

Message to the Congress Transmitting Proposed Legislation on Violent Crime

September 30, 1992

To the Congress of the United States:

I am pleased to transmit for your immediate consideration and enactment the "Violent Crime Control Act of 1992." Also transmitted is a section-by-section analysis.

In a speech I delivered recently at the DeSales Catholic Church in Fox Park, Missouri, I outlined my crime agenda for the remainder of this Congress and for next year. I discussed several issues of particular concern to the families of this country such as carjacking, sexual and domestic assault, and gang violence. The enclosed legislative proposal addresses these critical problems.

As you know, I first proposed a comprehensive crime bill to the Congress on June 15, 1989. I again submitted a bill to the 102nd Congress on March 11, 1991. That bill, which has yet to be enacted, includes provisions for restoring and expanding the Federal death penalty, ending the abuse of habeas corpus, reforming the exclusionary rule, and establishing additional crimes and penalties involving the criminal use of firearms. The failure of the Congress to pass these pro-law enforcement proposals is particularly frustrating in light of the broad bipartisan support they enjoy.

I know that there is currently an effort being made to forge a genuine compromise that would include effective death penalty provisions and a version of habeas corpus reform that would be acceptable to me. It is my hope that the Congress will present me with such a compromise, one that is truly meaningful for Federal, State, and local law enforcement. This apparent willingness to work realistically on crime legislation provides the basis for me to call on this Congress to act quickly in its final days to pass the additional crime-fighting measures I am today proposing.

The bill I am transmitting today addresses several of the most significant current threats to public safety. It includes:

1. *New tools for fighting sexual violence* such as increased penalties, new rules of evidence and conduct for trial law-

yers, expanded restitution for victims, and grants to State and local law enforcement.

2. *Anti-carjacking provisions* in the form of a new Federal crime, expanded use of law enforcement grants to the States, and a study of devices to prevent carjacking.
3. *Provisions for combatting domestic violence* such as a new Federal offense covering spouse abuse, violations of protective orders, and stalking, and a comprehensive grant program to fight domestic violence and enforce child support obligations.
4. *Anti-gang amendments*, including a new RICO-type offense for street gang activities, a new offense for involving a minor in the commission of a violent crime, and broadened adult prosecution of violent juveniles.
5. *New laws for child support enforcement* that will give the Federal Government the ability to punish criminally "dead-beat dads" who leave a State in order to avoid child support or who are significantly late in the payment of child support obligations. The legislation will also assist the States in the enforcement of child support orders.
6. *Increased penalties for crimes against the elderly* that will punish and deter criminals from assaulting or defrauding senior citizens.
7. *New crimes and penalties for the criminal use of firearms* such as a mandatory 10-year sentence for using a semiautomatic firearm in the course of a violent or drug trafficking crime, and a mandatory 5-year sentence for possession of a gun by a dangerous felon.

As the 102nd Congress draws to a close, the Congress has an opportunity to pass legislation that will have a major impact on many of the most serious crime problems facing Americans. The public wants decisive action from government to combat the menacing presence of violent criminals. Let

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us address this unfinished agenda now.

September 30, 1992.

GEORGE BUSH

The White House,

Message to the Congress Reporting on the National Emergency With Respect to Haiti

September 30, 1992

To the Congress of the United States:

1. On October 4, 1991, in Executive Order No. 12775, I declared a national emergency to deal with the threat to the national security, foreign policy, and economy of the United States caused by events that had occurred in Haiti to disrupt the legitimate exercise of power by the democratically elected government of that country (56 FR 50641). In that order, I ordered the immediate blocking of all property and interests in property of the Government of Haiti (including the Banque de la Republique d'Haiti) then or thereafter located in the United States or within the possession or control of a U.S. person, including its overseas branches. I also prohibited any direct or indirect payments or transfers to the *de facto* regime in Haiti of funds or other financial or investment assets or credits by any U.S. person or any entity organized under the laws of Haiti and owned or controlled by a U.S. person.

Subsequently, on October 28, 1991, I issued Executive Order No. 12779 adding trade sanctions against Haiti to the sanctions imposed on October 4, 1991 (56 FR 55975). Under this order, I prohibited exportation from the United States of goods, technology, and services, and importation into the United States of Haitian-origin goods and services, after November 5, 1991, with certain limited exceptions. The order exempts trade in publications and other informational materials from the import, export, and payment prohibitions, and permits the exportation to Haiti of donations to relieve human suffering as well as commercial sales of five food commodities: rice, beans, sugar, wheat flour, and cooking oil. In order to permit the return to the United States of goods being prepared for U.S. customers by Haiti's substantial "assembly sector," the

order also permitted, through December 5, 1991, the importation into the United States of goods assembled or processed in Haiti that contained parts or materials previously exported to Haiti from the United States. On February 5, 1992, it was announced that this exception could be applied for on a case-by-case basis by U.S. persons wishing to resume a pre-embargo import/export relationship with the assembly sector in Haiti.

2. The declaration of the national emergency on October 4, 1991, was made pursuant to the authority vested in me as President by the Constitution and laws of the United States, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3 of the United States Code. I reported the emergency declaration to the Congress on October 4, 1991, pursuant to section 204(b) of the International Emergency Economic Powers Act (50 U.S.C. 1703(b)). The additional sanctions set forth in my order of October 28, 1991, were imposed pursuant to the authority vested in me by the Constitution and laws of the United States, including the statutes cited above, and implemented in the United States Resolution MRE/RES. 2/91, adopted by the Ad Hoc Meeting of Ministers of Foreign Affairs of the Organization of American States ("OAS") on October 8, 1991, which called on Member States to impose a trade embargo on Haiti and to freeze Government of Haiti assets. The present report is submitted pursuant to 50 U.S.C. 1641(c) and 1703(c), and discusses Administration actions and expenses directly related to the national emergency with respect to Haiti declared in Executive Order No. 12775, as