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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 conducted 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 on November 6 but was embargoed for release by the Office of the Press Secretary 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