions-asked basis.

On Tuesday the people of Florida voted overwhelmingly to put a stop to these tainted transactions and make it harder for criminals to buy firearms. Under the new Florida law, communities now can take action to require background checks for the public sale of all guns. I believe this should be the law of the land: No background check, no gun, no exceptions.

Therefore, I am directing Secretary Rubin and Attorney General Reno to report back to me in 60 days with a plan to close the loophole in the law and prohibit any gun sale without a background check. We didn't fight as hard as we did to pass the Brady law only to let a handful of unscrupulous gun dealers disrespect the law, undermine our progress, put the safety of our families at risk. With this action, we are one step closer to shutting them down.

I look forward to working together with members of both parties in the new Congress to meet this challenge and all our challenges to build a safer and stronger America for the 21st century.

Thanks for listening.

NOTE: The address was recorded at approximately 9:30 a.m. on November 6 in the Oval Office at the White House for broadcast at 10:06 a.m. on November 7. The transcript was made available by the Office of the Press Secretary on November 6 but was embargoed for release until the broadcast.